

Minutes of the Hurricane City Council meeting held on June 19, 2025, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 3:30 p.m.

**Members Present:** Mayor Nanette Billings and **Council Members:** David Hirschi, Kevin Thomas, Clark Fawcett, Drew Ellerman, and Joseph Prete.

**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, City Planner Gary Cupp, Power Director Mike Johns, City Engineer Arthur LeBaron, Building Official Larry Palmer, HR Director Sel Lovell, Finance Manager Paige Chapman, Water Superintendent Ken Richins, and Water Supervisor Kory Wright, and City Recorder Cindy Beteag.

## AGENDA

### 3:30 p.m. Work Meeting

1. Discussion regarding the zoning of Canyons RV

Joby Venuti began by apologizing for leaving the previous meeting upset, explaining that he felt several points had been misunderstood. He clarified that the Canyons RV development differs from other mobile home parks. Originally approved as a Planned Development Overlay (PDO), the project was platted as a resort. However, after the original developer went bankrupt, the promised amenities were never built. The HOA eventually assumed ownership of the common areas and the declarant rights, but lacked the funds to complete the development. Mr. Venuti explained that while the project was initially envisioned as a resort—with amenities such as a pool and clubhouse—he has approached it more as a residential subdivision. His vision is to complete the common area with features like pickleball courts, a playground, and possibly a dog park, but not a pool or clubhouse. He stated that he is not trying to develop a resort but rather a community of two-story homes. Although the homes were originally built at 900 square feet, many were purchased by investors for rental purposes. Mr. Venuti asked the Council to consider whether they prefer the area to remain as an RV development or to transition to smaller, more affordable housing. His preference is to move forward with single-family homes. If he regains control of the declarations, he plans to install individual water meters and clean up the property. Councilman Thomas expressed support for the project, stating he sees no issue with the new direction and believes the two-story homes could be a good solution. Mr. Venuti noted they are targeting a price point of around \$350,000.

Councilman Fawcett commented that although the project has shifted directions multiple times without resolution, if it helps address affordable housing, it could be beneficial. Councilman Thomas added that he appreciates the plan to fix the water meter issue. Councilman Ellerman acknowledged the other comments but described the development as a "hodgepodge." He questioned whether \$350,000 was a reasonable price for homes on such small lots and expressed concern about two-story homes in such a compact area.

Mr. Venuti responded that he is still deciding whether to continue the resort concept, complete it as a single-family subdivision, or possibly abandon a portion of the project and take it in a different direction. He believes that smaller homes make sense for the area. While the development may seem disjointed for a time, he expects it to eventually come together. He reiterated that individual water meters were not originally installed, but they are working to address that issue. Councilman Prete shared his previous concerns, including building height, parking availability, and the risk of the area deteriorating over time. Mr. Venuti stated he would be open to a height restriction. Councilman Thomas concluded by noting that the HOA has the authority to regulate on-street parking.

Mayor Billings stated that the Council needs to provide clear direction on what they would like to see moving forward. Mr. Venuti reiterated that the project is a Planned Development Overlay (PDO), and his goal is to complete the common area—but not as a resort. Dayton Hall explained that the current ordinance allows for stick-built homes within a footprint up to fifteen feet. However, Mr. Venuti is proposing an amendment to the ordinance that would allow increased height limits and larger square footage for mobile home parks established before 2019. Mr. Venuti clarified that only units with individual water meters would be eligible under the proposed changes. Most Council members indicated they were open to further discussion on the proposal, with the exception of Councilman Ellerman, who expressed continued discomfort with the direction being proposed.

#### **4:00 p.m. Joint Work Meeting with the Planning Commission**

Planning Commissioners Present: Paul Fathering, Kelby Iverson, and Mark Sampson

1. Discussion regarding the exterior designs and the amenities around the Civic Center public facilities and PDO Zone change recommendations.

Mayor Billings stated that one of the topics she would like to revisit is the exterior design of the new Civic Buildings. Although this was discussed last year, she presented the facade options again and asked the Council to vote on their top choices. Kaden DeMille noted that the proposed police building will be three stories, while the office building will be two stories. Councilman Thomas expressed that he is not in favor of an elaborate design, and Councilman Fawcett agreed, adding that a simple, square structure would be more cost-effective. Pam Humphries reminded the Council to consider the placement and number of windows, adding how the current building's poor window orientation has led to ongoing issues with heat. Councilman Fawcett also voiced concerns about flat roofs, citing recurring problems with the existing buildings. Councilman Hirschi suggested a design similar to the old high school or the new Ace building. The Council agreed they liked the appearance of the new Ace building and would prefer to use a similar style. Arthur LeBaron supported the idea, saying that incorporating a nod to the community's past would be a positive approach. Mayor Billings also recommended that the police building have a matching exterior, since it will be located on the same campus.

Mr. DeMille asked the Council for direction regarding the use of property surrounding the future public buildings. Councilman Thomas expressed a desire to pause any housing plans for the area. Gary Cupp explained that the site includes approximately 20 acres. He noted that all public facility buildings would need to be zoned as such, but the remaining land could potentially be rezoned as Planned Development Overlay (PDO) residential to accommodate a mix of housing and some commercial use along 100 North. Councilman Hirschi clarified that a PDO zone would require a site plan outlining specific land uses. The Council then discussed various housing density options. Councilman Hirschi noted that he is not in favor of high-density housing but would be open to R1-4 single-family zoning. Councilman Thomas added that affordable housing could be accomplished without the need for deed restrictions. Councilman Ellerman cautioned that if the City doesn't take action on workforce housing, it likely won't happen at all. He also noted that deed restrictions can help ensure long-term affordability by limiting how much future owners can increase home prices. Pam Humphries agreed, stating that without restrictions, a second owner is unlikely to resell the home at an affordable price. To her, deed restrictions are a necessary tool to preserve affordability. Councilman Fawcett said he would prefer not to use deed restrictions if affordability can be achieved through other means. He explained that higher-density development is often clustered in specific areas, with open space left elsewhere to balance it, and that overall density should be evaluated rather than focusing on individual sections. A resident added that the intent of PDO zoning is to calculate the average density across the entire development. However, he also relayed concerns from neighbors who want each section of the property to be considered individually, rather than averaged as a whole. Councilman Prete asked what specific problem the City is trying to solve. If the goal is to provide housing for employees, teachers, police officers, and other essential workers, he said, the Council needs to avoid becoming entrenched in unproductive positions. He stressed the importance of finding real solutions to the housing issue. Mr. Cupp clarified that PDO zoning does not increase the allowed density but rather applies the density permitted by the underlying zone. Kelby Iverson commented that the real challenge is balancing the need to fund public buildings while also addressing concerns from surrounding property owners. He added that he does not believe the City should act as a developer. Councilman Prete concluded that the City should consider creative approaches to encourage affordable housing throughout the community and highlighted the need to recognize the issue and work toward a practical solution.

Mayor Billings asked the Council to provide direction for the Planning Commission, as the proposed zone change for the property will appear on their next agenda. Mr. Cupp suggested one option could be to rezone the entire property as Public Facility temporarily, giving the City more time to determine long-term uses. Mayor Billings noted that doing so would eliminate the potential for lease or sale income that could help fund the construction of public buildings. Mr. Iverson asked for clarification on the current zoning and General Plan designation. Mr. Cupp responded that the General Plan identifies the area primarily for multifamily use with some public facilities, while the current zoning is R1-10. Councilman Ellerman proposed using a PDO zone with R1-8 on the perimeter and higher density in the center to buffer the development from neighboring properties. Councilman Thomas suggested a more detailed approach:

rezoning the central parcels and the park as Public Facility, designating 100 North for commercial use, applying R1-4 zoning to the northwest corner, and using RM-3 zoning where workforce housing is planned. He noted this would allow the City to develop the property under the same conditions imposed on private developers. Councilman Fawcett preferred rezoning each section individually as it is developed, rather than rezoning the entire property in advance. Councilman Prete acknowledged that focusing solely on the public buildings and deferring broader land use decisions might work, but said employee housing should still be addressed. If that proves too difficult, he suggested moving forward with just the police station for now. Councilman Hirschi expressed general support for Councilman Thomas's proposal but opposed placing higher density in the northeast corner. He added that the City has an opportunity to set a positive example by encouraging smaller homes, but he is not yet comfortable with allowing high-density housing.

Mark Sampson highlighted the need for the City to move forward with the public facilities first and address the remaining property uses later. Mr. DeMille confirmed that the Council supports commercial zoning along 100 North and agreed that the housing component could be addressed at a future date, with the immediate focus on the police building. The Council also confirmed they are comfortable with R1-4 zoning in the northwest corner. Mayor Billings reiterated that the Council prefers to move forward with a Planned Development Overlay (PDO) rather than using spot zoning. She stated the proposal would be presented to the Planning Commission on July 7th and to the City Council on August 7th, pending a recommendation. Mayor Billings summarized the direction as follows: 15 acres would be presented under PDO with R1-8 zoning, accompanied by a site plan that includes commercial use, a park, and single-family development. The remaining 5 acres would be designated as Public Facility. Mr. Iverson added that R1-8 zoning would allow approximately 40 residential units. Councilman Ellerman expressed concern that the discussion was moving too quickly. He suggested proceeding only with zoning for public facilities at this time and postponing decisions on the rest of the property. While he opposes higher density, he said he wants to maintain flexibility for creative solutions. He supported moving forward with the commercial area and public facilities but recommended deferring action on the remaining land. Councilman Hirschi stated he does not want to open the door for increased density. Mr. Iverson emphasized the need to balance open space and density in the overall plan. Councilman Thomas proposed zoning the existing building and surrounding area, including the park, as Public Facility, applying commercial zoning along 100 North, and R1-4 in the northwest corner—leaving the remainder for future consideration. The Council generally agreed with this approach, with the exception of Councilman Fawcett, who did not support including the single-family zoning at this time.

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

Arthur LeBaron reminded the Council that the 4th of July is approaching. The parade will begin at 8:30 a.m., and fireworks will take place that evening at Sand Hollow. He also provided details about VIP parking passes, including their designated location. Mr. LeBaron reported that he was contacted regarding plans for the 24th of July. The proposed celebration will include a walk from the church to the community center, followed by a breakfast. There will be no parade for

that event. He noted that road design projects for 1400 West, 650 South, and 100 South have been advertised, with proposals due back in July. Additionally, he plans to advertise the project for a new exit off SR-7 to improve access to Sand Hollow. Engineering work for that project is currently underway.

Weston Walker reported that he and Roger Blaser attended the Southwest Coalition meeting for MS4, where they reviewed updates to state stormwater regulations. He has been in contact with City Inspect about integrating the required inspections into their system. The State is increasing both inspections and compliance requirements, although permits continue to be issued by the State. Mr. Walker noted that the only remaining requirement for the City is to update its ordinance, which must be completed within the first year. He also addressed a complaint received earlier in the day regarding parking near Jellystone. He presented photos showing vehicles parked along a road not designed for on-street parking. To resolve the issue, signs will be installed prohibiting parking in that area. Councilman Ellerman explained that the park has recently begun requiring paid parking in addition to admission passes, which has led patrons to park along the road to avoid the extra fee. Councilman Prete confirmed that the City's ordinance does not currently address parking in relation to charged parking areas.

Mike Johns stated that the AMI (Advanced Metering Infrastructure) project is progressing now that the contract is nearing finalization. He explained that the AMI meters will provide real-time monitoring of power usage, voltage levels, and outage coordination, and will also integrate directly with the City's billing system. He also informed the Council about the upcoming UAMPS conference in August and encouraged any members interested in attending to register soon.

Mike Vercimak thanked staff for their efforts with the continuing development. He stated they are still trying to fill the streets superintendent and utility locator positions.

Paige Chapman reported that she has updated the budget summary to reflect more accurate and current figures.

Sel Lovell stated there are a lot of openings that need to be filled. The cornhole tournament was held last week. Mayor Billings mentioned Millie started this week in the new Public Relations position.

Ken Richins reported that the west well is back up and running.

Larry Palmer stated that since the last meeting there have been forty-one permits submitted including three commercial buildings, sixteen single family homes, and twenty-two town homes.

Gary Cupp reported that the City continues to receive a high volume of Planning Commission applications. He noted that there are currently no known code enforcement concerns.

Kaden DeMille explained that the City observed Juneteenth on the preceding Monday this year, in alignment with previous state guidance on holiday observance. However, beginning in January 2026, state law will change, and Juneteenth will be officially observed on the actual calendar day, June 19.

Cindy Beteag mentioned there is a Meet and Greet for the election candidates on June 30<sup>th</sup> @ 6 p.m. at the new gym.

**6:00 p.m. - Call to Order –**

Mayor Billings welcomed everyone and called the meeting to order.

Prayer, Thought, and Pledge led by Charlie Twist

Declaration of any conflicts of interest

None declared.

Minutes of the Regular City Council Meeting for April 17, 2025 and Special Meeting April 21, 2025

Kevin Thomas motioned to approve the April 17, 2025, and April 21, 2025, minutes as written. Seconded by Drew Ellerman. Motion carried unanimously.

Recognition of Scouts for the completion of their Eagle Scout projects

Charlie Twist reported that the program currently includes about twenty scouts and has supported 30 scouts in earning their Eagle Award. Over the past year and a half, 11 scouts have successfully achieved the rank. He expressed his appreciation for the program and the values it instills in the youth. He noted that each scout completed a service project that gave back to the community, contributing a combined total of over 4,200 service hours. All participating scouts came forward to share and explain their individual projects.

**Public Forum – Comments From Public**

Cindy Matejka, speaking on behalf of Dixie Springs residents, addressed the Council with concerns about ongoing blasting activities in the Dixie Heights area. She expressed the community's growing frustration with the lack of resolution to their complaints and urged the Council to advocate on their behalf by contacting state legislators, emphasizing that it is their responsibility to protect residents. Mrs. Matejka reported that blasting has occurred twice a week for the past four months and raised concerns about its potential impact on nearby structures, including the dam. She noted that she had submitted a presentation to the Council documenting damage to surrounding homes and asserted that current safety standards are not being properly enforced. She questioned whether the fire marshal is the appropriate authority to regulate blasting and also brought up issues related to dust in the area, calling for improved monitoring and control. She concluded by urging the Council to prioritize the health, safety, and well-being of the community.

Terry Carter expressed his agreement with Cindy Matejka's concerns regarding the ongoing blasting in the area. He stated that the blasting occurs weekly and has personally observed cracking in the walls of his home. He also noted the emotional impact on his household, mentioning that his dog becomes extremely distressed during the blasts. Mr. Carter shared additional concerns about the dust generated by the blasting activities, especially given the

strong winds in the area, which contribute to frequent dust storms. He noted that the dust is affecting his wife, who suffers from asthma, and is making it more difficult for her to breathe.

Fred Hernandez informed the Council that there are currently 603 veterans buried in the Hurricane Cemetery. He and others are working diligently to raise funds to place wreaths on each veteran's grave. He requested that the City consider supporting this effort, noting that the total cost is just over \$6,000. Mr. Hernandez asked the Council to consider a funding commitment of \$4,500 to help meet that goal.

## **OLD BUSINESS**

1. Consideration and possible approval of a Development Agreement with the Zion Regional Medical Center to allow, among other terms, an increased height limitation of 85 feet for a proposed hospital building on property zoned Highway Commercial (HC); Parcel Numbers H-3-2-6-1406-GS1, H-3-2-6-1407, and H-3-2-6-1408-GS2; ZRMC Operating LLC, Applicant; Jared Cox and Karl Rasmussen, Agents

Mayor Billings explained that a staff work meeting was held earlier in the week to review the proposed agreement. She reminded the Council that, following the last meeting, direction was given to require a 200-foot setback from SR-9. Under the current proposal, only the hospital building would reach a height of 85 feet, while the other medical buildings would be limited to 55 and 70 feet. She noted that the applicants are requesting the removal of language in the agreement that states public facilities are not currently available. Two versions of the agreement were included in the packet, and the applicant is requesting approval of Option B. She clarified that the purpose of the agreement is solely to address building height. Councilman Prete asked whether approving the agreement could create pressure for the City to change the order in which utilities are installed. Dayton Hall responded that the agreement grants only one entitlement: the increased building height. He explained that the original language referencing insufficient public facilities was intended to put developers on notice that services are not yet available in the area. However, both versions of the agreement clearly state that no additional entitlements are granted beyond height. Mr. Hall outlined the three key differences in Option B: It allows for the proposed building height increase. It shortens the agreement's term limit from ten years to five years. It removes the statement noting that adequate public facilities are not yet available in the area.

Kevin Thomas motioned to approve option B of the Development Agreement with the Zion Regional Medical Center. Seconded by David Hirschi. Motion carried unanimously.

## **NEW BUSINESS**

1. Consideration and possible approval of an appeal on the denial of a vacation rental license - Lanelle Butterfield

Cindy Beteag explained that the applicant has held a vacation rental license since 2017, which was due for renewal in January. Multiple notices were sent, including the initial renewal notice,

a reminder, a late notice, and a final notice of failure to renew—but all were returned as undeliverable. As a result, the license was not renewed within the required timeframe. Staff reviewed utility records to verify whether the mailing address had changed, but the records showed the same address, and utility bills were not being returned. With the renewal period having passed, the license was marked as inactive. In May, the property owners contacted staff to update their mailing address. At that time, they were informed that the license had been inactivated due to failure to renew. The owners requested to appeal the denial based on that lapse; however, current code does not allow for an appeal in cases of failure to renew. They were advised to submit a new application, which would be denied because vacation rentals are no longer a permitted use in that zone. They could then appeal the denial of the new application through the established appeal process.

Lanelle Butterfield addressed the Council, explaining that she and her husband have owned the vacation rental since 2017 and that it serves as part of their income. She noted that they moved in September and provided evidence of a forwarding address filed with the post office, along with other forwarded mail. She acknowledged that oversights can happen and noted the value of renewal reminders in helping manage important tasks that may fall off the radar. Ms. Butterfield stated she was not placing blame but wished the City had reached out via email or phone once the renewal notices were returned. She emphasized that they treat their license as extremely important and strive to be responsible, respectful property owners and neighbors. She requested grace from the Council and asked to have their license reinstated. She also noted they have voluntarily paused all future bookings until a decision is made. Councilman Thomas confirmed that the City did not attempt to contact the owners by phone or email after the mail was returned undeliverable. He also noted that there have been no complaints associated with the property and commented that this is a situation that could happen to anyone. Councilman Prete suggested that the City consider adding a procedural step requiring staff to reach out to license holders by phone or email if mailed notices are returned undeliverable.

Kevin Thomas motioned to reinstate the vacation rental license for Lanelle Butterfield. Seconded by Joseph Prete. Motion carried unanimously.

Mr. Butterfield confirmed they will have an inspection done as soon as possible so the license can be finalized.

**2. Consideration and possible approval of a Development and Power Line Extension Agreement with WPP Hurricane Land, LLC.**

Austin Overman with the Wasatch Group presented the proposed phasing plan to extend power from Sky Mountain to their development. Mike Johns noted that the plan was reviewed by the Power Board, which recommended approval. Dayton Hall provided background, explaining that the original Colina Tinta development agreement was approved in 2006 and included a requirement for the property owner to bring power to the site. Since that time,

ownership of the property has changed. The proposed agreement outlines how and when the power infrastructure will be brought in, ensuring compliance with the original requirement. Mr. Hall added that while most of the conduit for the initial section is already in place, some easement issues may still need to be resolved along 2260 West. Councilman Fawcett confirmed that all utilities are currently adequate to serve the property. Mr. Hall also noted that the applicant has not yet received preliminary plat approval for the next development phase, as the power installation requirement must be completed first. The preliminary plat is scheduled to go before the Planning Commission next week, contingent on approval of this agreement.

David Hirschi motioned to approve the Development and Power Line Extension Agreement with WPP Hurricane Land, LLC. Seconded by Joseph Prete. Motion carried unanimously.

**3. Consideration and possible approval of Resolution 2025-28 Approving Amendments to the Transmission Service Agreement for the Central-St. George Transmission Project - Mike Johns**

Mike Johns explained that the proposed changes pertain to Exhibit C of the agreement. One key change gives the City the option to either make an acquisition payment upfront or defer it and finance it through UAMPS. Staff is recommending the City defer the payment and proceed with UAMPS financing. Another update involves an increase in the bond cap. Additionally, the agreement previously stated that the City's vested interest in the project was fixed at 14.62%. The updated language allows for that percentage to fluctuate depending on the City's actual usage. There will be two bonds issued, each valued at approximately \$15 million. Councilman Prete inquired about the financial obligation for the City and the timeline for payment. Mr. Johns explained that payments would be interest-only until the 2027 bond becomes active, and that the financial impact to the City would remain consistent. Kaden DeMille added that this expense will be reflected in the UAMPS billing. Although the City had anticipated a reduction in that bill, the new structure should balance out the cost. Mac Hall noted the necessity of the amendment to ensure continued power availability, noting the power board unanimously recommended approval after extensive discussion. Dave Imlay provided historical context, stating that the City entered into this agreement 35 years ago. While other cities may not have the same obligation, this reflects Hurricane's ongoing partnership with the other participating entities.

David Hirschi motioned to approve Resolution 2025-28 Approving Amendments to the Transmission Service Agreement for the Central-St. George Transmission Project. Seconded by Kevin Thomas. Motion carried unanimously by a roll call vote.

**4. Consideration and possible approval of a Reimbursement Agreement with Falcon Crest, LLC for improvements made to 1500 South. -Arthur LeBaron**

Mayor Billings read the following summary that was provided in the packet written by Arthur LeBaron. “The City has issued at least 15 building permits for homes along 1500 South prior to the development of the Hurricane Fields Estates Subdivision without requiring road improvements. For years 1500 South remained a gravel road. When the Hurricane Fields Estates project was proposed it was determined that 1500 South needed to be paved according to Hurricane City Ordinance. Because 1500 South is a master planned roadway and is already serving a number of existing homes, a large portion of the paving and associated work was deemed a system improvement and thus eligible for reimbursement through impact fees. The total amount recommended by the City Engineer for reimbursement is \$124,114.10. This figure has been presented to the developer and agreed upon. The City Attorney has drafted the reimbursement agreement, and it is recommended for approval by Staff.”

Mayor Billings added that Mr. Stratton agreed to the improvements to get his subdivision completed. Arthur LeBaron explained some of the work on 1500 South was the developer’s responsibility and not included in the calculation.

Joseph Prete motioned to approve the Reimbursement Agreement with Falcon Crest LLC in the amount of \$124,114.10. Seconded by Clark Fawcett. Motion carried unanimously by a roll call vote.

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

Mayor Billings read the following summary that was provided in the packet written by Sel Lovell. “Due to the URS tier II hybrid member contribution rate increasing to 0.81% from 0.70% last year, we are proposing that Hurricane City cover the amount tier II hybrid employees will lose from their paychecks. This was done in the form of a miscellaneous bonus last year and we are proposing the same this year.”

Councilman Prete asked how much funding would be required to cover the cost. Sel Lovell responded that last year the amount was approximately \$30,000, though it may be slightly higher this year. He explained that this expense applies only to Tier 2 public employees who have selected the hybrid retirement plan. The required contribution is deducted directly from the employee’s paycheck. Last year, the City chose to cover the cost, but the rate has increased this year. Staff had anticipated that the Legislature might revise the regulations, but no changes were made.

Clark Fawcett motioned to approve adjusting City contributions for the Tier II Hybrid Employees' retirement for this fiscal year. Seconded by Kevin Thomas. Motion carried unanimously by a roll call vote.

6. Consideration and possible approval of Zone Change Amendment Ordinance ZC25-14, a zone change request located at 2085 S 700 W from Single Family Residential R1-15 to General Commercial; parcel number H-3-2-10-2308; Michael and Aimee Carnell, Applicants

Mayor Billings read the following summary that was provided in the packet written by Gary Cupp. “The applicant is seeking a zone change from Single Family Residential R1-15 to General Commercial (GC) on a one-acre parcel located along 700 West, between Frog Hollow Storage and the Angell Heights Storage facility. The applicant has converted an existing residential garage into a multi-chair, commercial beauty salon without building permits. Commercial salons are not permitted land uses in single family residential zones, and the applicant has requested approval of a zone change to General Commercial to legalize the business. The applicant currently resides in the existing house to which the salon is attached and wishes to continue living in the home following the zone change, which is not allowed in commercial zones. The GC zone would allow the commercial salon use, but it does not permit the residential use of the property; therefore, a development agreement will be required to allow a simultaneous non-conforming residential use jointly with the commercial business activity. A public hearing for the item was held at the June 12, 2025, Planning Commission meeting. One public comment in support of the proposed zone change was received. The Planning Commissioners discussed the proposal and voiced overall support since the property is surrounded by light industrial and civic land uses. The Planning Commission also supported the development agreement to allow the property owners to continue to live in the residence and recommended that residential use of the house be allowed to continue permanently as a condition of the agreement. The Commission also recommended that staff consider a code update to the home-based business ordinance to possibly allow more than one chair for home-based salons. The Planning Commission unanimously recommended the City Council approve the zone change request.”

Aimee Carnell stated that she resides at the subject property and is requesting a zone change to General Commercial with special provisions to allow continued residential use. She expressed support for the development agreement and noted that the salon on the property was professionally constructed to accommodate herself and three to four other professionals. At the time of construction, she believed the use was permitted; however, upon learning otherwise, she promptly began the process to bring it into compliance. She clarified that the salon is completely separate from the residence and that adequate parking is available. Mrs. Carnell also asked for confirmation that the property would remain eligible for single-family residential use in the future. She thanked staff and the Planning Commission for their assistance and respectfully asked the Council to approve the zone change.

Mayor Billings read the findings that were included in the staff report. “While the application does not strictly conform to the General Plan Map designation of Single Family, the commercial nature of the proposal supports the goals and recommendations of the General Plan. Due to

the light industrial and civic uses in the area, the zone change is not out of character and is generally harmonious with the surrounding development pattern and long-term planning vision. In light of the small size of the property and the applicant's intent to legalize the salon use, the zone change is unlikely to present any adverse impacts on adjacent residential development. Public services are adequate to serve the property."

Councilman Thomas stated he listened to the Planning Commission's discussion, and he doesn't have any problems with the request. Councilman Prete stated there are reasons to not have residential in commercial zone. The salon doesn't trouble him, but he would like the agreement to be more restrictive on what commercial uses are allowed. Dayton Hall read the proposed agreement. Councilman Prete thinks that is too broad. Mr. Hall stated that it can be updated. Councilman Prete confirmed the parking can be contained on the property. Councilman Ellerman asked if the agreement limited the number of chairs that could be rented. Mr. Hall explained that as long as it meets all the other codes then it can be as many chairs as it fits. Councilman Ellerman worries about the future owners or if the business grows. Mrs. Carnell stated there will be four to five people working there. She explained the workers' park on the residential side and leave the parking on the south side open to the customers. Councilman Ellerman stated there can't be parking on the street. Mrs. Carnell clarified there can only be four workers at a time. Mr. Hall stated they could have a development agreement that ends with ownership, but the Planning Commission recommended it runs with the land. He is hearing the Council is in favor of a revision to the agreement to only allow a beauty salon with four booths and the residential use ends when there is a change to the ownership. Councilman Fawcett stated he would rather see it being limited to the salon rather than not allowing the residential use to continue with the next owner. Councilman Prete confirmed the neighboring property didn't submit any comments. Councilman Thomas agreed he wanted to see it continue to be used as a salon. Mr. Hall confirmed the Council is in favor of amending the development agreement to state the salon including four booths can be operated on the property in conjunction with single family residential use and after there is a change in ownership it can only be a house with a salon or just a house. The applicant agreed to the conditions.

Kevin Thomas motioned to approve the zone change subject to a Development Agreement that states the salon can only be operated on the property in conjunction with four booths and that the property can only be a house with a salon or just a house. Seconded by David Hirschi. Motion carried with David Hirschi, Kevin Thomas, Clark Fawcett, and Joseph Prete voting aye. Drew Ellerman voted nay.

7. Consideration and possible approval of Zone Change Amendment Ordinance ZC25-15, a zone change request located near 3700 W Bash Parkway from Single Family Residential R1-8, Public Facility; parcel number H-4-2-12-1213-GS1; Western Mortgage and Realty Co - Tim Tippett, Applicant, Karl Rasmussen, Agent

Mayor Billings read the following summary that was provided in the packet written by Gary Cupp. “The applicant is requesting a zone change from Single Family Residential R1-8 to Public Facility (PF) on a 1.1 acre piece of property to allow for the future construction of a power substation for Dixie Power. The property is located near the Strawberry Fields Estates subdivision and is part of the Gateway to Sand Hollow Public Infrastructure District (PID). A public hearing for the item was held at the June 12, 2025, Planning Commission meeting and no public comments or objections were received. The Planning Commission had no discussion and did not express any concerns about the project, and unanimously recommended that the City Council approve the requested zone change. Findings: 1. The proposed amendment is compatible with the goals and policies of the General Plan pertaining to public facilities. 2. The proposed amendment is in harmony with the overall character of the existing development. 3. Provision of public utility infrastructure is not considered an adverse impact. 4. Public facilities for the site are adequate.”

Mayor Billings stated they need a substation for Dixie Power. Councilman Ellerman confirmed they are required to have block wall around it.

Drew Ellerman motioned to approve Ordinance ZC25-15 a Zone Change Amendment located near 3700 W Bash Parkway from R1-8 to Public Facility. Seconded by Clark Fawcett. Motion carried unanimously.

Clark Fawcett motioned to go into a Public Hearing at 7:38 p.m. Seconded by David Hirschi. Motion carried with David Hirschi, Kevin Thomas, Clark Fawcett, and Joseph Prete voting aye. Drew Ellerman absent from the room.

- 8. Public Hearing to take comments on the following:**
  - a. 2025-2026 Fiscal Year Budget
  - b. Proposed amendments to the 2024-2025 Fiscal Year Budget

No comments.

Kevin Thomas motioned to go out of Public Hearing at 7:39 p.m. Seconded by Clark Fawcett. Motion carried unanimously.

Clark Fawcett motioned to go into a Public Hearing at 7:40 p.m. Seconded by Kevin Thomas. Motion carried unanimously.

- 9. Public Hearing to take comments on the following:**
  - a. Wage increases within the 2025-2026 Fiscal Year Budget of up to 11% for all executive municipal officers as defined in Utah Code 10-3-818

No comments.

Kevin Thomas motioned to go out of a Public Hearing at 7:41 p.m. Seconded by David Hirschi. Motion carried unanimously.

**10. Consideration and possible approval of Resolution 2025-26 approving the 2025-2026 Fiscal Year Budget**

Mayor Billings read the following summary that was provided in the packet written by Paige Chapman. “The Final General Fund Budget documentation, and a note that we have a potential 3% COLA/Merit increase in January and some wage changes in July that were brought to our attention by HR and approved by the Mayor: Mayor and Council - Moved the \$20,000 Small Business Assoc. commitment in this fund and proposed a 4% wage increase along with our part-time employees. Clerk - This was the approved position for utilities. Non-Dept. - Planning on transferring \$210,000 to help the new airport 21 fund. Building and Grounds - This is where we plugged in a payment/savings amount for the City Campus. Animal Control - An employee moved back from Police to AC, so this is mostly a position that increased the change. Streets - Keeping maintenance costs for streets on the rise. PW - Due to Weston moving over from Streets. Emergency Management - Not really doing much with this right now. Recreation - Programs have been increasing and expanding. Swimming Pool - Plan on closing next season for new pool construction. Community Center - Repair costs. Gym - New fund. Peach Days - Costs are increasing and approved shade tent. The City-Wide documentation shows the increase/decrease in all the funds in the city. We are currently at a \$118 million dollar budget! Majority of this is due to huge water projects in the city, power expansion, and golf pro-shop renovations.”

Paige Chapman explained that the airport is required to operate under its own fund, and the City is proposing to separate it this year to bring the budget into compliance. She noted that all approved projects are reflected in the proposed numbers. While some costs must be paid upfront, grant funding is expected to reimburse a portion of the expenses. Councilman Fawcett inquired about the advertised 11% wage increase. Mrs. Chapman clarified that the notice reflects the highest possible increase among all department heads or executive officers to simplify the required public posting. Not all increases will reach that amount. Kaden DeMille added that, after adjustments, the highest actual increase is approximately 9%. He also noted that all police officers will receive a \$3.01 per hour raise, and a 3% cost-of-living adjustment is planned for all employees in January.

Clark Fawcett motioned to approve Resolution 2025-26 approving the 2025-2026 Fiscal Year Budget. Seconded by Kevin Thomas. Motion carried unanimously by a roll call vote.

Chief Yates expressed his appreciation to the Council for the salary increase for police officers. Kaden DeMille also thanked the Council for their continued support and recognized Paige Chapman for her efforts in preparing the budget.

**11. Consideration and possible approval of Resolution 2025-27 approving and adopting amendments to the 2024-2025 Fiscal Year Budget**

Paige Chapman reported that the City has experienced increases in interest rates, sales tax revenue, and property tax revenue. Councilman Fawcett noted that prosecution fees have also increased over time, as expected. Mrs. Chapman added that participation in recreation programs continues to grow annually, and the theater program is performing well. She explained that approximately \$4 million will need to be transferred out of the General Fund to comply with State requirements. Kaden DeMille stated the City is considering paying off the airport bond. Mrs. Chapman then reviewed and explained each of the proposed budget amendments.

Clark Fawcett motioned to approve Resolution 2025-27 approving and adopting amendments to the 2024-2025 Fiscal Year Budget. Seconded by Drew Ellerman. Motion carried unanimously by a roll call vote.

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

Mayor Billings stated she received a text from Councilman Hirschi requesting the Council revisit allowing election ads in the Peach Days magazine. She explained that the Council had already discussed and approved the inclusion of political ads in 2023. Candidates were informed during orientation, and some have already purchased ads. When the committee objected, Jaroline Stout sent an email to the Council, which Councilman Hirschi read aloud. Mayor Billings explained that she drafted a response but instead attended the Peach Days committee meeting to address concerns directly. She reviewed the 2023 magazine and noted that the political ads were positive and non-divisive. She highlighted that this is a City-sponsored event with Council oversight and that similar items have been approved by the Council in the past. Councilman Hirschi stated the committee voted 19 to 1 against allowing political ads and said he was informed that ads have been allowed since 2017. He referenced a controversial 2021 ad but acknowledged that ads have generally been allowed. Councilman Fawcett noted that the only major issue he recalled was from 2021 and supported continuing the current policy, especially now that it is clearly addressed in candidate orientation. Councilman Thomas expressed strong support for allowing the ads, citing freedom of speech and the importance of reaching constituents. Councilman Prete recalled previous discussions weighing free speech against the City's role in sponsoring the event. Dayton Hall clarified that political ads are protected under free speech laws, and if they are to be disallowed, no political ads can be accepted at all. Mayor Billings recommended maintaining the current policy for this election cycle and reconsidering the issue after the election or at the beginning of the year. Councilman Fawcett agreed, adding that the committee should have brought their concerns directly to the Council. Councilman Hirschi acknowledged the City's involvement and said he would help the committee understand the process, suggesting that amends be made to move forward constructively. Councilman Prete stated he would be open to letting the Peach Days committee oversee the magazine in

future years as a peace offering, but Mr. Hall cautioned against delegating decisions that involve free speech, noting that there may be better ways to rebuild trust without risking legal or procedural issues.

Councilman Prete asked for an update on the meeting with IHC. Mayor Billings stated they reached out to reschedule. Councilman Prete shared that during the break, Karl Rasmussen expressed concern that without a power "will serve" letter, the new hospital project could fail. He stated the hospital is widely supported and doesn't want to see it jeopardized. Mayor Billings stated she's spoken with their representatives twice and stressed the City must be workable but cannot bear the costs. Dayton Hall noted that the hospital is asking for immediate "will serve" letters for power and water and he raised concerns about making commitments the City may not be able to fulfill. He questioned whether the Council would be willing to consider eminent domain to obtain easements and emphasized the importance of cautious cooperation. Ken Richins explained that a "will serve" letter refers to source capacity, and the City has adequate water to serve the project once the infrastructure is extended. The hospital's water request is equivalent to about 65 residential units. He stated that the City's commitment would be to source capacity only. Mayor Billings proposed drafting a conditional will serve letter, limited to the City's service area capacity. Councilman Fawcett pointed out that the PID is supposed to manage the utilities. Mr. Richins agreed, clarifying the City's role is not to build the infrastructure. Councilman Prete acknowledged the need to take some risk to make progress but emphasized the importance of caution. Mike Vercimak said he was told the hospital needs the will serve letter by tomorrow or risks losing funding. He questioned which funding they meant, since they had indicated the PID would be used to finance the hospital itself, not the utility infrastructure. Councilman Ellerman clarified that the PID discussed would only fund the hospital building. Mr. Hall confirmed his intent is to draft a will serve letter aligned with Mr. Richins' explanation—committing only to source capacity. Mike Johns stated there is a viable plan to provide power to the hospital, but equipment lead times could pose challenges. He's not concerned with the plan itself but with staying on schedule. Mayor Billings mentioned the City has already purchased a transformer and encouraged the team to move forward in good faith. Mr. Johns agreed that a conditional will serve letter is reasonable. Councilman Ellerman asked about concerns that the PID might not complete the infrastructure. Mr. Vercimak recommended a contract between the developers outlining dates and responsibilities to ensure accountability.

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

A closed meeting was not necessary.

**Adjournment:** David Hirschi motioned to adjourn at 9:27 p.m. Seconded by Drew Ellerman. Motion carried unanimously.