

Minutes of the Hurricane City Council meeting held on May 21, 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, Power Director Mike Johns, Recreation Director Tiffani Wright, City Engineer Arthur LeBaron, Building Official Larry Palmer, and HR Director Sel Lovell.

AGENDA

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

Fred Resch III mentioned that he sent out code violations letters this week. The Planning Commission approved a final site plan for an office behind Jimmy Johns.

Arthur LeBaron stated the easements for SR-7 have been completed. He stated the Transportation Master Plan contract has been updated, reviewed by the City Attorney, and is ready for approval. He also noted that approximately 50 high school seniors participated in a project to whitewash the "H." The Fire District provided water, Ace Hardware donated lime, and Southern Utah Adventure Center provided transportation to the site. Councilman Imlay referenced the elementary students who presented at the meeting and asked whether improvements had been considered to make student walking routes safer. Mr. LeBaron stated improvements could be made to 900 South to enhance walkability; however, 400 West would continue to be used and currently has issues with tail water and standing water in the storm drain system. He stated those drainage issues would need to be addressed prior to roadway improvements.

Hayden Roberts reported crews brushed 900 South to help clean up the lines near the school. He stated a preconstruction meeting was held for the 700 West project, which is scheduled to begin on the 26th. The tentative traffic plan is to allow southbound traffic through while detouring northbound traffic at 400 South. He stated Dumpster Days was recently held and went well overall despite windy conditions. He noted there was minimal hazardous waste, although a few tires were disposed of. Councilman Prete asked about the recently poured concrete near the intersection of 3000 South and 1500 West. Dayton Hall explained the project is a low-water crossing designed to allow storm water to flow over the roadway during large storm events, rather than using large culverts. Councilman Excell expressed concerns that the yield sign on 2060 South is not effective. The Council discussed the possibility of replacing certain yield signs at the intersection with stop signs. Mr. Roberts stated he would review the issue and report back to the Council.

Mike Johns stated that the walls for the Sky Mountain substation are being installed and the project appears to be on schedule. He also stated the office remodel to add an additional office for the engineer has been completed. Councilman Prete asked about easements related to the Romney Group project. Mr. Johns stated they are still waiting on a few easements and explained some are located on the opposite side because the developers only own property on that side. He added the property in front of the substation has been dedicated to the City. Mayor Fawcett requested an update on power service for the commercial property on 3700 West. Mr. Johns stated he has not heard from Karl Rasmussen since the meeting on the project, but cost estimates are prepared when they are ready to proceed. Councilman Prete asked about the status of the hospital project across from Walmart. Mr. Johns explained the hospital project was originally expected to fund the substation, but that no longer appears to be the case. Mayor Fawcett added the hospital is still working to secure funding and noted the PID was intended to fund power improvements to the site, but it currently lacks sufficient borrowing capacity.

Paige Chapman scheduled a work budget meeting with the Council for 3:30 p.m. on June 4th.

Sel Lovell reported that Scott Wilson was hired for GIS, and he is adapting well. There are still positions open for the Finance Director, Utility Clerk, Rec Aid, and Parks Custodian.

Kory Wright stated the water projects are progressing slowly due to funding limitations. He stated the well projects are currently on hold because drilling rigs are down. He noted staff has received numerous questions following the Governor's request for a 20% reduction in water usage. He plans to discuss river conditions at the next Water Board meeting and explained the City is required to maintain a plan for reducing water usage if necessary. He stated the City will be meeting with the Water District regarding a potential takeover of the water system located in unincorporated Washington County south of town. He noted the City has identified several issues that would need to be addressed before assuming responsibility for the system. He mentioned a major water leak on State Street that crews planned to repair that evening. Councilman Excell asked him to investigate a possible leak near Hurricane Rehab where moss has been growing.

Chief Yates reported that Detective Johnson arrested an individual on two counts of sexual exploitation of a minor. He commended Detective Johnson for his work on the case and noted continued success using the ICAD system. He stated Detective Newport identified a storage unit burglary suspect through the use of license plate readers. He noted the accident investigation on 700 West is nearing completion, with investigators still awaiting cell phone data and toxicology results. He stated the Police Week banquet was successful. The Police Department participated in the Kid's Safety Fair with Hurricane Valley Fire last Saturday, which had a strong turnout. He expressed hope that the event will continue to grow in the future. He stated some detectives are traveling to Moscow, Idaho to extradite a suspect on communications fraud and felony theft charges. He further shared the new state law regarding e-bikes, adding that the

department has shared information through social media and is exploring additional educational outreach, including possible presentations at schools. He noted state law allows for the confiscation of e-bikes in certain situations.

Larry Palmer reported the City has issued fourteen single-family building permits and two commercial permits since the last meeting, including permits for Intermountain Health and Andrus Construction. He also noted the Rush Fun Center opened last weekend and stated both Rigatti's and the Greek restaurant are expected to open within the next few weeks.

Councilman Imlay stated they held a meeting about the franchise agreement that was tabled. It will be coming back to the Council soon.

Mayor Fawcett announced he will be at the Community Center on Saturday at 9:00 a.m. to play cornhole with community members who would like to participate. He stated the Affordable Housing Committee is nearly complete and meetings are expected to begin soon. He stated that he and Councilwoman Werrett have completed the zoning map for upcoming community meetings.

Councilman Excell stated the Mosquito Abatement Board met last Thursday and is proactively treating areas with standing water due to warmer weather conditions. He stated no cases of West Nile virus have been detected locally at this time and encouraged residents to report mosquito concerns to the district. He also noted the district is moving away from the use of foggers and focusing on treating mosquitoes during the larval stage to prevent hatching. He stated Emily Butler is currently recruiting students to serve on the Youth City Council for the upcoming year.

Councilwoman Werrett stated her son's tennis team recently held an end-of-year pickleball party and noted the pickleball courts were very busy. She also recommended that someone follow up with the elementary students who presented at the meeting, stating they were very excited to participate.

6:00 p.m. - Call to Order –

Mayor Fawcett welcomed everyone and called the meeting to order.

Prayer: Amy Werrett

Pledge: Patty Nation

Declaration of any conflicts of interest

None declared.

Minutes of the Special City Council Meeting for May 5, 2026

Dave Imlay motioned to approve the May 5, 2026, minutes. Seconded by Amy Werrett. Motion carried unanimously.

Swearing in of officers Ryan Harris, Justin Rydalch, Landon Tanner, and Drew Sowards

Chief Yates introduced each officer and provided a brief background on their experience and service. City Manager, serving as Deputy Recorder, Kaden DeMille administered the oath of office to the officers.

Recognition of HHS track athletes for outstanding athletic achievement

Mayor Fawcett explained that the athlete could not attend the meeting, so this item will be postponed.

Public Forum – Comments From Public

None.

OLD BUSINESS

1. Consideration and possible approval of a Development Agreement for ZC25-21, a proposed zone change on 7.27 acres located at 2300 S and 1100 W from Residential Agricultural RA-0.5 to Light Industrial M-1; Parcel number H-3-2-10-3391 - Scott Stratton

Dayton Hall reminded the Council the item was last discussed in January, when a motion was made to approve the zone change contingent upon approval of a development agreement. He stated he has since reduced the discussion into written form. He highlighted that the permitted use is limited to general warehousing; however, Mr. Stratton has requested consideration of adding a service station or gas station use. He also noted the agreement includes dedication of property along 1100 West without reimbursement, though Mr. Stratton has indicated he may request compensation. Mr. Hall stated the final condition relates to fencing requirements. The agreement requires fencing within six months on all sides except the portion adjacent to 1100 West, which may be completed later. The fencing may be chain link with privacy slats providing a minimum of 85% blockage. He further explained future access would be from 1100 West, and therefore improvements along the existing roadway would not be required since access would not be taken from that side.

Councilman Excell asked whether fencing is necessary along the east side adjacent to the airport, noting it is only visible from airport property. Mike Vercimak responded that fencing is not an airport requirement; however, the applicant's property does not extend all the way to 2060 South. Councilman Imlay stated a provision should be added to the agreement requiring that any fence slats be maintained. Councilman Excell noted that the two parcels to the north have also applied for the same zone change, but the Planning Commission is awaiting Council direction before making a recommendation. Scott Stratton stated all three property owners are requesting the zone change to facilitate construction of 1100 West. Council members discussed

fencing requirements between residential and commercial or industrial uses. Councilman Ellerman stated he does not favor fencing along the entire property line but noted this case is unique due to the property line running adjacent to the roadway. He also confirmed the owner would be responsible for required street improvements. Mr. Hall explained the development agreement requires the developer to contribute a proportionate share toward construction of 1100 West at the time of development. Mr. Stratton stated he has already coordinated with Engineering regarding the anticipated share and has dedicated most of the roadway area, except a small remaining portion. Councilman Ellerman asked about the future of the existing road once it is abandoned. Mr. Hall stated it will remain as a utility corridor and will not be vacated. Mr. Vercimak added that the road is owned by the airport. Mr. Stratton also noted that there has been interest from two parties in locating a gas station on the property. He clarified that while a gas station is a permitted use in the zone, it is not included in the current development agreement. He explained he is asking for impact fee vouchers just for dedication of the property that jogs out into the planned cross section of 1100 West. Mayor Fawcett confirmed the two changes the applicant is asking for are impact fee vouchers and allowing a gas station. Mr. Stratton stated it doesn't make sense to put the fence on the north property line because they want to join the two properties. Mr. Hall suggested adding language to the development agreement that states a fence along the north is required within six months if the adjacent property remains zoned as residential. Councilman Prete stated he is concerned about the industrial encroaching on residential as this will be center of town. Councilman Ellerman stated he likes not having residential around the airport, light industrial works well around airports. Mayor Fawcett likes the idea of commercial together in that area around the airport. Councilwoman Werrett asked if there would be adequate power and water. Mayor Fawcett suggested it will be less than the residential going in.

Drew Ellerman motioned to approve the Development Agreement for ZC25-21, a proposed zone change on 7.27 acres located at 2300 S and 1100 W from Residential Agricultural RA-0.5 to Light Industrial M-1 subject to the following changes: reimburse Mr. Stratton with impact fee vouchers as per city code for system improvements and road dedication, allow for a gas station, put in a six month time frame for fencing if the zoning to the north doesn't change then the fence has to go in but the east fence goes in now, fencing shall be built and maintained with slats, and that the road dedication will happen with the development agreement. Seconded by Lynn Excell. Motion carried with Drew Ellerman, Dave Imlay, Lynn Excell, and Amy Werrett voting aye. Joseph Prete voted nay.

2. Consideration and possible approval of Resolution 2026-20 Adopting a Privacy Program Policy - Sel Lovell

Dave Imlay motioned to approve Resolution 2026-20 Adopting a Privacy Program Policy. Seconded by Amy Werrett. Motion passed unanimously by a roll call vote.

3. Consideration and possible approval of Ordinance 2026-10 Amending Title 10, Chapter 36 regarding sign regulations; File No. LUCA26-02; Hurricane City Planning, applicant - Gary Cupp

Gary Cupp explained staff was directed to provide options for additional regulation of electronic signs. Councilman Imlay noted that the City Community Center sign and the Zions Bank electronic sign are appropriately sized, low-profile, and not visually intrusive. Councilman Ellerman suggested sign size could be tied to a property's frontage. Councilman Excell stated electronic signs should be reviewed carefully, noting the Scooters sign obstructs visibility. Councilwoman Werrett expressed concern that large signs could negatively impact the character of downtown. Councilman Ellerman stated he believes Hurricane currently has less restrictive regulations than other communities but is comfortable with the standards as written. Councilman Prete asked about exceptions within the ordinance. Mr. Cupp explained sign exceptions may be considered by the Planning Commission, but video signs are not eligible. He noted the proposed amendment would allow electronic signs up to 200 square feet. For comparison he added that the movie theater sign is 170 square feet, which several Council members felt was too large.

Councilman Ellerman stated he would support limiting electronic signs to 100–120 square feet and reiterated the importance of considering lot frontage. Hayden Roberts confirmed the proposed changes would not affect VMS boards. The Council discussed allowing size exceptions on a case-by-case basis. Councilman Ellerman cautioned that inconsistent application could create legal concerns. The Council was supportive of incorporating language that allows adjustments based on property size, while establishing a maximum overall size limit. Councilman Prete stated economic impact could also be considered and indicated 100 square feet would be the maximum he would support.

Drew Ellerman motioned to continue Ordinance 2026-10 Amending Title 10, Chapter 36 regarding sign regulations for two weeks and directed staff to update the electronic signs with a maximum size and that expands or retracts based upon property size. Seconded by Joseph Prete. Motion carried unanimously.

4. Consideration and possible approval of a contract for the Transportation Masterplan Update - Arthur LeBaron

Arthur LeBaron stated the item has completed the selection process. He noted the project was originally estimated at approximately \$200,000, but the selected firm's fee is about \$175,000. He confirmed the project is budgeted and that \$130,000 in grant funding has been secured. Councilman Prete confirmed the revisions requested by the City Attorney to the contractor agreement were accepted.

Joseph Prete motioned to approve a contract for the Transportation Masterplan Update to Avenue Consultants in the amount of \$175,629. Seconded by Amy Werrett. Motion carried unanimously by a roll call vote.

NEW BUSINESS

- 1. Consideration and possible approval of Amending the Hurricane City Standards and Specifications to remove duplicate blasting standards - Mike Vercimak**

Mike Vercimak explained that Hurricane City previously maintained its own Fire Department, which handled blasting oversight. Following the formation of the Fire District, permitting authority for blasting now rests with the District. However, the City's current design standards still include a "Use of Explosives" section outlining blasting regulations, which has created confusion due to overlapping and inconsistent standards between City and Fire District documents. He noted the request is to remove the "Use of Explosives" section from the City's design criteria. Councilman Ellerman asked whether the City's regulations are more restrictive. Mr. Vercimak stated some provisions are more restrictive and some are less, while the Fire District follows State regulations. The Council discussed various criteria and reporting requirements. Councilman Excell noted the City does not have enforcement authority over blasting since permitting is handled by the Fire District.

Lynn Excell motioned to approve amending the Hurricane City Standards and Specifications to remove duplicate blasting standards. Seconded by Dave Imlay. Motion carried unanimously.

Councilman Imlay stated he will talk to the Fire District Board to see if they are interested in changing their regulations to restrict blasting to five hundred feet from residents.

- 2. Consideration and possible approval of local consent for a limited restaurant liquor license for Yokoso LLC - Janiel Wirth**

Janiel Wirth stated the business is located in the Walmart parking lot next to Mountain Mike's Pizza. She explained the requested license would allow the business to expand services, offer additional options, and increase revenue. The license would permit beer and wine service. Chief Yates confirmed there were no concerns from the Police Department.

Dave Imlay motioned to approve local consent for a limited restaurant liquor license for Yokoso LLC. Seconded by Lynn Excell. Motion carried unanimously.

- 3. Consideration and possible approval of Ordinance 2026-11 amending Title 10, Chapters 7 and 37 regarding conditional uses and height exceptions for flag poles; File No. LUCA26-03; Hurricane City Planning Department, applicant -Gary Cupp**

Gary Cupp stated this may not be approvable tonight because in the conditional use is contingent on the proposed sign ordinance that was continued earlier in the meeting. He

explained the proposal is to allow one flagpole per lot and certain heights. There is a provision to apply for a Conditional Use Permit in a non-residential zone, such as commercial or light industrial. He reviewed the proposed standards.

Drew Ellerman motioned to continue Ordinance 2026-11 amending Title 10, Chapters 7 and 37 regarding conditional uses and height exceptions for flag poles. Seconded by Dave Imlay. Motion carried unanimously.

4. Consideration and possible approval of Ordinance 2026-12 amending Title 10, Chapter 37 regarding exceptions for allowing double frontage lots; File No. LUCA26-04; Hurricane City Planning Department, applicant -Gary Cupp

Gary Cupp explained that this proposed Code update was prompted by the City's receipt of an application to combine three lots, which would have resulted in one lot with frontage on two different streets, which is not permitted by City ordinances. He noted that the proposed project was otherwise favorable, and staff's proposed workaround to avoid a prohibited double frontage lot was to require a deeded small strip of land along one of the streets as common area to technically comply with the City ordinance. Mr. Cupp stated staff is recommending that the general prohibition of double frontage lots remain in place, but with an added exception to allow double frontage lots in situations that result from the combination of previously recorded lots if certain standards are met. Councilman Ellerman stated he believes double-frontage lots should be allowed.

Amy Werrett motioned to approve Ordinance 2026-12 amending Title 10, Chapter 37 regarding exceptions for allowing double frontage lots as written. Seconded by Joseph Prete. Motion carried unanimously.

5. Consideration and possible approval of Ordinance 2026-13 amending Title 10, Chapter 7 regarding new and unlisted business uses; File No. LUCA26-05; Hurricane City Planning Department, applicant -Gary Cupp

Gary Cupp explained the code was adopted last year to address situations where a business license is requested for a use not listed in the City's use table. The provision allows an applicant to request that the use be added to the table. He noted the previous process routed appeals to the local Appeals Board; however, since the Appeals Board does not hear legislative matters, the process has been corrected. Under the revised procedure, any appeal will now be directed to District Court. He confirmed that no requests to add a new use have been received to date.

Dave Imlay motioned approve Ordinance 2026-13 amending Title 10, Chapter 7 regarding new and unlisted business uses. Seconded by Drew Ellerman. Motion carried unanimously.

6. Consideration and possible approval of a 30-day extension of the term of the Development Agreement for Sand Hollow Mesa Project -Dayton Hall

Dayton Hall stated additional time is needed to finalize details of the agreement, noting questions remain regarding the parties' responsibilities for outstanding easements. He explained the Council previously continued the item last month to the current meeting, but another continuation is necessary to complete the remaining details. Karl Rasmussen stated that all easements have now been signed.

Drew Ellerman motioned to approve the 30-day extension of the term of the Development Agreement for Sand Hollow Mesa Project. Seconded by Amy Werrett. Motion carried unanimously.

7. Mayor, Council, and staff reports

None.

8. 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 8:00 p.m. Seconded by Lynn Excell. Motion carried unanimously.