



HURRICANE CITY UTAH

Mayor

Clark Fawcett

City Manager

Kaden DeMille

City Council

Drew Ellerman

Joseph Prete

Dave Imlay

Lynn Excell

Amy Werrett

Hurricane City Council Meeting Agenda

March 5, 2026

5:00 PM

City Council Chambers 147 N 870 W, Hurricane

Notice is hereby given that the City Council will hold a Regular Meeting in the City Council Chambers 147 N 870 W, Hurricane, UT. [Meeting Link on Webex](#) Meeting number: 2630 456 5376 Meeting password: HCcouncil Join from a video or application Dial 26304565376@cityofhurricane.webex.com. You can also dial 173.243.2.68 and enter your meeting number. Join by phone +1-415-655-0001 US Toll Access code:26304565376. A silent roll call will be taken, followed by the Pledge of Allegiance and prayer by invitation. **THOSE WISHING TO SPEAK DURING PUBLIC FORUM MUST SIGN IN WITH THE RECORDER BY 6:00 P.M.**

5:00 p.m. Pre-meeting

1. Agenda Summary

6:00 p.m. - Call to Order

Prayer

Thought

Pledge of Allegiance

Declaration of any conflicts of interest

Minutes of the Regular City Council Meeting for February 19, 2026

Swearing in of Officer Ethan Rowell

Introduction of the 2026 Hurricane City Royalty and presentation of the 2025 scholarships - Dena Humphries

Presentation and update on the SR-9 Zion Canyon Technology project

Public Forum – Comments from Public

Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Cindy Beteag in writing before 12:00 p.m. the Tuesday one week before the Council meeting.

NEW BUSINESS

1. Consideration and possible approval of **Resolution 2026-15 Approving an increase in Water Rates** - Kory Wright
2. Consideration and possible approval of **awarding the consultant selection** for the Transportation Master Plan Update - Arthur LeBaron
3. Mayor, Council, and staff reports
4. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request

Adjournment

The undersigned City Recorder does hereby certify that the agenda was posted to the city website, posted to the state public notice website, and at the following locations: the City office, the post office, and the library on March 4, 2026. Cindy Beteag, City Recorder

REASONABLE ACCOMMODATION: Hurricane City will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs, please contact the City Recorder, 435-635-2811 x 106, at least 24 hours in advance if you have special needs.

Agenda Summary for Hurricane City Council March 5, 2026

5:00 p.m. Pre-Meeting

6:00 p.m. Call to Order

Minutes for February 19, 2026.

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New Business

1. The Washington County Conservancy District is increasing its wholesale water rate by \$0.11 per thousand gallons. Hurricane City buys a portion of the water it supplies to its residents from the District at the wholesale rate. This agenda item is to consider increasing Hurricane City's retail rate by \$0.11 per thousand gallons to match the increase by the District. The Water Board discussed this item on February 24, 2026, and unanimously recommended that the City Council increase the City's water rates by \$0.11 per thousand gallons. However, the Board recommended to deny the current 2% annual increase that has been built into the water rate for several years. The Board would like staff to determine what the increase should be and just do one increase rather than just increasing it each year. -Kory Wright
2. The current Transportation Master Plan was adopted in 2019. Hurricane City has budgeted funds to perform an update. An advertisement has been posted for consultant groups to submit statements of qualifications for this work. The scope of work that is contemplated is as follows:

Update the road network

Update active transportation network

Update the pavement management plan

Evaluate pavement management revenues and costs

Update Capital Facilities Plan

Update Impact Fee Facilities Plan

Provide for 2025 S.B. 195 Transportation Amendments compliance

The City has received a \$30,000 grant from the Dixie MPO and an additional grant application has been submitted to UDOT's Technical Planning Assistance program, which has a high likelihood of being awarded. This project will straddle two budget periods, so additional funds may be requested from impact fees if necessary to complete the scope of work.

As of this report the advertising period is still open. It is anticipated that the City will receive 5 or 6 submittals which will be evaluated by a selection committee consisting of

staff and council members, and a recommendation will be given prior to the March 5th council meeting. Once the selection has been made we will work with the selected consultant to present a cost proposal for the work to the council for final approval and execute a contract. -Arthur LeBaron

3. Mayor, Council, and staff reports.
4. Closed meeting if necessary.

Mayor
Clark Fawcett

City Manager
Kaden C. DeMille



City Council
Drew Ellerman
Joseph Prete
Dave Imlay
Lynn Excell
Amy Werrett

Human Resources Employment Report

This is a brief report on staff who have been recently hired and current open positions which need to be filled in the city.

New Hires

Matthew Kuhlmann – Golf Maintenance P/T
Dillon Dummer – Streets Operator I

Current Open Positions

Court Clerk I – Court

Parks Maintenance P/T – Parks Department

Staff Assistant – Recreation Department

Date 03/05/2026



1 Minutes of the Hurricane City Council meeting held on February 19, 2026, in the Council
2 Chambers at 147 North 870 West, Hurricane, Utah at 5 p.m.

3 **Members Present:** Mayor Clark Fawcett and **Council Members:** Drew Ellerman, Joseph Prete,
4 Dave Imlay, Lynn Excell, and Amy Werrett.

5
6 **Also Present:** City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Kurt Yates,
7 Assistant Public Works Director Weston Walker, Streets Superintendent Hayden Roberts, City
8 Planner Gary Cupp, Assistant Planner Fred Resch III, Power Director Mike Johns, Recreation
9 Director Tiffani Wright, City Engineer Arthur LeBaron, Building Official Larry Palmer, HR Director
10 Sel Lovell, Finance Manager Paige Chapman, Water Superintendent Kory Wright, and City
11 Recorder Cindy Beteag.

12
13 **AGENDA**

14 **5:00 p.m. Pre-meeting** - Discussion of Agenda Items, Department Reports

15 Larry Palmer reported that since the last meeting fifteen single family and eight townhome
16 permits have been submitted. Mayor Fawcett asked if he could review the year-end report at
17 the next meeting.

18 Chief Yates stated they had a busy holiday weekend. Officers dealt with a road rage incident
19 where an individual brandished a gun. They were able to locate the individual and arrest him.
20 The suspect in the arson case in Confluence Park pled guilty last week. Officer Marshall has
21 been busy with K9 deployments leading to thirteen drug arrests. Proactive police work by
22 Officers Crow, Kern, and Roberts have been pivotal in getting drugs off the street. Detectives
23 arrested a male for felony stalking at the high school and middle school. He reminded the
24 Council that the Animal Shelter was at full capacity, but Miranda did a great job coordinating
25 with rescues to find them homes. They went from full to three dogs at the shelter. He
26 mentioned their awning was destroyed in the last windstorm. Councilman Imlay confirmed the
27 jail is full and that is why drug offenses are just being cited and released.

28 Paige Chapman mentioned budget meetings will be coming up where each department will
29 prepare their budget presentation. A work meeting was scheduled for March 30th at 4 p.m. at
30 the four-court gym.

31 Kory Wright explained that the State does an audit every year to determine water loss. In 2024
32 they measured a 20.85 percent loss but this year we were down to 14.83 percent. He stated we
33 have never been that low and he thanked his crew for working so hard. This really is a credit to
34 them. He mentioned Ken Richins officially retired as of last Friday. Due to that, they have had
35 some change in rank. Austin Kimber moved to Mr. Wright's previous spot; Taylor Davis moved
36 to Austin's spot and Trevor Shamo moved up to crew foreman. He stated these are great guys
37 that are invested in the City. He is excited for them all to have this opportunity. He stated the
38 Sky Ranch Well should commence drilling next week. The Dixie Springs Well is fully functioning
39 and doing well. The Irrigation Efficiency project is going well. They are working on 650 South,

40 just over Thrill Hill. They are currently pouring the sides on the ponds which include eighty
41 sections. They pour two squares two times a week. Councilman Imlay asked how they measure
42 the water loss. Mr. Wright explained that the total water usage of the City's end users is
43 compared to the volume of water measured at the source.

44 Tiffani Wright stated spring sports will start this weekend with soccer. There will be a ribbon
45 cutting March 5th @ 3 p.m. for the four-court gym followed by some programs being held in the
46 gym after. Mayor Fawcett asked Mrs. Wright to invite all the mayors in the county and the
47 County Commissioners to the ribbon cutting. He will also invite Nanette Billings and give her
48 time to speak. Mrs. Wright reported the pool is pretty much demolished. They are going to
49 remove the wall between the neighbors and the pool and then once it is all cleaned up, they
50 will plan a groundbreaking. The Easter Egg Hunt will be at Three Falls Parks on April 4th @ 9 a.m.
51 That day is also the Easter Car Show. Friday, the night before, will be the opening day for Mama
52 Mia. Frozen will be the next show. She has a night position open at the gym if anyone knows of
53 someone looking for a part-time job.

54 Sel Lovell reported that we have hired Alex Farnsworth as the new electrical engineer. There
55 are positions open for recreation, two parks maintenance part time, golf maintenance part
56 time, and a court clerk. They are working on digitizing all records and time keeping. Staff is
57 almost done completing the master list for OSHA. They are also working on getting the website
58 ADA complaint.

59 Mike Johns confirmed they hired a new engineer who graduated from Dixie a few years ago. He
60 has been working as an engineer for three years, but it takes four years to finish his PE. They
61 will have to do a small remodel at the shop to make a spot for him. The Sky Mountain
62 Substation will be starting soon as well as a contractor for tree trimming, and the distribution
63 line along Old Hwy 91.

64 Weston Walker reported they held two preconstruction meetings today for Black Ridge Phase 2
65 and Red Sands Ph 1B by Dixie Springs. They will have Fire Rock Phase 5 next week. He stated
66 they attended the Southwest Storm Water Coalition meeting this week. There will be a training
67 on June 30th which will be required annually. There will be a MOU coming to the Council soon
68 that will make the City part of that coalition. The coalition has updated their forms to include
69 our City information. He explained we do have an ordinance in place, but we won't be taking
70 over inspections until 2027. Councilman Prete asked if something could be enforced for the
71 enormous potholes in the plaza off 700 West near State Street. He stated it is becoming a
72 safety issue because everyone is swerving around them. Mr. Walker stated that it is difficult
73 because it is on private property. Councilman Prete asked if there are minimum standards that
74 must be met. Fred Resch III stated the code states parking lots have to be paved or covered in
75 all weather service, but it doesn't have any requirements for maintenance. He explained he
76 hasn't found anything that he can force maintenance. Mr. Walker pointed out that any new
77 parking lots will have to have parking lot agreements for MS4. Councilman Ellerman asked if we
78 could enforce it on an existing business even if the code changes. Dayton Hall explained that
79 when there is a non-confirming use due to a code change, you can't penalize them for

80 continuing the non-confirming use. However, there are exceptions to that for matters involving
81 public health and safety, etc. where you can retroactively enforce against a non-confirming
82 use. He stated the gas station parking lot was fixed but now the hotel parking lot is in need of
83 repair. He asked if anyone had talked to the owner. Mayor Fawcett stated he doesn't think it is
84 just the hotel because this entrance can access all the businesses in that plaza. He questioned if
85 there was a joint agreement between the property owners. Councilman Ellerman asked staff to
86 bring the code back to be updated. Kaden DeMille stated it might be helpful for City to send a
87 letter explaining the problems and ask them to get it fixed. Mayor Fawcett stated he would talk
88 to the owner in person.

89 Hayden Roberts stated the crack seal is going slower due to the weather. They will be done
90 with Old Hwy 91 and Sky Ridge next week. They have filled the streets operator position, and
91 they will start next week. On March 14th Wasatch Trailers will be having their grand opening,
92 and the road will be closed during the event. Councilman Prete stated there is a lot of
93 construction activity on the roads around 3000 S and 1500 West. He asked when it would be
94 done. Mr. Roberts stated he will check to see when it will be completed. Mayor Fawcett asked
95 for a list of projects that will be done with the chip and slurry seal project. Arthur LeBaron
96 explained the map is in the packet, but they will schedule the roads after the bids have been
97 awarded. He will get it out to the Council once it is in place.

98 Arthur LeBaron stated he received a lot of comments regarding the traffic pattern change by
99 the airport. Due to those comments, those signs have been changed to Yield instead of Stop to
100 create a better traffic flow. He stated the 100 South project is high profile, so they want to do a
101 presentation to Planning Commission and Council next Thursday at 5 p.m. before the Planning
102 Commission meeting. After this presentation, they will make the recommended changes and
103 then there will be an open house for the public on March 25th from 5-7 p.m. at the Community
104 Center. He stated the pickle ball courts should be mostly done by the Easter Car Show.
105 Councilman Excell recommended including a schedule with the bids for the 100 South to ensure
106 it is done in time. Mr. LeBaron pointed out the Council can include penalties if they choose.
107 However, they have found that they get better bids if they let the contractor propose the
108 timeline. He stated all the design projects are progressing well. There was a Transportation
109 Expo was Tuesday that went well. He mentioned Washington City's Mayor Staheli has been
110 receiving a lot of complaints to an area in their city so he thinks the Purgatory Road project will
111 help the problem. He stated Mayor Stahli has asked him to come present to their council to try
112 to move it along. The Transportation Master Plan project has been advertised, and proposals
113 are due back by February 27th. They have also advertised the design of the City Campus project.
114 He stated UDOT has developed a 101 class for government officials, and they want Hurricane to
115 host a session of it. He reported that the City was awarded 1.8 million dollars for corridor
116 preservation on 2800 West to the river.

117 **6:00 p.m. - Call to Order –**

118 Mayor Fawcett welcomed everyone and called the meeting to order.

119 Prayer: Pastor Dustin Whitson

120 Pledge: Mike Johns

121 Declaration of any conflicts of interest

122 None declared.

123

124 Minutes of the regular City Council Meeting for January 15, 2026, and February 5, 2026, and
125 special meetings January 5, 2026, and January 29, 2026

126 Councilman Prete confirmed the minutes are reviewed by legal before they are brought to the
127 Council and that there are no concerns with how they are drafted. Councilwoman Werrett
128 asked why her explanation of her vote made during the vote was not included in the motion.
129 Dayton Hall explained that the minutes are not intended to be a transcript of the meeting, but
130 are intended to capture the essential parts of the meeting. The Council members' views on the
131 agenda item were discussed during the item, but the Council can update the draft minutes if it
132 would like more details included.

133 Amy Werrett motioned to approve the January 5, 2026, January 15, 2026, January 29, 2026,
134 and February 5, 2026, minutes as written. Seconded by Joseph Prete. Motion carried
135 unanimously.

136 Presentation by the HHS Robotics Team

137 Members of the HHS Robotics Team introduced themselves and described their participation in
138 a global competitive robotics program. As the only team representing Southern Utah, they have
139 attended competitions across multiple states. The team highlighted its commitment to
140 community outreach, including hosting events, presenting at local schools, and encouraging
141 students to explore STEM opportunities. They noted that their mission extends beyond building
142 robots to developing leadership, teamwork, and personal growth. The team thanked the
143 Council for its continued support and requested consideration for future assistance.

144 Mayor Fawcett outlined the City's budget process and invited the team to submit a proposal for
145 review during next year's budget cycle. Kaden DeMille confirmed that funds are allocated for
146 the team in the current year's budget and requested a meeting to discuss details related to
147 their future funding request.

148 **Public Forum – Comments From Public**

149 None.

150 **OLD BUSINESS**

151 1. Consideration and possible approval of Zone Change Amendment Ordinance No. ZC25-
152 16, a proposed zone change located at approximately 2241 S 5400 W from Agricultural
153 A-5 to Single Family Residential R1-6 and R1-8; Parcel number H-4138-J; Andrew Hall,
154 Applicant; Ryan Lay, Agent

155

156 Bob Hermandson explained that the Council had previously directed the applicants to work
157 with staff on addressing the second access. Following those discussions, an agreement was

158 drafted requiring dedication of the necessary land to the City to obtain the right-of-way. He
159 outlined the process set out in the agreement: Once the City acquires the right-of-way, the
160 preliminary plat may proceed to the Planning Commission. After preliminary plat approval, road
161 and subdivision construction drawings can be submitted for review. Upon approval of the road
162 plans, a cost estimate can be prepared and bonded. Subdivision drawings cannot receive final
163 approval until the required bonds are in place. Road and subdivision construction may occur
164 concurrently; however, no lots may be sold until the road is completed and dedicated. He
165 noted that while there is some overlap in the process, safeguards ensure completion of
166 required improvements. Mr. Hermandson also clarified that if the plat is not completed by the
167 deadline in the agreement, the agreement becomes void.

168 Dayton Hall added that zoning had been discussed at the prior meeting, but no consensus was
169 reached, so a decision is needed. He confirmed the agreement requires the second access to be
170 constructed before any lots can be sold. Mayor Fawcett recalled earlier concerns regarding R1-6
171 zoning adjacent to agricultural land. Mr. Hall explained that the eastern portion of the project is
172 proposed as R1-6 and the western portion as R1-8, with an overall unit cap for the
173 development. Councilman Ellerman expressed support for the language providing larger lots
174 along the project perimeter. Councilwoman Werrett asked whether the proposal would result
175 in the loss of agricultural land. Gary Cupp responded that the General Plan supports the request
176 and noted the property is not currently used for agriculture beyond occasional grazing.

177
178 Councilman Prete expressed concern that the proposal represents a large-scale development
179 that would increase future demands on City services, including police, fire, schools, and parks.
180 Mayor Fawcett agreed that larger developments should incorporate park amenities.

181 Councilman Imlay noted that the site is currently accessed by a dirt road and he thinks it would
182 be leapfrogging of development. It could also add maintenance responsibilities for City crews.
183 He stated that neighboring residents have voiced opposition and questioned the suitability of
184 development in this location. Mr. Hermandson explained that the development plan
185 anticipates access connections from the east and includes improvements to portions of Turf
186 Sod Road as the west side builds out. In response to questions about community feedback,
187 Gary Cupp stated that comments had been received indicating concerns about compatibility
188 with surrounding agricultural uses. Councilwoman Werrett asked whether drainage issues exist
189 in the area. Councilman Ellerman observed that development often improves drainage
190 conditions, and Mr. Cupp added that drainage would be fully evaluated during the plat review
191 process. Weston Walker confirmed the presence of a historical drainage channel and noted
192 that a significant storm drain was installed in Pecan Valley, which should help; however, any
193 remaining drainage concerns would need to be addressed if the project moves forward.

194 Councilman Prete asked whether a lower-density zoning option had been considered. Mr.
195 Hermandson replied that the applicants prefer to proceed with the requested zoning, noting
196 that lot sizes would be “feathered,” with larger lots along the perimeter. Councilman Ellerman
197 pointed out that with approximately forty acres and a cap of 160 units, the effective density
198 aligns with R1-10 standards. Mr. Hermandson added that the lots would be larger on average.
199 Mayor Fawcett inquired about setting aside acreage for a park. Mr. Hermandson responded

200 that a large detention basin is planned in the north corner and could potentially be designed to
201 allow usable space. A master-planned park was identified near the development. Councilman
202 Ellerman noted that ongoing growth in the surrounding area is expected to create future
203 connections. Councilman Prete confirmed that the primary outstanding concern had been the
204 requirement for a second access and acknowledged that utilities, including power and water,
205 are available. Councilman Ellerman confirmed that construction would begin adjacent to
206 existing development.

207
208 Drew Ellerman motioned to approve the Zone Change Amendment Ordinance No. ZC25-16, a
209 proposed zone change located at approximately 2241 S 5400 W from Agricultural A-5 to Single
210 Family Residential R1-6 and R1-8 subject to a clean version of the proposed agreement with the
211 question mark removed leaving the zoning at R1-6 and R1-8. Seconded by Lynn Excell. Motion
212 carried with Drew Ellerman, Lynn Excell, and Amy Werrett voting aye. Joseph Prete and Dave
213 Imlay voted nay.

214
215 2. Consideration and possible approval of a request for amendments to the Sky Rim
216 Development Agreement entered into on December 2, 2022; File No. GA26-01;
217 Steward Land Company, Applicant; Clark Conway, Agent.

218
219 Dayton Hall reminded the Council that three amendments to the existing development
220 agreement had been requested. The Council previously indicated it was not supportive of two
221 of the changes but agreed to allow R1-4 setbacks for the single-family homes. That revision was
222 incorporated into the amended development agreement included in the packet, permitting
223 alternating side setbacks of five and ten feet. Mr. Hall noted this differs from the applicant's
224 original request, which sought a reduced front setback; however, the Council directed staff to
225 retain the standard R1-4 front setback, the smallest single family setbacks permitted under City
226 code. Councilman Ellerman observed that subsection (i) of the agreement lists a twelve-foot
227 front setback for townhomes. Gary Cupp clarified that this setback is consistent with planned
228 commercial standards, which had already been approved. Jeremy Cross stated the applicant
229 would prefer a smaller front setback to allow for larger rear yard space. Mr. Hall confirmed that
230 subsection (i) reflects the standard planned commercial setbacks and was intentionally included
231 for clarity. Mr. Cross asked whether the Council would consider a twenty-foot front setback.
232 Councilman Ellerman responded that the request had been discussed previously. While he
233 understood the applicant's preference, he supported maintaining the twenty-five-foot front
234 setback to prevent vehicles from obstructing sidewalks. Councilman Excell concurred, noting
235 that blocked sidewalks create safety and accessibility concerns.

236
237 Joseph Prete motioned to approve the amendments to the Sky Rim Development Agreement
238 entered into on December 2, 2022, as drafted in the packet. Seconded by Drew Ellerman.
239 Motion carried unanimously.

240 **NEW BUSINESS**

- 241 **1.** Consideration and possible approval of an appeal of the business license denial for
242 Rizerin LLC - Samuel Elam

243 Cindy Beteag explained that the business owner had maintained a Hurricane City business
244 license since 2020 with no complaints or issues. In 2025, the license was not renewed, requiring
245 the owner to reapply. She noted that City code requires a background check for applicants who
246 will enter residents' homes; however, individuals holding a State DOPL license are exempt
247 because the State conducts its own background check. Although the owner held a DOPL R101
248 license, staff did not identify the exemption during the reapplication process and proceeded
249 with a background check. The check revealed a felony charge, which under the current
250 ordinance required staff to deny the license. The owner subsequently filed an appeal to the
251 Council. Mayor Fawcett asked which DOPL license the owner held. Mrs. Beteag clarified that
252 the owner applied for a handyman license but holds an R101 license with the State. Samuel
253 Elam addressed the Council, stating he has operated in the community for over five years,
254 completed numerous projects, and received no complaints or negative reviews. He explained
255 that he has performed handyman services, recently expanded into home remodeling, and
256 serves as superintendent for Diamond Rock Builders. He requested the opportunity to continue
257 working in the community. Councilman Imlay commented that the applicant had demonstrated
258 good standing and had no complaints. Dayton Hall explained that staff are obligated to deny
259 applications that do not meet all ordinance requirements, but an appeal allows the Council
260 discretion to review the circumstances. Mrs. Beteag added that neither staff nor the police
261 department had concerns regarding approval of the appeal.

262 Amy Werrett motioned to approve the appeal of the business license denial for Rizerin LLC and
263 grant the license. Seconded by Dave Imlay. Motion carried unanimously.

- 264 **2.** Consideration and possible approval of Ordinance 2026-02 Amending Title 3, Chapter 1
265 regarding background checks - Cindy Beteag

266 Cindy Beteag reminded the Council that this topic was initially discussed in January, during
267 which the Council expressed support for a ten-year look-back period. Based on that guidance,
268 staff drafted an ordinance applying to individuals who enter residents' homes, work with minor
269 children, operate as tattoo artists, or massage therapists. She added that, following discussion
270 at the previous meeting and the Police Chief's recommendation, massage therapists were
271 included in the ordinance and will be required to undergo an annual background check.

272 Lynn Excell motioned to approve Ordinance 2026-02 Amending Title 3, Chapter 1 regarding
273 background checks. Seconded by Amy Werrett. Councilman Prete confirmed the process for an
274 appeal if it is denied is the same. Motion carried unanimously.

- 275 **3.** Consideration and possible approval of a Supplemental Watershed Plan Agreement #10
276 with NRCS - Arthur LeBaron

277 Arthur LeBaron mentioned his staff report detailing what is being proposed. He noted that
278 while some concerns had been raised, these issues already exist in the current agreement, and

279 the amendment does not alter them—except for the addition of a financial table referencing
280 the City’s potential obligation for the Gould’s Wash project, estimated at five million dollars.

281 Mayor Fawcett acknowledged that one concern is the possibility of the dam being destroyed,
282 which could create a financial obligation for the City that does not currently exist. He clarified
283 that approving this amendment does not commit the City to funding the project. Mr. LeBaron
284 explained that the next step is completing the design, which is funded by the NRCS. Once the
285 design is finalized, more precise cost estimates will be available, allowing the project to proceed
286 further. He emphasized that approval would benefit the City by reducing the flood hazard area,
287 ultimately helping residents comply with flood-related requirements.

288 Councilman Ellerman asked whether additional funding sources might be available to help
289 support the project. Mr. LeBaron responded that some brainstorming would be required but
290 noted that Utah Dam Safety has assisted with other similar projects. Councilman Prete raised
291 two questions: first, regarding the City’s obligations to acquire land, perform land treatments,
292 and honor agreements with landowners—what happens if the City makes a good-faith effort
293 but cannot fully meet these commitments; second, how future problems requiring corrective
294 action would affect State and Federal funding. Mr. LeBaron explained that the City recently
295 navigated a similar process with the Frog Hollow Dam, securing outside funding that minimized
296 local contributions, and noted that once the NRCS is involved, they do not abandon a project.
297 Regarding the first question, he noted the project has been ongoing for many years without
298 significant issues. Councilman Prete expressed caution, describing the situation as “untested
299 waters” since the City has not yet attempted property acquisition. Dayton Hall stated that the
300 agreement stipulates construction cannot begin without 50% landowner approval. Councilman
301 Excell asked if any major obstacles were anticipated. Mr. LeBaron indicated that none were
302 expected, and that as the project gains momentum, funding strategies can be addressed. Kaden
303 DeMille noted that he has not yet reviewed funding for the project. Mayor Fawcett added that
304 upcoming MS4 regulations will require adoption of an impact fee and an increase in the
305 drainage fee. Councilman Excell stated that these changes are intended to protect public safety.
306 Councilman Prete asked about the City’s ability to influence or modify the agreement. Mr.
307 LeBaron stated that modifications are unlikely, but highlighted that the NRCS is allocating over
308 sixty million dollars for the project, which will provide significant benefits to the City.

309 Lynn Excell motioned to approve the Supplemental Watershed Plan Agreement #10 with NRCS.
310 Seconded by Dave Imlay. Motion carried unanimously.

- 311 **4.** Consideration and possible approval of a request for a General Plan Amendment from
312 "Single Family" to "Multifamily" for a property located at 1015 N 200 W; File No. GPA26-
313 01; Parcel number H-3-1-27-2106; Adam Nielson, Applicant; Karl Rasmussen, Agent

314 Karl Rasmussen explained that Adam Nielson is seeking to build a duplex to provide housing for
315 his children or friends, as part of an affordable housing effort. Initially, neighbors opposed the
316 request because they believed multiple six-plexes with up to thirty-six units were planned. After
317 clarification, neighbor concerns were alleviated. Mr. Nielson shared that one neighbor even

318 apologized for rallying opposition once she understood his actual plans. Councilman Ellerman
319 suggested that applicants personally visit neighbors when notices are sent for zone change
320 requests to explain their proposals. He noted that he is generally opposed to spot zoning.
321 Drawing on his previous experience with R1-2 zoning, which allowed two units per acre to
322 encourage infill development, he indicated that the Council could place limitations on that
323 zoning including spacing requirements, minimum lot sizes, and parking considerations.
324 Councilman Prete asked how a duplex differs from a home with an accessory dwelling unit
325 (ADU). Councilman Ellerman clarified that an ADU requires the property owner to reside on-
326 site, whereas a duplex does not.

327 Mr. Nielson stated that he supports the concept of R1-2 zoning to limit development to a
328 duplex, highlighting the need for affordable housing. He explained that sewer service would
329 need to be extended to the property, though it could continue on existing septic if necessary.
330 Connecting to the sewer is preferred, but he noted that more than one unit is required to make
331 the project financially feasible. He also indicated a desire for separate utility meters for each
332 unit, which is not possible if the property remains a single lot. Councilman Prete asked whether
333 the property could be divided into two lots. Mr. Rasmussen responded that the lot does not
334 have sufficient frontage, and Prete confirmed that a flag lot would not be allowed due to a
335 nearby power line. He inquired whether a PDO (Planned Development Overlay) could be
336 considered; Gary Cupp noted that requires a minimum of five acres. Councilman Ellerman
337 suggested that adjusting the minimum lot width might be the simplest solution. Councilman
338 Prete proposed maintaining the current eighty-foot minimum for R1-10 but allowing the
339 Council to consider appeals for narrower lots. Councilman Imlay expressed concern that these
340 adjustments are an attempt to circumvent spot zoning, noting that the Planning Commission
341 and staff recommended denial. He stated that a single-family home with an ADU is likely the
342 most practical option. Councilman Excell agreed. Mr. Nielson stressed the city's need for
343 affordable housing and reiterated his support for R1-2 zoning, urging the Council to consider
344 long-term solutions. Councilman Excell stated that while he would be open to revisiting R1-2
345 zoning in the future, the current proposal as presented cannot be approved.

346 Mayor Fawcett highlighted the importance of protecting residential neighborhoods and
347 maintaining a balanced mix of housing types, expressing his opposition to spot zoning. Mr.
348 Rasmussen asked whether the applicant could seek a variance for smaller lot frontage through
349 the Appeals Board. Mr. Cupp explained that while this is technically possible, approval is
350 unlikely because the variance cannot be self-imposed; the applicant would need to
351 demonstrate a hardship specific to the property. Councilman Prete stated he is not in favor of
352 multifamily development in this location but is more flexible regarding spot zoning and is open
353 to considering slightly smaller lots. Councilman Ellerman noted that adjusting lot width would
354 likely not lead to many requests due to the lot configuration. Councilman Prete added that spot
355 zoning is somewhat outdated, and modern planning trends encourage integrating multiple uses
356 within neighborhoods. Mayor Fawcett commented that he has no objection to R1-8 zoning
357 adjacent to R1-10. Mr. Nielson noted that there are self-help lots across the street.

358 Councilwoman Werrett stated that changing from R1-10 to R1-8 is not a significant alteration
359 and expressed a preference for the ADU option as the simplest solution. Councilman Ellerman
360 clarified that an ADU would require the units to be on the same meter and under the same
361 ownership.

362 Joseph Prete motioned to deny the request for a General Plan Amendment from "Single Family"
363 to "Multifamily" for a property located at 1015 N 200 W. Seconded by Amy Werrett. Motion
364 carried unanimously.

365 **5.** Consideration and possible approval of Zone Change Amendment Ordinance No. ZC26-
366 01 to rezone a property located at 1015 N 200 W from Single Family Residential R1-10 to
367 Multiple Family Residential RM-1; File No. ZC26-01; Parcel No. H-3-1-27-2106; Adam
368 Nielson, applicant; Karl Rasmussen, agent

369 Dayton Hall explained a zone change request that didn't comply with the General Plan could be
370 approved if the Council stated why they are deviating from the plan.

371 Joseph Prete motioned to approve the Zone Change Amendment Ordinance No. ZC26-01 to
372 rezone a property located at 1015 N 200 W from Single Family Residential R1-10 to Single
373 Family Residential R1-8. Seconded by Dave Imlay. Dayton Hall asked if the applicant was
374 agreeable to the proposed change since it is different than what was applied for, and Mr.
375 Nielson confirmed that a Single Family R1-8 zone was acceptable. Motion carried with Joseph
376 Prete, Dave Imlay, Lynn Excell, and Amy Werrett voting aye. Drew Ellerman voted nay.

377 **6.** Consideration and possible approval of Ordinance 2026-03, a Land Use Code
378 Amendment to Title 10 Chapter 7 regarding conditional use permits for metal buildings;
379 File No. LUCA26-01; Hurricane City, Applicant. -Gary Cupp

380 Gary Cupp explained that metal buildings currently require a conditional use permit in both
381 residential and commercial zones. The Planning Commission expressed a desire to stop
382 reviewing these applications. As a result, the proposal is to remove the conditional use
383 requirement and allow staff to review them instead. Mark Sampson added that these
384 applications were routinely placed on every Planning Commission agenda and had to be
385 approved if all conditions were met. Since staff already ensures that all code requirements are
386 satisfied, it is more efficient for approval to occur at the staff level rather than through the
387 Commission.

388 Lynn Excell motioned to approve Ordinance 2026-03, a Land Use Code Amendment to Title 10
389 Chapter 7 regarding conditional use permits for metal buildings. Seconded by Joseph Prete.
390 Councilman Ellerman confirmed there are architectural requirements in place. Motion carried
391 unanimously.

392 **7.** Consideration and possible approval of the Municipal Advisor Agreement with Zions
393 Public Finance - Kaden DeMille

394 Kaden DeMille explained that the City’s contract with Zions Bank for financial services is set to
395 expire next week and requires renewal. The City is currently finalizing financing for the pool and
396 city campus projects. He recommended continuing the relationship with Zions Bank, noting that
397 the new contract maintains the same rates as the previous five years.

398 Dave Imlay motioned to approve the Municipal Advisor Agreement with Zions Public Finance.
399 Seconded by Joseph Prete. Motion carried unanimously.

400 **8.** Consideration and possible approval of awarding the bid for the chip seal project -
401 Arthur LeBaron

402 Arthur LeBaron stated the numbers are within budget and below the cost estimate.

403 Dave Imlay motioned to award the bid for the chip seal project to Holbrook Asphalt in the
404 amount of \$543,593.10. Seconded by Lynn Excell. Motion carried unanimously by roll call vote.

405 **9.** Consideration and possible approval of awarding the bid for the slurry seal project -
406 Arthur LeBaron

407 Councilman Prete confirmed the recommendation is the lowest bidder and there are no
408 concerns with the qualifications.

409 Joseph Prete motioned to award the bid for the slurry seal project to American Pavement in the
410 amount of \$530,225.23. Seconded by Amy Werrett. Motion carried unanimously by a roll call
411 vote.

412 **10.** Discussion regarding creating an Affordable Housing Committee - Mayor Fawcett

413 Mayor Fawcett explained his plan to form a committee to address affordable housing,
414 consisting of a builder, developer, realtor, mortgage broker, Planning Commission member, and
415 a Council member. The committee’s first task would be to define “affordable housing.” He
416 proposed meeting with each stakeholder group to hear their concerns and then having the
417 committee brainstorm solutions to address those issues. Mark Sampson suggested that some of
418 the challenges may stem from the City’s internal processes. Mayor Fawcett acknowledged both
419 perspectives but noted the importance of giving all parties a chance to share their views. He
420 asked Mr. Sampson to represent the Planning Commission on the committee. Councilman
421 Ellerman volunteered to serve as the Council representative. Councilwoman Werrett noted that
422 public perception is a key factor and stressed the Council’s role in demonstrating that
423 affordable housing can be achieved without compromising neighborhood character. Mayor
424 Fawcett added that new developments should not simply increase density in areas people still
425 cannot afford. He stated that clear definitions are essential and noted that affordable housing
426 should be distributed throughout the community.

427 Councilman Prete noted that while the Water District faces water supply challenges, they have
428 invested in strong marketing materials. He expressed support for Mayor Fawcett’s suggestions
429 but acknowledged that some constraints are non-negotiable. He noted the importance of
430 identifying viable solutions that can then be promoted. Mayor Fawcett pointed out that impact
431 fees are likely to be a frequent topic and stressed the need to educate the public about how

432 these fees are used. Councilman Prete asked whether reduced impact fees for affordable
433 housing could be incorporated into the City’s impact fee study and offset by other types of
434 development. Dayton Hall explained that the City cannot charge any applicant more than their
435 proportionate share, but noted that a mechanism already exists in the City Code to lower
436 impact fees for affordable developments if certain criteria are met. Mayor Fawcett added that
437 he hopes to coordinate with other agencies to encourage similar reductions for their impact
438 fees. Councilman Ellerman remarked that controlling land costs is the starting point, but
439 affordability solutions must continue through the entire development process to be effective.
440 Councilman Prete pointed out that affordable housing is about providing a roof over one’s
441 head, not necessarily homeownership. Mayor Fawcett suggested appointing Kevin Thomas to
442 the committee, citing his valuable insights from prior Council service. He also encouraged
443 exploring additional funding sources. Councilman Ellerman recommended bulk purchasing as a
444 way to reduce costs, while Councilman Prete suggested seeking donations from wealthy
445 residents interested in supporting affordable housing. Mayor Fawcett welcomed all ideas to
446 advance the initiative and asked the Council to provide any recommendations for committee
447 appointments as he reviews potential members.

448 **11. Mayor, Council, and staff reports**

449 Gary Cupp mentioned Bob Peterson has requested to be removed from the Appeals Board.

450 Fred Resch III stated he has been responding to a few items on code violations. He did send out
451 two citations on unlicensed short-term rentals. The Planning Commission had a short agenda
452 where they approved a preliminary plat for a recreational resort by Sand Hollow and final site
453 plans for a pool building and the Sky Rim Townhomes.

454 Dayton Hall explained there was a potential revocation hearing for Brian Sanderson’s
455 residential hosting license on a previous agenda. He has been working with the owner’s
456 attorney on a resolution of the violations and he is hoping to have a settlement agreement
457 soon. He has two litigation updates for a closed session.

458 Kaden DeMille explained that the City had two options for financing the pool: direct placement
459 with a financial institution or accessing the open market. The City chose the open market to
460 secure a more favorable interest rate. As part of this process, a bond rating was required. The
461 City received an AA rating—the highest achievable given the City’s location and economic
462 factors—demonstrating financial stability and positioning the City to obtain the best bond
463 terms. He noted that final numbers are expected on February 25th.

464 Councilman Prete mentioned he attended a Solid Waste meeting and if anyone wants a tour of
465 their facilities to let him know. They raised an issue about batteries because they get run over
466 and start fires. They are encouraging communities to have a battery collection area for
467 residents to dispose of them.

468 Mayor Fawcett stated that he has requested a meeting with staff to address issues related to
469 vacation rentals, particularly regarding renewal processes. He acknowledged staff frustration
470 when they followed established procedures but the Council subsequently approved an appeal.

471 His goal is to bring a proposal back to the Council to provide clear direction so staff understands
472 the Council’s expectations moving forward.

473 Councilman Ellerman stated there is an Ash Creek Board meeting next week, but he will be out
474 of town. Mayor Fawcett stated he will be there.

475 Councilman Excell reported that he attended the Planning Commission meeting and the
476 Mosquito Abatement Board electronically, though he has not yet had a chance to meet with
477 planning staff in person. He expressed appreciation for the work of the Commissioners. He also
478 met with Streets Superintendent Hayden Roberts and was impressed with his leadership style.
479 He stressed the importance of being prepared for storms and praised the Streets Department
480 for effectively identifying and addressing problems during recent events. He commended Mr.
481 Roberts and his crews for their diligent work on potholes. He also noted that the new traffic
482 pattern on 600 North by Gould’s Wash is problematic but acknowledged that plans are already
483 in place to improve it. Councilman Ellerman raised a concern about a recently constructed block
484 wall on 700 West, noting that visibility for left turns is obstructed. Arthur LeBaron explained
485 that the City no longer requires permits for block walls, though he agreed that this particular
486 wall does not meet standards and suggested the ordinance may need revision. Councilman
487 Ellerman recommended marking the corners as unbuildable areas on the plat. Mr. LeBaron
488 added that a punch list has been requested and that the necessary fixes will be completed
489 before plat approval.

490 Councilwoman Werrett reported that Lee Beatty informed her of a trailhead near Confluence
491 Park with a monument on the property, which they are interested in deeding to the City. She
492 also noted that Wells Fargo is requesting liability indemnification for the historic home located
493 on their property. Additionally, she mentioned that someone had asked why the City does not
494 display the old state flag. Councilman Excell explained that state law requires all government
495 locations to fly the current state flag.

496 Cindy Beteag asked for the Council’s input on the Civic Clerk software. She explained the
497 Council is the only board that is utilizing it so staff is trying to determine if something else could
498 be used that is more cost efficient. Council stated they are utilizing Civic Clerk, and they find it
499 helpful to have it in front of them during the meetings. They are open to exploring other
500 options if Civic can’t offer a better deal.

501 **12.** Closed Meeting held pursuant to Utah Code section 52-4-205, upon request

502 Joseph Prete motioned to go into a closed meeting at 9:28 p.m. to discuss pending litigation.
503 Seconded by Amy Werrett. Motion carried unanimously.

504 **Adjournment:** Joseph Prete motioned to go out of closed session and adjourn at 9:38 p.m.
505 Seconded by Drew Ellerman seconded. Motion carried unanimously.



STAFF COMMENTS

Item: Consideration and possible approval of Resolution 2026-15 Approving an increase in Water Rates.

Discussion: The Washington County Conservancy District is increasing its wholesale water rate by \$0.11 per thousand gallons. Hurricane City buys a portion of the water it supplies to its residents from the District at the wholesale rate. This agenda item is to consider increasing Hurricane City's retail rate by \$0.11 per thousand gallons to match the increase by the District. The Water Board discussed this item on February 24, 2026, and unanimously recommended that the City Council increase the City's water rates by \$0.11 per thousand gallons. However, the Board recommended to deny the current 2% annual increase that has been built into the water rate for several years. The Board would like staff to determine what the increase should be and just do one increase rather than just increasing it each year. -Kory Wright

Findings:

Recommendation:

**A RESOLUTION OF THE CITY COUNCIL OF HURRICANE, UTAH, APPROVING
AN INCREASE IN BILLING RATES FOR WATER USAGE IN THE CITY OF
HURRICANE**

WHEREAS the Washington County Water Conservancy District has imposed an annual rate increase on the cost of wholesale water in the amount of \$0.11 per thousand gallons; and

WHEREAS the Hurricane City Water Board has recommended a corresponding increase in Hurricane City's billing rates for usage of water; and

WHEREAS the Hurricane City Council finds that an increase in the City's billing rates is necessary to account for the increase in the wholesale water rate, to pay for costs of water development, to pay to replace failing infrastructure, and to stabilize revenue for the Hurricane City Water Department; and

WHEREAS the Hurricane City Council finds that it is necessary and desirable for the preservation and protection of the health, safety, and welfare of the residents of Hurricane,

BE IT HEREBY RESOLVED by the City Council of Hurricane, Utah as follows:

1. At such time that the Washington County Water Conservancy District imposes its annual increase of \$0.11 per thousand gallons for the cost of wholesale water, the Hurricane City water rates shall also be increased by the following amounts:

- a. an increase of \$0.11 per thousand gallons of water;
- b. unless otherwise amended by the Hurricane City Council, this annual increase in water rates to match the WCWCD annual increase shall continue each year for five years, after which it shall be reviewed by the Hurricane City Water Board and updated by the Hurricane City Council;

~~2. Unless otherwise amended by the Hurricane City Council, each year for five years, there shall be a 2% increase in Hurricane City's general base rate and per thousand-gallon rate for water to stabilize revenue for the Hurricane City Water Department, after which it shall be reviewed by the Hurricane City Water Board and updated by the Hurricane City Council;~~

BE IT FURTHER RESOLVED that this Resolution shall take effect at the earliest date allowed by law.

PASSED AND APPROVED this 5th day of March 2026.

Clark Fawcett, Mayor

Attest:

Cindy Beteag, Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 5th day of March 2026. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Drew Ellerman	___	___	___	___
Joseph Prete	___	___	___	___
Dave Imlay	___	___	___	___
Lynn Excell	___	___	___	___
Amy Werrett	___	___	___	___

Cindy Beteag



STAFF COMMENTS

Item: Consideration and possible approval of awarding the consultant selection for the Transportation Master Plan Update.

Discussion: The current Transportation Master Plan was adopted in 2019. Hurricane City has budgeted funds to perform an update. An advertisement has been posted for consultant groups to submit statements of qualifications for this work. The scope of work that is contemplated is as follows:

- Update the road network
- Update active transportation network
- Update the pavement management plan
- Evaluate pavement management revenues and costs
- Update Capital Facilities Plan
- Update Impact Fee Facilities Plan
- Provide for 2025 S.B. 195 Transportation Amendments compliance

The City has received a \$30,000 grant from the Dixie MPO and an additional grant application has been submitted to UDOT's Technical Planning Assistance program, which has a high likelihood of being awarded. This project will straddle two budget periods, so additional funds may be requested from impact fees if necessary to complete the scope of work.

As of this report the advertising period is still open. It is anticipated that the City will receive 5 or 6 submittals which will be evaluated by a selection committee consisting of staff and council members, and a recommendation will be given prior to the March 5th council meeting. Once the selection has been made we will work with the selected consultant to present a cost proposal for the work to the council for final approval and execute a contract. -Arthur LeBaron

Findings:

Recommendation: