

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

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

**Also Present:** City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Kurt Yates, Public Works Director Mike Vercimak, Assistant Public Works Director Weston Walker, Streets Superintendent Hayden Roberts, Water Superintendent Kory Wright, City Planner Gary Cupp, Assistant Planner Fred Resch III, Recreation Director Tiffani Wright, City Engineer Arthur LeBaron, HR Director Sel Lovell, Parks Representative Josh Averett, and City Recorder Cindy Beteag.

## **AGENDA**

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

Chief Yates reported that bike patrol officers will be on duty this weekend for the Easter Car Show and egg hunt. He also reviewed March statistics, noting 793 total incidents, 62 arrests, 307 citations issued, 676 traffic stops, and 50 accidents. While accidents decreased by 7%, overall incidents increased by 18% compared to the same time last year. He further shared that a local man in his fifties had been engaging in inappropriate sexual conversations with teenagers. A detective was able to obtain a warrant through Instagram, which led to the discovery that the individual was also in possession of child pornography. The suspect was arrested and is currently being held without bail.

Sel Lovell reported that most positions have been filled. However, Merielle Redwine from GIS has submitted her two-week notice to accept a position with the County, leaving that as the only current vacancy. He also noted that he has been working on updates to the policy manual as well as the required state privacy program.

Josh Averett stated that the Parks Department has been busy preparing and setting up for the Car Show. He noted that splash pads are typically opened over Easter weekend, but staff will consider opening them earlier in future years if warm weather conditions persist. He added that crews are currently focused on routine maintenance of the ball fields. Councilman Prete asked whether the Parks Department oversees maintenance of Recreation facilities. Mr. Averett clarified that their responsibilities are limited to exterior components, including restroom buildings.

Kory Wright stated the Sky Ranch Well is nearing a depth of 90 feet, while the Goulds Wash Well has reached approximately 300 feet, with crews preparing to begin cleaning the fractures. He noted that water will be running through the wash during this process. He also shared that irrigation projects are progressing well, with the pipeline portion nearly complete and only a few concrete pours remaining for the pond. Crews are already responding to the start of leak season. Mr. Wright added that staff have been replacing water meters with new 4G meters.

Residents with the upgraded meters can use the Water Advisor app to monitor their water usage, receive leak alerts, and track consumption. Mayor Fawcett mentioned he will help promote this feature so residents are aware of its availability. Mr. Wright also noted that meter readers can review usage history on a property to help identify when unusually high water use occurs and assist in diagnosing potential issues.

Tiffani Wright reiterated that the Easter Egg Hunt will take place this Saturday at 9:00 a.m. She also noted that the preview night for *Mamma Mia!* is scheduled for this evening, with additional performances planned for Monday, Friday, and Saturday. She shared that staff have begun enforcing policies regarding gym use, including no longer allowing free access to restrooms. Additionally, parents using the track while waiting for their children are now required to pay applicable fees. Ms. Wright added that the baseball season began this week, and the soccer season will conclude next week.

Mike Chandler reported that they are a few weeks away from full startup at Confluence Park. He explained that once operational, approximately 30% of the flow currently coming from LaVerkin and Toquerville will instead be retained north of the bridge. As a result, previously known problem areas will shift, and staff will need to address issues as they arise. He asked that any related complaints received by the Council be forwarded to their office. He also expressed his appreciation for the opportunity to work with the City on the SR-9 cleanup project. Additionally, he noted that later this month they will bring forward a parameters resolution proposing to borrow funds from the state to extend sewer service from Virgin, which will be their next major project. Councilman Prete inquired about the possibility of extending sewer lines in the southern part of town. Mr. Chandler explained that while sewer extensions are generally developer-driven, there are a few areas currently being overseen directly by their department.

Mike Vercimak thanked the Council for the budget discussion earlier this week.

Weston Walker stated they approved plans for Sky Valley Townhomes Ph. 7, Hanna Condos, and the 180 West pedestrian bridge.

Hayden Roberts stated that crews have been busy patching roads and working to control weed growth throughout the City. He noted that 3000 South is scheduled to be patched next week. He also stated that crews installed fencing yesterday in preparation for the Easter Car Show.

Arthur LeBaron stated he met with the Three Falls Elementary Student Council earlier in the day, where students presented safety concerns related to 900 South along with potential solutions. He noted they may request to present these concerns directly to the Council. After the meeting, he observed the roadway to better understand the issues; however, the area was not heavily utilized at that time. He announced that the “H” property is currently under contract with a closing date of December 1<sup>st</sup>. The appraisal has been completed and came back favorable, though additional steps are still required to satisfy grant conditions. He also noted that Rand Lemmon served as the City’s realtor for the transaction. He mentioned he met with the Conservancy District regarding the reuse pipeline project, which will impact several major

roadways in Hurricane. He stated he intends to coordinate closely with the District as the project moves forward. He added that the bidding process for the City campus project has closed, with thirteen proposals received. A review committee is currently evaluating submissions and will bring a recommendation to the Council. He also referenced a recent open house for 100 South, which received positive feedback. Residents expressed interest in an ADA accessibility analysis around the Recreation Center. Staff are also actively working to identify additional parking opportunities. He noted that a feasibility study for the Pah Tempe Trail is underway, describing it as a multi-jurisdictional project that has recently opened a public comment period. Lastly, he stated that the storm drain and utility fee study is nearing completion and requested a 4:00 p.m. work meeting at the next Council meeting to review it. Mayor Fawcett asked about completing the pathway along SR-9 from 2260 West to approximately halfway toward 2600 West. Mr. LeBaron responded that the segment is included in the City's master plan and that Intermountain Healthcare constructed the existing portion. Mayor Fawcett requested staff explore options to complete the connection between the two roadways.

Gary Cupp mentioned that the Planning Department will be out of the office Wednesday through Friday next week attending a conference. He also reminded the Council that Bob Peterson has requested to be removed from the Appeals Board and asked for recommendations for a replacement. He referenced an email sent to the Council from Peyton Fisher regarding events at the Farm. While he expressed support for Mr. Fisher's efforts, he noted that the activities are not currently legal and would require a zone change to comply. He explained that Mr. Fisher is involved in legal proceedings with the property owner, and staff has been working with him for over a year to address ongoing concerns, which remain unresolved. Councilman Prete commented on the presence of bright lighting in the area, expressing concern that it may lead to future complaints and asked that staff keep the issue on their radar. Mr. Cupp confirmed that staff is aware and added that the property has expanded its use, including utilizing neighboring properties for parking, without obtaining the necessary building permits or a business license. Councilman Prete reiterated that the lighting could become a nuisance for nearby residents.

Fred Resch III reported that the City has reached a settlement with the property owner in the small claims case related to a vacation rental violation. He noted that progress is being made, and the management company is working toward obtaining the proper licensing. He also shared that the Planning Commission approved three preliminary plats: Desert Edge at Sky Mountain, Cordero Phase 4, and a mixed-use development known as Bash Man Caves. Councilman Prete suggested that it would be helpful to have a city map identifying the names of all developments. Councilman Ellerman inquired about the trailer with three units located on 100 North. Mr. Resch III responded that he had been told the units have been in place for several decades. Councilman Ellerman disagreed, stating the trailer has not been there that long and, as a building code violation, would not qualify for grandfathering.

Dayton Hall discussed the pending zone change application for Scott Stratton, which was tabled several weeks ago after the Council requested a development agreement to address use

limitations and screening. He reported that staff met earlier that morning and now has clearer direction, and the item is expected to return to the Council in the near future. Councilman Prete stated there are safety concerns on that curve and he asked how the zone change would affect that. Mr. LeBaron stated that curve will no longer exist once the property develops. Mr. Hall stated the zone change application is not proposing any changes to that road. Councilman Excell stated there will be curb, gutter, and sidewalk along 1100 West. He stated it is nice to connect all the paths. He thinks they need to do something to benefit the community. Councilwoman Werrett agreed and mentioned that she talked to a resident that wanted to see the paths connect. Councilman Prete stated there is an increasing number of kids in the south part of town and there needs to be a safe place for the kids to travel in that area.

Dave Imlay stated the overhead power line by the Walmart industrial area has been completed.

**6:00 p.m. - Call to Order –**

Prayer: Councilwoman Werrett

Pledge: Chief Yates

Declaration of any conflicts of interest

None declared.

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

Amy Werrett motioned to approve the March 19, 2026, minutes as written. Seconded by Drew Ellerman. Motion carried unanimously.

Swearing in of Officer Ian Atkinson

Chief Yates introduced Officer Ian Atkinson, who has nearly 12 years of experience. Officer Atkinson previously served with Hurricane Police from 2014 to 2021, later worked for Washington City, and has now returned. He is a Hurricane High graduate and served two tours in Iraq with the National Guard. Officer Atkinson was sworn in by City Recorder Cindy Beteag.

Recognition of Officer Marshall and K9 Gee by HIS

Chief Yates recognized Officer Marshall and K9 Gee, noting he received and read a letter from HIS Special Agent in Charge highlighting their outstanding drug enforcement efforts. He referenced a March 6<sup>th</sup> incident in which they seized 176 pounds of methamphetamine from a vehicle trunk. Chief Yates commended Officer Marshall's dedication, noting the extensive training required of K9 handlers and the around-the-clock care provided to Gee, whom he described as part of Officer Marshall's family.

**Public Forum – Comments From Public**

No comments.

**NEW BUSINESS**

Mayor Fawcett took new business item 3 out of order and addressed it first. These minutes are in order of the agenda.

Lynn Excell motioned go into a Public Hearing at 6:17 p.m. Seconded by Dave Imlay. Motion carried unanimously.

1. Public Hearing to take comments on the following;
  - a. A request for disposal of remainder parcels along Sand Hollow Road and Gateway Boulevard due to realignment

Arthur LeBaron stated that the Gateway PID has completed significant improvements along Sand Hollow Road and Gateway Boulevard. He explained that the segment between SR-9 and the roundabout is now designated as Gateway Boulevard. He stated that property owners have completed substantial work in the area, including additional right-of-way dedication and roadway realignment to improve safety. As a result, they are requesting that remaining parcels outside the roadway dedication be abandoned and returned to them, while retaining necessary public utility easements. He asked the Council to ensure those easements are included in the motion.

No comments from the public.

Lynn Excell motioned to go out of a Public Hearing at 6:20 p.m. Seconded by Drew Ellerman. Motion carried unanimously.

2. Consideration and possible approval of Ordinance 2026-06 Approving the abandonment of remainder parcels along Sand Hollow Road and Gateway Blvd. public right of way due to realignment

Karl Rasmussen showed the areas that would go back to the property owners. Councilman Prete confirmed the property would go back to the same property owners that dedicated it.

Drew Ellerman motioned to approve Ordinance 2026-06 Approving the abandonment of remainder parcels along Sand Hollow Road and Gateway Blvd. public right of way due to realignment and retain the necessary public utility easements. Seconded by Amy Werrett. Motion carried unanimously by a roll call vote.

3. Consideration and possible approval of Zone Change Amendment Ordinance No. ZC26-05 to rezone a 0.522-acre portion of a 8.36-acre property located at 630 S 60 E from Residential Agriculture RA-1 to Single Family Residential R1-10; File No. ZC26-05; parcel no. H-362; Samantha Hinton, applicant.

Mayor Fawcett explained that the applicant requested the item to be continued to the next meeting.

Joseph Prete motioned to continue the Zone Change Amendment Ordinance No. ZC26-05 to rezone a 0.522-acre portion of a 8.36-acre property located at 630 S 60 E from Residential Agriculture RA-1 to Single Family Residential R1-10 to the next meeting. Seconded by Lynn Excell. Motion carried unanimously.

4. Consideration and possible approval of Ordinance 2026-07 Amending Title 4, Chapter 11 regarding the Discharge of Fireworks

Dayton Hall explained that, per Council direction at the previous meeting, staff added two additional parks where fireworks may be discharged. He also noted ordinance updates confirming that the City may discharge fireworks at Sand Hollow State Park, Peach Days, and the HHS homecoming game. Councilman Prete confirmed the update includes all City-sponsored events, and Councilman Imlay stated he had reviewed the changes with Chief Decker, who was in agreement.

Amy Werrett motioned to approve Ordinance 2026-07 Amending Title 4, Chapter 11 regarding the Discharge of Fireworks. Seconded by Lynn Excell. Motion carried unanimously by a roll call vote.

5. Consideration and possible approval of an Amended Proclamation regarding the discharge of fireworks

Lynn Excell motioned to approve an Amended Proclamation regarding the discharge of fireworks. Seconded by Dave Imlay. Motion carried unanimously.

6. Discussion regarding creating zones within the city for Council members to oversee and conduct meetings to hear citizens' concerns and comments - Mayor Fawcett

Mayor Fawcett explained that, consistent with his campaign commitments, he would like to establish neighborhood councils by dividing the city into areas with similar interests and concerns and identifying meeting locations within each area. He proposed scheduling meetings for a one-year period. He would attend as many as possible, but he would like to have Council members serve as liaisons for each area. He also suggested involving staff when appropriate to address concerns. He noted he has been coordinating with Councilwoman Werrett but wanted full Council input before moving forward. Councilman Imlay expressed support for the concept and suggested gathering community input through questions to help identify needs. Mayor Fawcett added that he would like to focus on listening to concerns and then following up with targeted questions. Councilwoman Werrett suggested using QR codes to ensure consistent questions are asked across all groups.

Councilman Excell recommended involving department heads to help address questions in real time. Councilman Prete suggested dividing the city into six areas, while Councilman Excell noted the Streets Department already uses seven storm drain zones that could potentially be used as a framework. Mayor Fawcett stated he would consider existing boundaries but does not want the areas to become too large. He noted the importance of Council involvement in hearing citizen concerns. Councilman Prete referenced a similar effort he and Darin Larson conducted previously and suggested having two Council members present at each meeting. Mayor Fawcett agreed. The Council expressed support for Mayor Fawcett developing a proposed map for review. Councilwoman Werrett recommended holding meetings at varying times of day,

and Councilman Ellerman suggested providing free food and hosting meetings within neighborhoods to improve attendance.

**7. Consideration and possible approval of a change in the material standards for the Water Department - Kory Wright**

Kory Wright stated staff is working to update and clarify construction standards. He explained that fire hydrant details include a required bury depth and final grade reference line, and language has been added to ensure hydrants are installed to the correct bury line. He also noted revisions to service line standards, encouraging contractors to avoid fittings between the main and meter when possible, and requiring stainless steel fittings when they are necessary, with minimal use of brass. He also proposed adding Municipex as an approved service tubing option, noting that copper has become significantly more expensive, while Municipex is substantially less costly. He stated the product has been evaluated through demonstrations and field use in high-pressure applications over the past two years without issues, and staff has confirmed its use with other municipalities. He added that the product includes a 25-year manufacturer warranty. Councilman Imlay commented on a demonstration showing the pipe's flexibility and recovery after crimping and heating, and clarified the warranty covers manufacturer defects rather than leaks. Councilman Prete asked about performance in collapsible soils and seismic conditions. Mr. Wright stated he had not specifically researched those conditions but believes the material performs similarly to other piping and can return to its original shape when heated. Councilwoman Werrett added that a local plumber familiar with the product spoke highly of its performance.

Amy Werrett motioned to approve a change in the material standards for the Water Department. Seconded by Dave Imlay. Motion carried unanimously.

**8. Consideration and possible approval of Resolution 2026-18 Amending City Pickup of Public Safety Employee Retirement Contributions - Sel Lovell**

Sel Lovell explained that a few years ago the City began covering retirement contributions for public safety employees up to 5%. He noted that the rate has since increased to 5.98% and stated that state law allows municipalities to continue picking up this contribution for public safety personnel. He estimated the increase would cost approximately \$20,000. Councilman Excell stated the benefit serves as a good retention tool. Mr. Lovell recommended increasing the pickup to 8% based on prior studies indicating stabilization in costs. Mayor Fawcett stated he doesn't know if we should include a ceiling unless it went up drastically. Kaden DeMille stated he supports establishing a cap to ensure the item returns for future Council review. Mr. Lovell added that he believes 10% would be too high. Councilman Prete indicated he is inclined toward a figure lower than 8% but is open to further consideration. Mr. Lovell confirmed that most cities provide this benefit for their employees.

Lynn Excell motioned to approve Resolution 2026-18 Amending City Pickup of Public Safety Employee Retirement Contributions at 8%. Seconded by Amy Werrett. Motion carried unanimously by a roll call vote.

**9. Consideration and possible approval of adjusting City contributions for Tier II Hybrid Employees' retirement - Sel Lovell**

Sel Lovell explained the State doesn't allow the City to pick up retirement contributions for public employees. If approved, the City issues a bonus twice a year to qualifying employees and then URS pulls it out of each paycheck. He stated this would be about a one percent increase, which would be around \$55,199 increase for seventy-four employees. He confirmed all cities are picking it up for their employees.

Amy Werrett motioned to approve adjusting City contributions for Tier II Hybrid Employees' retirement. Seconded by Dave Imlay. Motion carried unanimously.

**10. Mayor, Council, and staff reports**

Mayor Fawcett reported on a recent meeting with area mayors regarding homelessness funding. He explained that several years ago the County implemented a portion of local sales tax revenue from each community to support a regional homelessness fund. He provided a chart that showed what each community contributed. He then explained they asked each community to contribute to the fund based on how much they use the system. When the mayors discussed it, they felt like the County should contribute more. He explained where they get their funding from. He would like Switchpoint to come in and explain what they do or have the Council go there for a tour to see what they do. He knows the budget is tight, but he would like to discuss it. He stated he wouldn't mind matching what the citizens donate. Councilman Imlay feels like the State is pushing all these items to the cities, but the County is the one that should be paying it. Councilman Ellerman stated this funding should be coming from property tax. Mayor Fawcett stated there are other counties that are contributing more directly, but Washington County isn't. Councilwoman Werrett stated this is a great resource but feels it is unfair how they have grouped the communities. She thinks it should be a tiered approach. Mayor Fawcett stated he would like to know how much we already contribute with our sales tax. Councilman Imlay suggested the cities jointly propose an alternative funding plan to the County. The Council ultimately agreed they are familiar with Switchpoint's services and a presentation is not necessary at this time.

Mayor Fawcett stated the Zieber's came to the last meeting with concerns about the vacation rental next to them. He received another notification that the rental had another violation. He thinks he needs to respond to them. He stated the license was issued in error, but when the City realized it, they notified them that it wouldn't be renewed. That license ends in July. He wants to send an email explaining what the City has done and what will happen. He doesn't think parking a car on the street is always a violation. The off-street parking that must be provided is for the guests that are staying there but they could have guests that visit them occasionally. Councilman Excell stated he agrees with what has been done. Councilman Ellerman asked if the owners would fight back with not getting the license. Dayton Hall stated he doesn't anticipate that happening. Staff had a good discussion with the owners, and they have a good understanding of the situation. He thinks a fair solution was reached in an unfortunate situation. Councilman Ellerman confirmed the owner of the home lives there

permanently. Councilman Excell recommended notifying the owners that renters can't park on the street. Mr. Hall explained the base zone is R1-8, but it has a PDO Overlay which allows multifamily buildings. However, residential hosting isn't allowed in multifamily structures. The licensing officer overlooked it when they issued the license. Councilman Ellerman directed Mr. Hall to review State code to see if a long-term rental would be allowed. Mayor Fawcett confirmed the Council is comfortable with the letter that he will send to the Zieber's. Gary Cupp stated the owners have been notified of the complaints and that there is one documented violation.

Councilman Imlay noted that some agencies provide differential pay for military employees during deployments and asked whether the City could consider a similar policy. Councilman Excell stated the City is required to maintain certain benefits during deployment and noted that employees have generally been satisfied when other benefits are continued. Chief Yates explained that military personnel are required to attend periodic training and currently must use vacation leave for those obligations, and they would prefer not to use personal leave for required training. Sel Lovell stated the City provides a set number of days for military leave, but employees must use accrued leave once that allocation is exhausted.

Mayor Fawcett stated that, following a discussion with Councilman Prete after the budget meeting, he would like to identify Council priorities so the upcoming budget can be developed accordingly. Kaden DeMille explained that, in prior years, department heads first presented their budget requests, followed by a Council retreat to discuss priorities. Councilman Ellerman stated he would be absent from the next meeting and noted he has no concerns with approving the continued zone change. Councilman Excell added that he believes the Planning Commission thoroughly vetted the application.

Councilman Excell thanked Mike Vercimak, Weston Walker, and Hayden Roberts for meeting with him and explaining their processes.

Councilman Prete stated he will be sending an email outlining his expectations for agenda summaries. Mayor Fawcett stated he appreciates the summaries but would like clarification on who prepares them. Councilman Prete added that he would like the summaries to highlight the key points of each item. Dayton Hall noted that in 2023 the Council adopted Rules and Procedures that include guidelines for staff reports and read the relevant section outlining required content. Mayor Fawcett stated he does not want the summaries read aloud during the meeting but confirmed he still expects staff to formally introduce each item.

Council scheduled a budget retreat for May 5<sup>th</sup> @ 4:30 p.m.

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

A closed meeting was not held.

**Adjournment:** Joseph Prete motioned to adjourn at 8 p.m. Seconded by Amy Werrett. Motion carried unanimously.