Minutes of the Hurricane City Council meeting held on July 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, Dave Imlay, Lynn Excell, and Amy Werrett.

Members Excused: Joseph Prete

Also Present: City Attorney Dayton Hall, Police Chief Kurt Yates, Assistant Public Works Director Weston Walker, Water Superintendent Kory Wright, City Planner Gary Cupp, Assistant Planner Fred Resch III, Recreation Director Tiffani Wright, City Engineer Arthur LeBaron, Building Official Larry Palmer, HR Director Sel Lovell, Parks Superintendent Darren Barney, and City Recorder Cindy Beteag.

AGENDA

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

Larry Palmer stated that since the last meeting, eight single-family permits and two commercial permits have been submitted. The commercial permits include an indoor recreation building at Pecan Valley and a trailer sales yard in the Fairgrounds Subdivision. He has also completed four final inspections, including projects for Doug Dennett in the industrial area and Riggatti's, which is scheduled to open next Tuesday.

Darren Barney stated they are seeing an increase in vandalism at the parks. He has been educating the public by sharing information in the City newsletter and on Facebook to encourage residents to report suspicious behavior. A St. George News article was also released today. He explained the Parks Department has implemented several water conservation measures. The lawns are looking dry, and they are using soak cycles to reduce runoff. He stated the Veteran's Memorial Park project continues to come up frequently. They are still having difficulty getting volunteers to show up, so they plan to hire workers to complete the project. He has contacted two concrete companies and expects to receive quotes by next week.

Chief Yates stated they are working to address the vandalism in the parks. Cameras have been installed, and the night shift is watching for suspicious activity. He shared the June statistics: 744 calls for service, 50 arrests, 937 traffic stops, and 42 accidents. He stated accidents have decreased, and officers are focusing on aggressive drivers. He reported that officers responded to a driver who brandished a weapon after becoming upset about being cut off. Officers located the individual and filed charges. They also responded to a report of a barricaded man with a gun in the jail lobby. After investigating, they determined it was not a hostage situation but a manic episode. The individual who made the report was later charged with filing a false report. Chief Yates stated officers will be out this weekend enforcing the firework restrictions. Councilman Imlay asked what the fine is for illegally discharging fireworks. Chief Yates stated fines can be up to $1,000, but the amount is determined by the judge. Officers will have discretion to issue either a warning or a citation. Councilman Excell pointed out that if damages occur, the penalties can be higher. Chief Yates explained that when the restrictions were adopted, an officer visited each business selling fireworks, informed them of the changes, and offered them the option to close and receive a refund of their license fees.

Kory Wright stated the water projects are continuing to progress, although slowly. Staff recently met with the Water District regarding the infrastructure in the Sky Ranch subdivision and presented the City's proposal. He stated the ball is now in the District's court. He stated the water system is under less stress due to the cooler weather. They are still seeing a high number of leaks, with more beginning to appear along North State Street.

Tiffani Wright stated the 4th of July celebration will begin with breakfast at 7:30 a.m. She stated the golf carts are at the Community Center ready for the Council to decorate for the parade. The parade begins at 8:30 a.m. and will be followed by a flag ceremony and other activities. She announced that Dave Zundel has arranged a flyover along the parade route. She thanked the Council for approving the budget. They were able to begin work on the boys' bathroom immediately and hope to have it completed by Peach Days. The roof repairs have been completed, and staff is now replacing the damaged ceiling tiles. She stated the grand opening of the bike park was postponed due to high winds and has not yet been rescheduled.

Sel Lovell referenced the employee report included in the packet. He stated there are two new hires: Utility Clerk Kayla Bronson, who started last week, and Finance Manager Brenden Angus, who will begin Monday. He reviewed the three current job openings and explained that additional positions will be posted. He stated morale has been good, and they are seeing more employee retention. He is preparing emails for the rollout of the updated policy manual. He also announced that the City has signed a contract for the website redesign, which will begin soon.

Weston Walker stated the slurry seal project will begin on the 6th. Hayden Roberts will send out the maps. The work will take place in Sky Ridge West, Sky Mountain, Sand Hollow Resort, and Cobblestone. He stated American Pavement does a good job maintaining resident access during construction. He reported the MS4 contractor training was held on Tuesday, with approximately 50 contractors in attendance. Holding the training helps the City meet its annual training requirements. He also noted the committee chair is moving to St. George, so future meetings will be held there. He stated the road projects are continuing to move forward and are now at JUC.

Mayor Fawcett asked for an update on the 180 West pedestrian bridge. Arthur LeBaron stated he met with Interstate Rock to discuss cost-saving options and ways to minimize impacts to the public. He explained the irrigation project will also affect 180 West, so they are coordinating the work to reduce the impact on nearby residents. He anticipates the project will begin in November. They are also hoping to suspend the irrigation line from the pedestrian bridge. Councilman Ellerman asked about the concrete work at Ernie's. He stated the barricades were being left out when no work was taking place, and he witnessed several near accidents as pedestrians went around them. Mr. Walker stated he would follow up on the issue. Councilman

Excell stated Interstate Rock has been tracking dirt and mud onto the new asphalt on 700 West. He asked if something could be done since it could be an MS4 violation. Mr. Walker stated he would address that as well. Councilman Imlay asked who they should contact when they observe situations like the one Councilman Ellerman described. Mr. Walker stated they can contact him or Mr. Roberts if it involves sidewalks.

Arthur LeBaron reported that the 4th of July events are fully staffed. He thanked all of the departments assisting with the event and explained there is a significant amount of work behind the scenes to make it successful. He stated the Water District suggested the City could use some of the land above the lake on the east side as a viewing area during the firework show. While it is a good location, it will require additional improvements. Councilman Imlay stated it is worth pursuing. Mayor Fawcett agreed but said staffing needs to be considered. Mr. LeBaron suggested using caution tape to direct where people can go. He added that the Water District and State Park have been great partners for the event. A volunteer trash cleanup is planned for Monday as a good-faith effort to help the State Park. He stated he has been working with Washington County and LaVerkin on a proposed trail that would extend past Pah Tempe. The feasibility study has been completed, and he has submitted a grant application to fund the next phase, which includes NEPA compliance. He stated the State is excited about the project, and it has received broad support. He displayed the proposed trail and said he hopes to continue securing outside funding for its construction. He stated design efforts have begun for the intersection of 700 West and 400 South. The project will return to the Council in August with a recommendation. He also reported the 100 South project is progressing well, with plans now 75% complete. Mr. LeBaron stated the bid package for the Exit 19 ramps will be advertised on Monday for three weeks. This is Phase 1 of the second access project to Sand Hollow State Park. Design work for 3200 West is expected to begin at the start of next year.

Gary Cupp stated there has been a full agenda for the Planning Commission every other week. He stated they continue to stay busy with code amendments. He noted there will be an upcoming residential hosting code update proposing that no new licenses be issued. Existing licenses would be allowed to remain active as long as they do not lapse. He asked for feedback on bringing the ADU code back for Council consideration. He also stated that at the next Council meeting on the 16th, there will be a joint work meeting at 4:00 p.m. for Loren Lowe to present his master plan for his property.

Fred Resch added that new residential hosting applications are not being accepted at this time due to the ongoing code update. He stated the Planning Commission approved the site plan for the new Maverik on Sand Hollow Road and a preliminary site plan for Dino Dash Car Wash, which will be located next to Tractor Supply. He stated he continues to work on code enforcement issues as complaints are received.

Councilman Imlay requested that the ADU item be added as a discussion item. Mayor Fawcett stated it will come before the Council after the Planning Commission makes a recommendation. Councilman Ellerman stated detached ADUs can be limited by size and height and strongly recommended adding those restrictions. Dayton Hall explained that the item going to the

Planning Commission next week is related to business licensing and not the ADU discussion. He stated ADUs could be discussed separately to determine whether additional regulations are needed. Mayor Fawcett directed staff to bring the item to the Planning Commission for discussion. Councilman Imlay added that fire crews are currently assisting with wildland fires and that the power generators are up and running.

Mayor Fawcett stated the Council will be riding in golf carts for the parade. He stated they will need to get there a little early to decorate. There are frisbees and glasses to throw out.

Councilman Ellerman stated the annual audit was discussed at the last Sewer District meeting. He noted the District has many projects underway and does a great job. He announced that this would be his last meeting, as he will be closing on his home soon and moving. He expressed his appreciation for the opportunity to work with everyone and thanked staff for their efforts. He also thanked the Council for allowing him the opportunity to serve alongside them. He stated he will submit his official resignation letter next week. Mayor Fawcett thanked Councilman Ellerman for his service and stated he will be difficult to replace.

Councilman Excell stated Hayden Roberts and Gary Cupp have been great to work with. He reported he has been working with Emily Butler on the Youth City Council. The positions were not advertised before school was out, so they are working with staff to put up signs and generate interest. He mentioned that they will be attending a conference at UVU next week.

Councilwoman Werrett stated she recently went with Lee Beatty to visit the monuments throughout the City. She explained that Mr. Beatty has served on the Historical Committee for 15 years and is ready to pass the baton. She stated the Water Board is working on water conservation options.

6:00 p.m. - **Call to Order** –

Mayor Fawcett welcomed everyone and called the meeting to order.

Prayer: Mayor Fawcett

Pledge: Sel Lovell

Declaration of any conflicts of interest
None declared.

Mayor Fawcett took the JustServe item out of order and addressed it next. These minutes are in order of the agenda.

Bi-annual report from the Victims Advocate department

Brittany Wright explained that she does not have this year’s statistics available yet, but they have assisted approximately 200 people over the past year. She noted that most of the cases have involved domestic violence. She stated that during the next grant cycle, they will begin collecting surveys to receive feedback from victims. She explained the grant covers 80% of the services they provide. She will return in September with the complete statistics to present to the Council.

JustServe Heart of Service Award
Sid Mortenson with JustServe presented Arthur and Andrea LeBaron with the Heart of Service award and thanked for all their community service.

Public Forum – Comments From Public

All public comments are related to New Business item number 2 and are listed under that item.

OLD BUSINESS

1. Consideration and possible approval of Zone Change Ordinance No. ZC26-10 to rezone a property located at 1260 S 700 W from Residential Agricultural (RA-1) to Residential Agricultural (RA-0.5); File No. ZC26-10; Parcel No. H-3-2-3-319; Kent Burdick Rowley Trust, applicant; Teri Humphries, agent

Mayor Fawcett stated that the applicant asked for this item to be continued. Gary Cupp added that the applicant couldn't be here tonight and she is still preparing the lot split concept.

Drew Ellerman motioned to continue Zone Change Ordinance No. ZC26-10 to rezone a property located at 1260 S 700 W from Residential Agricultural (RA-1) to Residential Agricultural (RA-0.5); File No. ZC26-10; Parcel No. H-3-2-3-319. Seconded by Lynn Excell. Motion carried unanimously.

2. Consideration and possible approval of a Memorandum of Understanding (MOU) with Ash Creek Sewer District regarding MS4 – Weston Walker

Weston Walker explained that this item was continued from the last meeting due to an update received the same day as the meeting. Staff have reviewed the changes and are comfortable with the updated agreement included in the packet. Dayton Hall stated staff requested some revisions, and Ash Creek was comfortable with those revisions.

Drew Ellerman motioned to approve a Memorandum of Understanding (MOU) with Ash Creek Sewer District regarding MS4. Seconded by Amy Werrett. Motion carried unanimously.

NEW BUSINESS

1. Consideration and possible approval of an Interlocal Agreement between Utah Division State Parks and Hurricane City for the Annual "Stars & Stripes" 4th of July Fireworks Celebration at Sand Hollow State Park – Dayton Hall

Dayton Hall explained that this discussion began several years ago, and that Utah State Parks would like to formalize the 4th of July event agreement. He stated the State Parks has been gracious in allowing the City's fireworks show to be held there and allowing free admission to the park that evening. However, there has not been a formal agreement documenting the existing arrangement. He explained this agreement does not change the current arrangement, but it only memorializes it. State Parks would like the term of the agreement to be for three years and then review the agreement again. Councilman Excell confirmed all departments involved in the event are comfortable with the agreement. Councilwoman Werrett asked about Item #2 in the agreement and what would happen if the celebration is not held on the 4th of July. Mr. Hall stated he would need to discuss that with the State Park but noted State Parks would prefer to have the agreement approved that evening due to the upcoming holiday weekend.

Dave Imlay motioned to approve an Interlocal Agreement between Utah Division State Parks and Hurricane City for the Annual “Stars & Stripes” 4th of July Fireworks Celebration at Sand Hollow State Park. Seconded by Lynn Excell. Motion carried unanimously.

2. Consideration and possible approval of Ordinance 2026-18 Amending 8-6-3 regarding the Hurricane City Storm Drain Master Plan – Arthur LeBaron

Arthur LeBaron explained that this is the master plan document that provides the City with a framework for future development. It guides how stormwater will be managed and serves as the basis for the impact and drainage fees charged by the City. He noted that some projects identified in the plan are not eligible for impact fee funding. He stated the plan has gone through a rigorous review process to get to this point. Mayor Fawcett added that this is the study used to determine the fees approved at the previous meeting. Mr. LeBaron noted the importance of formally adopting the master plan so it can be implemented and enforced as development occurs.

Martha Honey stated she moved to Sky Ranch a few years ago and experienced flooding issues during several major monsoons. She expressed support for the master plan and stated the City and residents need to work together. She noted the importance of enforcing maintenance of culverts, drainage ditches, and washes, noting that some culverts had become plugged. She stated retention is required for developments over one acre but expressed concerns that detention requirements are not being enforced in Moccasin Flats. She also mentioned another nearby development that does not appear to have drainage plans and stated the issue needs to be addressed.

Steve Nation stated he has experienced significant water impacts in Sky Ranch due to drainage issues with a neighboring property. He explained that a neighbor threatened to sue him, and he had a culvert installed across from his property. He stated he has a letter from the County documenting that the damage to his property has created a ditch. He also has evidence that the property was flat when he purchased it, but the neighboring property owner has raised the elevation. He stated there are drainage easements along 1100 West, but property owners have blocked the swales, causing water to be redirected onto his property. He referenced Proposal 26 in the proposed master plan, which shows a five-foot drainage pipe near his property. He stated he does not agree to accepting that water and will find a way to prevent it from being directed onto his property.

Bryan Beckman stated he is the president of the Sky Ranch HOA. He recommended not approving the plan at this time due to conflicts he has identified. He stated there has been no consultation with the subdivision, yet the plan includes specific improvements within their development that conflict with current practices. He referenced the plan showing a transition from one water size to another and noted that Project 26 identifies property located in the County. He questioned why the City would include areas outside its jurisdiction in the master plan when there are conflicts. He stated the plan needs additional analysis and is not ready for approval.

Ellen Barney stated she lives in Sky Ranch and serves on the HOA board. She stated she had not heard about the proposed plan until the previous day. She explained that water flows through their development and needs to be considered in the plan. She asked what drainage basin Grassy Meadows is located in and what developments will be directed into that area. She stated the HOA is working on its own drainage plan and noted they need to work together. She expressed concern that residents could invest in a drainage plan while the City adopts a separate plan that does not align with theirs. She requested information on how the master plan will affect the watershed and asked if the City could provide watershed maps. She stated her questions require additional review and that Sky Ranch should be included in the master plan process.

Mayor Fawcett stated that if water flows through their property, it does need to be considered. Mr. LeBaron explained that part of the study was to evaluate the City's existing infrastructure. He acknowledged that there are several undersized pipes but stated that should not prevent the City from making a recommendation. He explained that the drainage basin modeling identifies the expected flows, and it is the City's responsibility to determine the appropriate size of facilities needed to handle those flows. He clarified that the plan is not creating additional water flow but ensuring adequate infrastructure is in place. He stated the flows east of Sky Ranch are natural flows coming off the cliff. He explained that significant detention has been constructed with homes in Moccasin Flats, including trenches designed to redirect water away from homes. Mayor Fawcett stated the City needs to work with Sky Ranch to ensure the pipe sizes coordinate. Mr. LeBaron pointed out this is an issue throughout the City. Mayor Fawcett noted that future development will address these concerns, but the City cannot require Sky Ranch to develop to City standards if it is not within the City's jurisdiction. Councilman Ellerman explained that water on developed property cannot leave a property faster than it naturally would and that the flow must remain the same. He stated Sky Ranch's engineer should coordinate with the City so the systems can work together. Mr. LeBaron stated the master plan provides guidance for everyone involved. He explained that the recommended facilities identified in the plan should be considered, and if proposed facilities do not meet the master plan, it should raise concerns. He stated the City's standards align with Councilman Ellerman's comments but go further by requiring retention for a 10-year storm event for developments draining into the Bench Lake area. He noted the City cannot regulate County land.

Councilman Imlay stated Project 26 shows a 54-inch pipe that extends south but then stops. He asked where that water would go. Mr. LeBaron explained that water is entering the system and the pipe would flow from south to north. He stated the water generated from the Hurricane Cliffs is significant and must pass through Sky Ranch. The plan identifies the forecasted flows that will move through the area. Councilman Imlay stated the plan addresses the existing issues. Martha Honey pointed out that the plan is only a concept and does not show all of the streams. Mr. LeBaron explained the purpose of the plan is to show developers the amount of flow that must be accommodated. Steve Nation stated he has been dealing with drainage issues with his neighbor for a long time. He explained he offered to build a ditch, but instead his neighbor raised the elevation of the property. He stated each lot has utility easements and requested that the City utilize those easements, so his property is not damaged further. He expressed concern that the plan, as written, places the burden on his property. Councilman Imlay asked if the plan would direct all of the water onto Mr. Nation's property. Mr. LeBaron explained that the plan identifies low areas and shows how water naturally flows through the area. He stated a significant amount of time and effort has gone into the plan and feels it does a good job showing expected flows. He explained that detailed design is not the purpose of a master plan. Councilman Excell asked if the City would build the improvements since some areas are located in the County. Mr. LeBaron stated the City will not be building the improvements; the plan identifies water flows and the infrastructure needed based on those flows. Councilman Ellerman stated the plan is a roadmap for moving water from one point to another. Councilman Excell added that it will help Sky Ranch as they develop their own drainage plan. Mr. LeBaron stated future development will need to address how water flows through the area. Mayor Fawcett recommended Sky Ranch meet with the engineers to discuss the plan further. Mr. LeBaron stated drainage is complicated, but the City has a responsibility to model expected flows. He added that the plan can be updated as needed.

Dave Imlay motioned to approve Ordinance 2026-18 Amending 8-6-3 regarding the Hurricane City Storm Drain Master Plan. Seconded by Amy Werrett. Motion carried unanimously by a roll call vote.

3. Consideration and possible approval of Ordinance 2026-19 Amending 8-6-1 regarding the monthly storm drain fee – Arthur LeBaron

Arthur LeBaron stated that at the last Council meeting the storm drain fee was approved at a flat rate of $11 per month, but the resolution needs to clarify that the fee is charged per ERU (equivalent residential unit). He explained that each single-family residence is one ERU and will be charged $11 per month. The City calculated the average impervious surface for a single-family home at approximately 4,900 square feet and rounded it to 5,000 square feet for one ERU. The average impervious area for multifamily units was calculated at 0.37 ERU, which would result in a fee closer to the current $4 per month. He stated commercial and industrial properties will have fees calculated based on their impervious surface. This structure allows developments that create more drainage impacts to pay a proportional share of the cost.

Councilman Ellerman stated commercial and industrial properties may be surprised when they receive their first bill. Mr. LeBaron explained the model is based on all properties being charged using the same calculation, and changing the approach would make the model inaccurate. Councilman Ellerman stated he appreciates that a full analysis was completed to determine the fees. Mr. LeBaron added that the annual increase was discussed previously but was not formally included in the resolution. The proposal tonight formally adopts a 3% annual increase. Councilman Excell stated he does not support an automatic 3% increase and would prefer reviewing it annually. Councilman Ellerman noted the large increase is due to the fact that rates have not been adjusted in over 25 years. He stated the annual increase helps ease future adjustments. Mr. LeBaron explained the 3% increase is intended to keep up with inflation. Councilman Imlay stated he would like to see an accounting of the fund next year. He expressed concern with setting the increase at 3% without reviewing whether it should be higher or lower. Mr. LeBaron explained the proposed ordinance includes the annual increase for five years because one year is not enough time to determine if the rate is adequate.

Drew Ellerman motioned to approve Ordinance 2026-19 Amending 8-6-1 regarding the monthly storm drain fee as written. He asked staff to report on the fund during budget season next year. Motion died for lack of a second.

Lynn Excell motioned to approve Ordinance 2026-19 Amending 8-6-1 regarding the monthly storm drain fee subject to removing the 3% annual increase and that it comes back to the Council each year for review. Seconded by Amy Werrett. Motion carried with Dave Imlay, Lynn Excell, and Amy Werrett voting aye. Drew Ellerman voted nay.

4. Mayor, Council, and staff reports

No additional reports.

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

A closed meeting was not held.

Adjournment: Dave Imlay motioned to adjourn at 7:27 p.m. Seconded by Amy Werrett. Motion carried unanimously.