Minutes of the Hurricane City Council meeting held on February 3, 2022, in the Council Chambers at 147 North 870 West, Hurricane, Utah, at 3:00 p.m.

3:00 p.m. Work Meeting - PID discussion

Members Present: Mayor Nanette Billings and **Council Members Present:** Dave Sanders, David Hirschi, Doug Heideman, and Kevin Thomas.

Staff Present: City Manager Kaden DeMille, Planning Director Stephen Nelson, Assistant Planning Director Fred Resch III, Power Superintendent Scott Hughes, Water Department Dallan Wadsworth, Street Superintendent Weston Walker, City Engineer Arthur LeBaron, and City Recorder Cindy Beteag

Brennan Brown provided a presentation to address the questions he received from the City Council.

Mr. Brown reported that the first question was whether a property owner could pay off their portion of the bond when they purchase the property and when the payments start. Mr. Brown reported that payments start immediately and repayment depends on the type of bond issued.

A special assessment bond can be prepaid because it is a fixed payment for the life of the bond. The fixed payment will be much higher than a payment based on property taxes, specifically regarding undeveloped land. The special assessment bond allows the foreclosure process to start within thirty days of overdue payment and accelerates future assessment. The positive is it can be paid off in the beginning. The downside is everyone will start paying immediately and the payment will be full size from the start. Few property owners will want to join the PID with the fixed payment, especially if they are not planning to develop their property in the immediate future.

The limited property tax bond is a rate tied to the property tax assessment, so it is impossible to calculate what a prepayment will be up front. The limited property tax bond is a soft foreclosure process and can only be tied to unpaid taxes plus any interest. State statute limits a special assessment repayment to twenty years, whereas limited property tax bond repayment can go up to thirty or forty years.

Mr. Brown reported that the second question was about checks and balances. Mr. Brown explained that PIDs are subject to the same state requirements as other entities. There are open public meeting laws and budget procedures, which are audited annually. The governing document provides the City with oversight. The City does not have to approve payments from the PID unless it chooses to do so, which will be defined in the governing document.

Councilman Thomas asked how the development will differ depending on the funding tool or if the PID is denied. Mr. Brown presented information explaining the development process depending on each financing tool. He stated that a PID enables enhanced improvements that are not otherwise feasible and is a method to offer better amenities for the development and City. Kaden DeMille reported the levy will be based on amenities and will be higher with more amenities. Mr. Brown noted growth is already coming, and a PID will helppay for that growth without burdening all the citizens in Hurricane City with additional taxes.

Mr. Brown discussed how the PID is disclosed to home buyers and how the PID affects current property owners. He explained that the PID is listed on the MLS fact sheet, the seller property condition disclosure statements, the title commitment, closing documents, and a separate PID disclosure. The maximum mill rate on the property tax is disclosed, which provides property owners information on the worst-case scenario. The PID requires 100% landowner consent, and the City can decide how to handle property owners who join the PID later.

Stephen Nelson explained that one of the PID districts must install water wells, which will be dedicated to the City when it is completed. Other developments will benefit from the improvements the PID provides. Dusty Wright pointed out that installing this infrastructure opens more land providing more lots and lowering the housing cost.

Robert stated that PIDs are not for every situation. But they are great for unique situations. This benefits the community and allows us to plan for the future. Ted Fullerton stated that inflation makes it harder to keep lots affordable. This is an excellent opportunity to have all the builders on the same page. Council Thomas stated that if every developer dedicated a portion of their project to affordable housing, it would improve the community. He acknowledged that there are advantages to allowing this, but he is concerned that this will drive the cost up instead of down and speed up development. Councilman Sanders appreciates developers working together to make it a better product.

Mayor Billings suggested meeting with each application to address concerns individually. Councilman Sanders agreed that a meeting for each application would be beneficial before it is put on the agenda. Councilman Hirschi would like to get public input. Cindy Beteag explained that a public hearing is required when an item is on the agenda to be approved. The City Council set up a meeting on February 9th at 4:00 p.m.

5:00 p.m. Pre-meeting

Also Present: City Manager Kaden DeMille, City Attorney Fay Reber, Police Chief Lynn Excell, Power Superintendent Scott Hughes, Planning Director Stephen Nelson, Street Superintendent Weston Walker, Recreation Director Kole Staheli, City Engineer Arthur LeBaron, Fire Chief Tom Kuhlman, Water Superintendent Ken Richins, Ash Creek Special District Mike Chandler, and City Recorder Cindy Beteag
Chief Excell introduced Officer Spencer Danes. New officers will be sworn in on Monday at 3:00

p.m.

Chief Kuhlman reported that employee family orientation is tonight. One hundred fifty-one applicants responded to the help wanted sign. Ninety-four applicants passed the testing, and twenty-two participants were given conditional offers.

Ken Richins is here for agenda item # 7.

Kole Staheli reported that there are three baseball tournaments this month. Soccer tournaments are being held over President Day weekend. There is a surge in special event applications, and these events require support from all the departments. Mr. Staheli explained what defines a special event. Mayor Billings announced that Mr. Staheli has accepted a position with Washington City. Mayor Billings and the Council thanked him for his service.

Weston Walker reported that the Streets Department continues to patch and crack seal the roads. The chip and seal project is out to bid, and he explained which roads are being chip sealed. Councilman Heideman asked Mr. Walker to provide a list of road repair priorities.

Arthur LeBaron stated that the City has a five-year plan for capital improvements. Reviewing the completed projects and updating the plan each year is essential. The connection on 2800 West has been on the list for quite some time and is on the agenda tonight. Mr. LeBaron reviewed the role of the Engineering Department. The department reviews all plans submitted for construction projects, plats, regional transportation planning, agency coordination, traffic assignments for events, and supports other departments.

Stephen Nelson provided a summary of the 2021 development report. The Planning Department would like to do a growth workshop with the City Council and Planning Commission during the March 3rd City Council meeting. Mr. Nelson is in the process of reviewing interviews for the Building Official. The Planning and Building Clerk position has been filled.

Scott Hughes requested to continue the franchise agreement with Infowest. Item #15 has power concerns that need to be addressed.

6:00 p.m. - Call to Order

Prayer: Brother Kuhlman

Historical Thought and Pledge: Mike Patterson

Recognition and thanks to Former Mayor John Bramall

Mayor Billings thanked John Brammall for his service.

John Bramall thanked the City Staff and community members.

Public Forum – Comments from Public

OLD BUSINESS

1. Consideration and possible approval of a **Franchise Agreement between Hurricane City and Infowest**

Scott Hughes recently learned that each entity has a separate pole attachment agreement. Fay Reber stated this would be addressed with a separate agreement, and both agreements should be presented simultaneously.

Kevin Thomas motioned to continue the Franchise Agreement between Hurricane City and Infowest. Seconded by David Hirschi. Motion carried unanimously with David Hirschi, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

Kevin Thomas motioned to move to New Business item # 12 in front of Old Business item # 2. Seconded by David Hirschi. Motion carried unanimously.

2. Consideration and possible approval on a **Zone Change Request located at approximately 4800 S and 1500 W from RA-1, residential agriculture one unit per acre, to R1-10, residential one unit per 10,000 square feet, with a PDO**, planned development overlay, to add to the existing Solaroca PDO. Parcel numbers: H-3403-E-1, H-3403-E-3, H-3403-H, H-3403-A. The Will Group Applicant. Tyson Williamson Agent.

Tyson Williamson reported that 280 acres were approved in the PDO in October. This zone change request is to add four ten-acre parcels. These acres were not initially included because they had not contacted the property owners. Mayor Billings stated that the main concern is the flight pattern for the Sky Ranch Airport.

Ross Johnson is representing a group. Mr. Johnson reported they were surprised by the zone change approval in October. The group feels that the zoning change requirements and the requirements for providing notice were not met, and they plan to challenge it. High-density housing and vacation rentals will destroy the airport. He provided packets that included the zoning rules around an airport. Mr. Johnson reviewed the City Council minutes from September 9th, 2021, stating that this area is designated as residential and agriculture. This airport is an approved emergency landing airport, and the lit runway is 4,400 feet long. The residents in this area have invested money in their land, believing this area would not be developed.

Mary Ann Perkins stated that developers request additional land under the pretense that it is necessary to make money. What they want is to make more money. Ten-acre lots are selling for a million dollars, and this is the most desirable location in Hurricane. If these additional lots are not approved, the developer can build the approved 700 units. She explained that the zone change application was tabled in the September 9th Planning Commission meeting because it did not meet the four considerations. On October 14th, Solaroca was approved without any discussion or public notice. The impact on the surrounding community was not addressed. The City Council's job is to protect the residents and their natural areas, not the developers. One hundred thirty-seven residents signed the petition opposing it.

Stephen Nelson stated that the Planning Department followed standard notification procedures. Councilman Thomas reported that he received information from citizens claiming that the map cut Sky Ranch from the notification area. Mr. Nelson explained that Sky Ranch is not part of the zoning map because it is not in the City limits, but it was listed in the staff report. Mr. Nelson will research to confirm how and where the notice was posted. Many residents in this area may not have received a notice because they do not live within 250 feet of the property. Councilman Thomas noted that this meeting is not to overrule the approved zone change. Councilman Sanders asked if the approved zoning would change if it was not notified correctly. Fay Reber reported that if the notice is not challenged within thirty days after the action is taken, it is deemed valid. Councilman Thomas discussed paragraph one in the Sky Ranch guidelines and asked if Sky Ranch tried to purchase the property to protect the runway. Mike Salzman explained that the south end of the runway was not part of the agreement. However, they have tried but were unable to purchase this property. He reported that there is a map that shows a navigational easement around the entire runway.

Jackie Sorcic also did not receive a notification, and she would appeal this if she could. She asked what the plan is for accommodating water in the area, litigation of air pollution, and infrastructure to support this density?

Sue Sanborn lives on 3.2 acres of horse property on 1100 West, and she was not made aware of the October meeting. This will significantly impact the residents. Property owners rely on zoning to protect the area they bought into, and it is the City Council's responsibility to uphold the zoning ordinances. They are already dealing with growth with Copper Rock, and this area cannot sustain this type of traffic.

Linda Secrist understands that progress is painful, and they know notification is imperative. The parcels in the area are large, which is likely why residents were not notified. She thinks a traffic study should take place because 1100 West can't handle more traffic.

Ann Havalon lives along the end of the runway. She purchased the property in 1984 when the runway was being developed. Due to the runway, she is limited on the height of trees and buildings on her property. There is no infrastructure in the area; most people have wells and are on propane. Her well has gone dry once, and another well has collapsed three times because of sand. Sky Ranch can only supply water to the current residents, not future development.

Mayor Billings noted that the emails received will be included in the packet for this meeting.

Mayor Billings reported that the water and sewer are being installed down 1100 West and going to Copper Rocks. Mr. Williamson explained that 280 acres were in the original approval. This request will add one hundred more homes. They are required to do traffic studies, and the road will be improved per the transportation master plan. Mr. Nelson mentioned that the previous application was approved because the applicants proposed half-acre and one-acre lots around the outer area of the development with the higher density in the internal section. They can still do one-acre lots with the current zone, but this application is for quarter-acre lots.

A citizen stated that the residents in Sky Ranch are satisfied with the current zoning and are against changing the zone to allow this much density. The airport safety concerns should have been reviewed six months ago.

Councilman Hirschi understands that citizens disagree with changing the zone. He suggested that the developer works with the citizens to purchase the property to accommodate the flight pattern if possible. Mr. Williamson is trying to be a good neighbor and is willing to discuss options with the neighbors. Councilman Heideman measured the Sky Ranch runway, which is longer than the Hurricane City airport. They should be able to meet the safety guidelines. Mayor Billings stated that the City agreed to the flight pattern in 1990. They don't own the flight pattern property, but they own the air space. No law states people cannot develop around the airport.

Mr. Williamson requested to table the item so it could be discussed further.

Kevin Thomas motioned to deny the Zone Change Request located at approximately 4800 S and 1500 W from RA-1, residential agriculture one unit per acre, to R1-10, residential one unit per 10,000 square feet, with a PDO, because it is not harmonious, utilities are not available to serve the area, and doesn't fit with the flight zone. Seconded by David Hirschi. Motion carried unanimously with David Hirschi, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

Joseph Prete joined the meeting online at 7:25 p.m.

3. Consideration and possible **approval of Modified Agreement between Hurricane City and Stratton Brothers Partnership** - Fay Reber

Fay Reber stated this item was removed from the previous agenda pending approval from the Water Conservancy District. The approval is still pending, and the item should be continued.

Dave Sanders motioned to continue the Modified Agreement between Hurricane City and Stratton Brothers Partnership to the February 17th City Council meeting. Seconded by Doug Heideman. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

NEW BUSINESS

1. Consideration and possible approval of an **MOU agreement with 501C3 to host youth football** - Cory Ashbey

Cory Ashbey is asking permission to use the MOU established between the School District and Hurricane City. He explained Tiger Elite's purpose. Councilman Thomas met with the high school principal and is willing to honor the MOU with the City's approval.

Kole Staheli explained the difference between a category two and three MOU. Category three pertains to nonprofits. There is a fee associated with a nonprofit unless the City requests to waive fees associated with the field use. The applicant is here to confirm that the City agrees this does not affect the Recreation Center. Councilman Hirschi explained that the MOU protects the School District from litigation. A nonprofit must be umbrellaed under the City to utilize the MOU with the district. If this is approved, the City will be exposed to litigation. Mr. Ashbey explained that they will use their insurance and name the City as an additional insured.

David Hirschi motioned to approve the MOU agreement with 501C3 to host youth football. Seconded by Dave Sanders. Motion carried with David Hirschi, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye. Joseph Prete abstained.

Councilman Prete feels that the public and private use policy should be discussed and revisited in the future.

2. Consideration and possible approval of a **proposal to seek sponsorship aid in using the school district buses for a private event** - Dehn Craig

Ana B., Event Director for Zion Half Marathon, explained that the marathon is on March 5th. They are starting in Virgin and finishing in Rockville. The applicant is asking for the City's endorsement and permission to approach the School District with a request to utilize the school buses to transport runners and spectators. The School District has asked for an endorsement from a municipal entity to use a county service. This event directly affects Hurricane City, which is why they are seeking endorsement and permission from Hurricane City. Mayor Billings reported that this was approved in the past, but they never used the buses because of COVID. Washington County sponsored this event in 2015.

Lyle Anderson, the Race Director, explained that they hold four races yearly in Washington County. This is the only race that requires buses. The School District will only accept insurance from the City, and the City will be added as an additional insured. They asked Springdale City for endorsement but were denied because the City is too small to have adequate insurance to cover the liability. Mr. Anderson provided information regarding the economic benefit of past races. Utilizing the school buses will save a large amount of money. Two thousand seven hundred participants have signed up. They have already reserved charter buses this year, which cost $60,000.

Councilman Prete stated that he motioned to approve this last time, believing this was standard protocol. However, he was unaware of the issues. This is a for-profit company asking for the City's help in return for the economic benefit, and the City needs to decide what its role is in the private-public matter.

Mr. Staheli reported that he spoke to the Transportation Director for Washington County School District. The Transportation Director indicated that they would have to deny this request due to the shortage of bus drivers even if the City Council approves it. He also expressed concern that organizations are finding loopholes in the policy to make the City accept the liability. Mr. Anderson noted that he understands there is a shortage of bus drivers and explained that they are seeking approval for the next year's race. He noted that Iron Man is allowed to use the school buses because of the economic benefit to Washington County.

Mayor Billings agreed that other races use the buses because they have a positive economic impact. Fay Reber is concerned that listing the City as the additional insured does not protect the City. Councilman Prete is on the Economic Development Committee and believes bringing business into the City is desirable. He feels this should be tabled until the City's Public-Private Policy is reviewed.

Joseph Prete motioned to table the proposal to seek sponsorship aid in using the school district buses for a private event to the April 7th City Council meeting. Seconded by David Hirschi. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

3. Consideration and possible approval of **local consent for Washington County Fair** - Susi Lafaele

Susi Lafaele is the Washington County Fair Director. The Washington County Fair was moved from August to April. This application is for local consent for the beer garden. Mayor Billings stated that Chief Excel reported there had been no issues in the past, and it meets the DABC regulations. Ms. Lafaele reported that they expanded the beer garden to allow patrons to have a beer while attending the rodeo and activities in the area. Councilman Thomas does not favor the expansion of the beer garden. Ms. Lafaele explained that everyone is asked for ID at the beer garden stations. Councilman Hirschi is against expanding the beer garden but favors the agency.

Dave Sanders motioned to approve local consent for Washington County Fair. Seconded by Doug Heideman. Motion carried with Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye. David Hirschi, nay.

4. Consideration and possible approval of **local consent for LPGA Epson Tour-Copper Rock Championship** - David Viverios

David Viverios explained the Copper Rock LPGA tournament. This is a hospitality Champions Club, and he provided pictures of their security measures. It is a weeklong event, and the previous tournament had a total economic impact of 1.8 million. Attendance is limited to those who have a championship ticket badge. There is a contained area where they can consume the drinks, and underage sales are not allowed.

Kevin Thomas motioned to approve local consent for LPGA Epson Tour-Copper Rock Championship. Seconded by Dave Sanders. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

5. Consideration and possible approval of a **reduction in park and road impact fees for an apartment complex located at approximately 6129 W 100 S** H-4-2-4-3211 - Kyle Arbizu

Kyle Arbizu reported that Washington County has some of the highest impact fees in the State, making housing expensive. The apartment complex is eighteen units, and four apartments are two bedrooms. The remaining units are one-bedroom and studio apartments. He asked the City Council to keep in mind this area does not need new roads or parks, and they are paying for the infrastructure. They are only proposing a reduction in the impact fee. Developers can't afford to build projects that provide affordable housing if they don't get reductions. Prices have increased since they started the project, and they are trying to make this work with their budget.

Stephen Nelson discussed the guidelines and standards the City must follow to adopt an impact fee and cited the code that allows the Council to reduce impact fees. He explained that impact fees pay for new infrastructure, not roads or parks. Apartment housing has a reduced impact on road trips. Single-family average ten road trips per day, and apartments average seven. Developers can request a reduction in fees if their project has less impact. Mr. Nelson reported that Staff has not had a chance to review all the documents and recommenced continuing the item.

Kevin Thomas motioned to continue the consideration and possible approval of a reduction in park and road impact fees for an apartment complex located at approximately 6129 W 100

South. Seconded by Dave Sanders. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

6. Consideration and possible approval of awarding a **contract to construct 2800 West** - Arthur LeBaron

Arthur LeBaron reported three bids were received. The bid from JP Excavating is 2.65 million. The bid from Interstate is 2.94 million, and the bid from Whittaker Construction is 3.72 million. Mr. LeBaron's recommendation is to award the contract to JP Excavating.

David Hirschi motioned to approve awarding a contract to JP Excavating in the amount of $2,649,821.40 to construct 2800 West. Seconded by Dave Sanders. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

Mr. LeBaron reported that the bond has to be in effect for one year after the project is complete for warranty issues. Mobilization is slated for June, and they will start ordering materials immediately.

7. Consideration and possible approval of **updating the Water Board Term Schedule and appointing Lea Thompson** - Nanette Billings

Mayor Billings explained that the Water Board consists of nine members with one elected official. She noted who is currently serving on the Water Board and thanked Greg Last for his years of service. Stephen Nelson reported that four-year terms were recently established. The motion should include Mike Vercimack as the staff member.

Dave Sanders motioned to approve updating the Water Board Term Schedule and appointing Lea Thompson as the citizen member and Mike Vercimack as the staff member. Seconded by Doug Heideman. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

8. Discussion **regarding vacation rentals** - Jacquie Slade

Dave Sanders motioned to continue the discussion regarding vacation rentals to March 3rd. Seconded by Kevin Thomas. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

9. Consideration and possible approval of a **Reimbursement Agreement for Zion Tiny RV Park** - Stephen Nelson

Stephen Nelson presented the approved final site plan. Zion Tiny RV Park was required to put a master plan roadway through their property. They request reimbursement for the road impact fees because this is a system improvement. Mr. Nelson reviewed the agreement and the proposal to reimburse $69,624.45.

Kevin Thomas motioned to approve the Reimbursement Agreement for Zion Tiny RV Park for $69,624.45 to be reimbursed through vouchers because of the benefit to the City of the master planned road. Seconded by Doug Heideman. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

10. **Public Hearing** to take comments on the following:

Dave Sanders motioned to go into public hearing. Seconded by David Hirschi. Motion carried unanimously.

a. **A Sensitive Land application on The Ridge at Zion Vista Ph 2**, a 19-lot subdivision, located at 840 South 1850 West

No comments.

Kevin Thomas motioned to go out of public hearing. Seconded by Dave Sanders. Motion carried unanimously.

11. Consideration and possible approval of a **sensitive land application and preliminary plat on The Ridge @ Zion Vista Ph 2, a 19-lot subdivision, located at 840 S 1850 West** - Rich Hansen applicant

Danny Green is representing Rich Hansen. Stephen Nelson reviewed the preliminary site plan. This project was approved in 2006, and the approved site plan includes a golf course and open space. The applicant is following the general site plan, but this phase has four additional lots not included in the initial site plan. The project is under ownership by multiple property owners, and any deviation in the density will impact the other property owners. Staff is in favor of changing the plan. However, Mr. Nelson is hesitant to approve changes until the development agreement is updated. If the City Council votes for approval, it should be subject to removing the four additional lots. Mr. Nelson reported that the roadway is vital for development in the area as it will provide water looping and secondary access. It does exceed the slope, but staff feels it is justified for the connection. Mr. Green reported that the applicant agreed to remove the four lots from their request.

Kevin Thomas motioned to approve a sensitive land application and preliminary plat for The Ridge @ Zion Vista Ph 2, a 19-lot subdivision, located at 840 S 1850 West. Subject to removing the four north lots. Seconded by Dave Sanders. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

12. Consideration and possible approval of a proposed **zone change located at 4700 S and 2600 W from RA-1, residential agriculture one unit per acre, to R1-10**, residential one unit per 10,000 square feet. Parcel numbers: H-3-2-32-330 and H-3-2-32-321. Calypso Ridge Properties Applicant. Karl Rasmussen Agent.

Karl Rasmussen explained that the applicant mistakenly excluded two parcels from the approved zone change. They are requesting to apply the same zoning to these parcels. This area is part of the PID application and matches the general plan.

Stephen Nelson reported that there are no services available in the area. The zone change was approved subject toa development agreement stating that the City can deny future land use unless services can be provided. Staff recommends the same condition if this is approved. Councilman Prete commented that the development agreement is a way around the zone change analysis and ultimately changes the zoning and the City Council's ability to shape the development. He does not think zone changes should be approved before there are adequate services. Mr. Rasmussen stated he doesn't think it will be an issue if this is approved in the same manner as the other parcels. They can't do anything with the property until the infrastructure is there. These parcels were left out in error. They are in the same development and necessary for the project.

Mayor Billings stated that the City Council does not have to approve this zone change even if it is allowed in the General Plan.

Mr. Nelson explained that the City Council can justify approving or denying a zone change based on the four-zone change criteria. This matches the General Plan, but the infrastructure is not in the area. He would discourage leapfrog development, but the overall plan for this area is single-family residential, and this request is within that criteria. However, there are not adequate services to serve the area. It is important to consider the General Plan's vision for the area and what services can be provided in the immediate future. Councilman Thomas suggested continuing the item until after the PID decision.

Dave Sanders motioned to continue the proposed zone change located at 4700 S and 2600 W from RA-1, residential agriculture one unit per acre, to R1-10, residential one unit per 10,000 square feet, until after the PID discussion. Seconded by Kevin Thomas. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

13. Consideration and possible approval on **a Zone Change request located at approximately 3300 W and 600 N from R1-6, residential one unit per 6,000 square feet, to R1-6 with a PDO**, planned development overlay. Parcel numbers: H-3-1-30-320 and H-3-1-30-321. Perry Development, LLC Applicant. Greg Sant Agent.

Greg Sant reported there is a power line easement along the south boundary, however, they have not been able to find it. Regardless of the easement, he agrees that there are two issues—maintenance of the line and safety for residents. The applicant has agreed to deed ten feet on the south property line to the City for access to the power poles. There are ten-foot setbacks in the rear yards, which total twenty-five feet to the power pole. The Power Department prefers thirty feet but is willing to work with applicants. The applicant is asking for the same PDO overlay as Peregrine Pointe because they are losing ten feet in the back. Stephen Nelson reported they are not requesting a density bonus. Councilman Thomas feels that this is a good solution for everyone. Mr. Nelson reported that a master planned trail goes through this property, and adjustments will need to be made to the cross-sections. He recommended that approval includes staff and the applicant working out the cross-sections.

Eric Sorenson lives in Peregrine Pointe and is the Vice President of the Peregrine Pointe HOA. Drainage issues need to be addressed. He provided a packet with pictures showing six feet of dirt against their block walls. The block walls were not built as retaining walls. Mr. Sant explained that they are building a new retaining wall adjacent to these properties. They will drain from the back of the lot to the front of the street. It is shown on the construction drawings. The retaining wall will be about five feet taller than the existing wall. Mr. Sorenson stated that this would address the drainage, but the residents will now see a wall outside their back windows. Mr. Sant explained that there is solid rock in that area. They are building at their current grade; the lots have to be higher than the road to drain. He also reported that a walking path will connect this subdivision and Peregrine Pointe between lots nine and ten.

Kevin Thomas motioned to approve the zone change request located at approximately 3300 W and 600 N. Subject to Staff and JUC comments, including the cross-section for the trail. Seconded by Doug Heideman. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

14. Consideration and possible approval of an **updated preliminary plat for Peregrine Point West Phase 1-4 Amended**, located at 600 N and 3100 W. Perry Development Applicant, Greg Sant Agent.

Dave Sanders motioned to continue the preliminary plat for Peregrine Point West Phase 1-4 Amended, located at 600 N and 3100 W. Seconded by David Hirschi. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

15. Consideration and possible approval of a **Resolution declaring parents are the primary stakeholders in their child's life** - Nanette Billings

Mayor Billings read the Resolution declaring parents are the primary stakeholders in their child's life. Councilman Thomas voiced his full support. It is important to state and announce the City's intent. Councilman Hirschi believes parents are the best-vested interest in their children's lives. Fay Reber stated that the resolution has some grammatical errors that need correction before approval.

Kevin Thomas motioned to continue the Resolution declaring parents are the primary stakeholders in their child's life. Seconded by Dave Sanders. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

Willie Billings stated that the City Council members are representatives of the people, and he feels it is their place to take a stand and represent the citizens. These types of resolutions are part of the City Council's leadership responsibilities. Councilman Heideman stated that Senators are creating a bill to address this issue which will be presented to the senate. Councilman Hirschi believes it is important to address situations like this. Councilman Prete stated he would support this when it is revised to correct the grammatical errors.

16. Consideration and possible approval of a **Resolution regarding Freedom and Liberties given to all by the constitution** - Nanette Billings

Mayor Billings read the Resolution regarding Freedom and Liberties given to all by the constitution into the record. Washington City passed this resolution. Councilman Thomas supports this resolution because it is an excellent way to defend the constitution. Councilman Sanders stated Washington City employees are grateful this was passed.

David Hirschi motioned to accept the resolution regarding Freedom and Liberties given to all by the constitution. Seconded by Kevin Thomas. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

17. Consideration and possible approval of a **Resolution appointing Nanette Billings to the Washington County Water Conservancy Board**

Mayor Billings explained that the Water Conservancy District Board tabled the motion to include mayors in the eastern part of Washington County and extend the number of board members to eleven, with four not voting members. Therefore there is no action necessary. Mayor Billings will continue attending the meeting and reporting to the City Council. However, she will not be a voting member.

Kevin Thomas motioned to table a Resolution appointing Nanette Billings to the Washington County Water Conservancy Board. Seconded by David Hirschi. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

18. Consideration and possible approval of **appointing Doug Heideman to the Airport Board, Beautification Board, Appeals Board, and Tourism Board**

Joseph Prete motioned to approve appointing Doug Heideman to the Airport Board, Beautification Board, Appeals Board, and Tourism Board. Seconded by Dave Sanders. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

19. Consideration and possible **approval of a new position** - Nanette Billings

Mayor Billings explained that City Manager Kaden DeMille needs an assistant who will serve in a dual public relations position. The budget contains enough money and can be rearranged to fund this new position. Councilman Heideman explained that he receives complaints from citizens because they know what is happening in the City. Councilman Sanders agreed that Mr. DeMille and the City Staff are overwhelmed. Mr. DeMille stated that many administrative needs are not being met, and the Staff cannot cover everything.

Dave Sanders motioned to approve a new position. Seconded by Kevin Thomas. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

20. Consideration and possible approval for the **City Council and Mayor to be part of fund URS from Stipend** - Nanette Billings

Mayor Billings explained that the City Council receives a stipend, and she asked Staff to research if they could contribute to the 401K. Kaden DeMille stated that using a stipend to contribute to a 401K depends on the tier of each City Council member. Kendra Rich explained that Councilman Thomas is in tier one and the remaining Council members are in tier two. The Council members are part-time, making them ineligible to contribute to their 401K. If Hurricane City changed the policy to allow part-time employees to contribute to the 401K, it would have to include all part-time employees, which requires the City to contribute funds. It would raise the City's cost by 18.47%. The City Council can add money to their URS, not their 401K or 457.

21. Consideration and possible approval of **appointing the Mayor Pro Tempore**

David Hirschi motioned to approve appointing Jospeh Prete the Mayor Pro Tempore. Seconded by Kevin Thomas. Motion carried unanimously with David Hirschi, Joseph Prete, Dave Sanders, Kevin Thomas, and Doug Heideman voting aye.

Council Report:

Mayor Billings	Airport, Administration, Police, Washington County Solid Waste District, Washington County Water Conservancy District, Youth City Council, Ash Creek Special Sewer District. Brooks statue dedication is at the Washington

	Town Center on March 19^{th}, at 10:00 a.m. The City is considering hiring a part-time employee to assist with catching up on City Council and Planning Commission minutes.
Joseph Prete	Court, Prosecutors Office, City Attorney, Fire District, Economic Development, Agriculture Preservation, Industrial Park, Power, Power Board.
Dave Sanders	Animal Control, Police, Emergency Management, Mosquito Abatement, School Crossing Guards, Victim Services.
David Hirschi	Historic Preservation, Parks/Cemetery, Recreation/Pool, Water Department, Water Board, Ash Creek Special Service District, Golf Course.
Kevin Thomas	Planning Commission, Streets, and Drainage, Public Works, Engineering, Planning Dept.
Doug Heideman	Building Inspections, Code Enforcement, Tree Board, Airport Board, Appeals Board, Beautification Board, Tourism Board, Parks/Cemetery.
Kaden DeMille	City Administration, Confluence Park Technical Advisory Committee, Economic Development. Listed the open employment positions.

Closed Session

Joseph Prete motioned to go into a closed session for personnel issues at 10:47 p.m., Seconded by Kevin Thomas. Motion carried unanimously.

Adjournment

Meeting adjourned at 11:06 p.m.