

Minutes of the Hurricane City Council meeting held on May 15, 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, Assistant Planner Fred Resch III, Power Director Mike Johns, Recreation Director Tiffani Wright, Finance Manager Paige Chapman, Water Assistant Kory Wright, Building Official Larry Palmer, HR Director Sel Lovell, and City Recorder Cindy Beteag.

AGENDA

3:30 p.m. – Work Meeting

Discussion regarding Zion Regional Medical Center

Planning Commissioners Present: Ralph Ballard, Mark Sampson, Paul Fathering, Brad Winder, and Michelle Smith.

Glen Adams, Shawn Porter, Rob Robinson, Brent Moser

Glen Adams explained that the hospital will be on the Planning Commission agenda next week to request approval for increased building height. Due to limited space, the hospital must expand vertically rather than horizontally. Phase 2 includes an 85-foot tower, starting with 24 beds and eventually expanding to 150. Mr. Adams also introduced the idea of creating a Public Infrastructure District (PID) for the hospital property only. This self-imposed tax would help raise needed capital in a challenging financial environment. Mayor Billings noted that this type of financing could result in lower interest costs. Shawn Porter added that the hospital would be the sole contributor to the district, making it a unique, property-specific funding method. Mayor Billings explained they are seeking the Council's feedback before submitting a \$2,000 application and triggering staff review, to ensure there is support for this financing approach.

Dayton Hall clarified that there is a formal process required to approve exceptions, including for building height and the proposed PID. No decisions are being made at this point—this is just an initial discussion. Mayor Billings said they are simply looking to gauge the Council's interest and direction. Councilman Hirschi asked what steps are needed to approve the increased height. Mr. Hall explained it would require a development agreement and an ordinance change. Ralph Ballard asked if a conditional use permit could allow for that height with proper safeguards. Mr. Hall said that could be another path—either through a development agreement with listed conditions or a change to the height ordinance. Mr. Adams added that it's not just the hospital building that would exceed current limits; the office buildings are also planned to be four stories.

Councilman Fawcett asked how much taller the proposed building would be compared to the ridge directly behind it. Fred Resch III responded that the ridge is about eighty feet high. Councilman Thomas noted that height limits are typically in place to protect views, control density, meet fire safety standards, and preserve the character of surrounding zones. However, he pointed out that hospitals are different since their parking surrounds the building, reducing view obstruction compared to residential or commercial structures. Paul Fathering added that the design would be similar to the hospital in St. George, built against a ridge and surrounded by commercial zoning, where height isn't a concern. A Fire Department representative confirmed they have the equipment to service the building but would require a fire suppression system. Councilman Thomas highlighted the need to weigh the pros and cons, stating that a hospital is necessary. Mr. Fathering also noted the project would bring good-paying jobs to the community.

Brad Winder asked if there was a compelling reason to pursue a conditional use permit rather than a development agreement. Councilman Ellerman responded that conditional use permits can be arbitrary and may lead to claims of inconsistent treatment. Mr. Cupp noted that the current ordinance caps building height at 55 feet. Council Ellerman also referenced a similar project in Washington that was approved but never built, expressing concern about approving something that might later require changes. He stated that hospitals are essential and benefit the whole community, and he personally has no issue with the proposed height.

Mayor Billings asked how many beds would be included in Phase 1. Mr. Adams responded that there would be 25 beds. He said Phase 1 would also include an ER, radiation, labs, and other services. Councilman Ellerman clarified that the tower is part of Phase 2. Mr. Adams confirmed the project consists of two phases total. Mr. Hall asked about the height of the other buildings. Mr. Adams said the tallest would be five stories. The remaining buildings would be three or four stories. Mr. Winder confirmed that a Life Flight helipad is planned. Councilman Ellerman asked if there would be a surcharge on patient bills to pay for the PID. Mr. Porter said the hospital would cover the cost. There would be no surcharge to patients. Councilman Fawcett said he usually does not support PIDs. However, he believes this is a different situation. He said it would not make much difference on the bottom line. Mayor Billings asked for input from the power, water, and fire departments. She noted that an item is already on the agenda for the power extension. Mike Johns said they have a solid infrastructure plan. He asked what the expected timeline is for total buildout. Mr. Adams said they want Phase 1 to be open by the end of 2027. Mr. Johns said it takes two years to get a transformer. He said it would need to be ordered right away. Councilman Fawcett asked if providing power to the site would raise rates for everyone. Mr. Johns said it could potentially raise prices because the City would need to purchase more power. Mr. Winder asked if power could come from the Toquerville Reservoir. Mayor Billings said that is not currently planned. Michelle Smith clarified that the hospital would be responsible for all their improvements. They would also be responsible for bringing infrastructure to the site.

Mayor Billings said UDOT will not allow direct access at this location. Councilman Thomas said the Council can all start requesting flyovers. That would help make the frontage roads more

accessible. Brent Moser explained that there is an expressway planned to go through. He showed how the site would be accessed. Kory Wright said he believes water looping will work. He said they are still in the early stages and there are questions to work through. A fire district representative explained that the State Fire Marshal regulates hospitals. He said future discussions would focus on operating procedures. Mr. Adams said they will work with staff to decide what to do with a park. He said they need open space as well. He believes there is time to work out those details. He said their goal is to bring value to the community. They do not want to take from it.

Councilman Prete asked why they wanted to pursue this project. Mr. Porter said they consistently hear that there is a strong need for a hospital in the area and they believe it is a win-win for both their group and the community. He explained that the hospital will be independently owned. Mr. Adams added that physicians will also have ownership in the project. Mr. Winder asked what types of specialties the hospital will offer. Mr. Porter said their initial focus will be cardiology and orthopedics but they plan to expand over time. Mr. Adams added that the hospital will have a robust emergency room. He said the facility will be about half the size of the hospital in St. George. Ralph Ballard asked how this compares to Revere Health. Mr. Porter said this would offer an additional inpatient option. Mr. Ballard said good access is critical for hospitals. He said the topic should be discussed further. He stated that seconds matter when trying to reach a hospital. Mr. Moser said the access to this hospital will be better than the one in St. George. He said there is an old agreement between UDOT and the City. That agreement stated that the only exception for access at this location would be for a hospital. Councilman Fawcett said it could be limited access. Mr. Moser said there is a possibility of creating a lane designated specifically for hospital access.

4:15 p.m. – Work Meeting

Discussion regarding the City Civic Center

Kaden DeMille gave a presentation on the current status and history of the City's facilities. He explained that building permits are tracked annually, and based on those numbers, the estimated population is now 25,390. With an average growth rate of 5% per year, he projected the population through 2050. He provided background on the City office, which moved into the current building in 1997, and the police station, which has been in use since 2008. He noted that space has been an issue for many years. In 2020, the City considered constructing a temporary building behind the current office to get by until a larger facility could be built. Later that year, the property to the west of the City became available, but it was only offered as one piece. The City purchased the entire parcel for \$3.3 million using a combination of savings, parks impact fees, water funds, and ARPA funds. Consultants were hired to develop a long-term plan that would meet future needs rather than serve as a short-term fix. Mr. DeMille stated that the City is experiencing explosive growth, and new buildings are necessary. The plan is to move the court into the existing City office and relocate all current staff to a new building. Councilman Fawcett highlighted the need to fully use the current space before expanding. Mr. DeMille said the plan has always been to build out in phases, but he hasn't yet studied alternate

options or phased approaches due to the many possible scenarios. He presented concept cost estimates for site and utility work for City buildings, totaling approximately \$43.1 million. He raised the question of how the City would pay for it, noting that bonding is not a favorable option. The City is looking at programming the property to help fund the buildings. He shared an example from Millcreek City, which used housing, an amphitheater, and affordable housing to help pay for a civic project. Community surveys helped shape the concept plan, and consultants determined the best use of the property. He also reviewed figures from Zions Bank comparing the benefits of selling the land versus leasing it. Mayor Billings asked whether the land could be sold given that ARPA funds were used. Mr. DeMille said portions could be sold off if necessary. He shared the projected values for each planned use on the property.

He addressed a comment suggesting the purchase of the old Ace building for the police station. He explained that it only offers 7,577 more square feet than the current station and lacks sufficient parking. Mayor Billings added that she contacted the owners, who confirmed the building is already under contract and not available. Mr. DeMille also pointed out that the Ace site is a prime commercial location and better suited for that purpose. In response to a question about using portable buildings for staff, he said it could cost up to \$400,000 to purchase and connect utilities, making it an expensive temporary solution. He concluded by recommending that the City retain all 20 acres, as the site is intended for long-term use. If the current plan does not work out, adjustments can be made, but the space will be needed in the future.

Mayor Billings asked what the potential sale value of the property would be under current zoning. Mr. DeMille said that figure is unknown. She then asked about the option of leasing the land. Mr. DeMille presented projected annual revenue based on the current concept plan. Mayor Billings also asked what the bond payment would be if the City bonded for the full project amount. Mr. DeMille reviewed what has already been saved and what would be gained from selling the current police station. He estimated the annual bond payment would be nearly \$1.5 million. He also discussed an alternative option of ground leasing the commercial areas instead of selling them. Councilman Hirschi asked how long it took to save the \$7.7 million. Councilman Fawcett said they began saving five years ago, though some of those funds were used to purchase the property. Mr. DeMille added that if construction started today, it would take approximately 16 to 18 months to complete. He stated that the goal is to avoid increasing property taxes. He explained that the savings have come primarily from sales tax revenues.

Chief Yates explained that when they moved into the current building, they had seventeen employees. The department has since grown to forty-four employees and is now completely out of space. They had to convert a meeting room into an office. The building was never designed to be a police station; it was originally a dentist's office. Prisoners enter through the same door as civilians, creating safety concerns. The break room is located across from the booking room, and parking is unsecured and shared by everyone, which poses risks for officers. State-mandated training requires space that the current training room cannot accommodate, so department meetings must be held elsewhere. The new right of way for the entertainment facility will cut through the parking lot, further complicating space issues. Evidence storage

requirements have increased, but they have no adequate space to store it. They lack industrial refrigerators and proper ventilation for the evidence room. Chief Yates highlighted that their biggest concern is the building's unsafe setup.

Councilman Prete asked what the financial impact would be if the City neither leased nor sold the land. Mr. DeMille explained that leaving the land vacant would allow a different approach but would increase the bond payments. Mayor Billings pointed out that the City purchased the property to build a new civic center. She noted that if the City hadn't bought it, someone else likely would have developed commercial and multi-housing projects there. Ms. Smith inquired about grant opportunities. Mr. DeMille said there are no grants covering the entire project, but some exist for parts of it. Councilman Prete asked if the buildings could be constructed at different times to stagger funding. Mr. DeMille noted that the police department faces significant pressure from surrounding development. He said most of the funds saved are earmarked for the city office, but money will also come from the sale of the police station. Councilman Prete added that building one facility first could provide extra office space until the other is completed. Mayor Billings asked Councilman Fawcett to explain the process used when constructing the current city building. Councilman Fawcett said he doesn't recall many public hearings. He said the City helped build 870 West. Although it wasn't a secret, the public wasn't heavily involved. The project was financed through a municipal lease, with bond payments made from the general fund. Mr. Ballard asked if the administration staff could move into the current police station if the police department relocates. Mr. DeMille said they could analyze that option if the Council is interested. Mr. Ballard also asked if the recreation buildings generate revenue. Mr. DeMille replied that only Provo City's recreation department operates in the black. Mr. Ballard wondered if those properties could generate more revenue. Mayor Billings said the goal is for people to be able to use the facilities. Mr. Ballard pointed out that since taxpayers pay for them, users might need to pay more. Mr. DeMille said fees will be reviewed once the four-court gym and covered pool are completed.

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

Gary Cupp stated the Planning Commission agenda next week is full. Staff is working on code updates.

Mike Vercimak stated the improvements in 1100 West are wrapping up.

Mike Johns stated they will be using Eaton for the AMI project.

Larry Palmer reported that since the last meeting, they have issued permits for fifteen single-family homes, three manufactured homes, a sixteen-unit apartment complex, and two commercial projects. He added that they are meeting the new state requirements well.

Weston Walker stated that dumpsters were placed out this week and have all been used but are now picked up. He said the 2050 S. project is wrapping up. On 100 North, storm drains and water lines are mostly installed as construction continues. He noted that the 1760 West project has encountered some issues, causing delays beyond the original timeline.

Sel Lovell mentioned one of the employee's emails was hacked so don't open anything suspicious.

Kory Wright shared that submittals are arriving for the Dixie Springs well project. They are currently moving dirt for the Sky Ranch Well and are prepared to begin work on the well near 60 East. The team is also handling numerous leaks. Mayor Billings noted that the City has received the bond for the water projects. Mr. Wright added that work is underway on the return lines for the irrigation project.

Tiffani Wright said the pool heater is still out of service. The spring show has ended, and dance recitals are scheduled throughout the week. They repaired concrete on the south side of the Community Center and added a sidewalk on the west side. She also noted that the roof is leaking and will need to be replaced.

Chief Yates said they have adjusted their hours to 8 a.m. to 5 p.m. to improve public accessibility. They have also resumed VIN inspections and lockout services, which the public has greatly appreciated.

Councilman Fawcett was excused at 5:45 p.m.

6:00 p.m. - Call to Order –

Mayor Billings welcomed everyone and called the meeting to order.

Prayer, Thought, and Pledge led by Tiffani Wright

Congratulate Local National Civic Bee Competition Winners: Megan Kane and Zoey Mecham

Mayor Billings had Megan Kane (Zoey Mecham not able to attend) come forward and congratulated them on competing in the Civic Bee Competition.

Declaration of any conflicts of interest

None declared.

Public Forum – Comments From Public

Ross Johnson explained that he is seeking land to build multiple prefab homes, which he described as a good option for low-income housing. Each home would use only 0.2 acres. He shared examples of different home sizes along with their corresponding price ranges. He asked if the City would consider allowing this type of development on City-owned land for presale of the homes. He noted that this approach could help avoid apartments and townhomes, which he believes tend to create more problems, and would allow residents to own their own land.

Mayor Billings asked Mr. Johnson to submit a written proposal. She mentioned that she had spoken with the County and clarified that the City would not own the property. She noted the need for more detailed information. Councilman Prete confirmed that this type of development has not yet been constructed in Utah.

Rod Sessum addressed concerns about the storage units on 3700 West. He said the lighting there is in violation of City code. He has spoken with Fred Resch III multiple times and was

assured the lighting would comply, but it does not. He said the lights are so bright they shine directly into his home and cause him to be blinded. To reduce the impact, he added four courses of block to his wall. He read aloud City code 10-33-7 regarding outdoor lighting and stated that the wall pack lights being used are not compliant. He expressed that this is a security concern for him. He also mentioned that his neighbor, a disabled veteran, recently had someone break into his home.

Mayor Billings directed Mr. Resch III to look into the issue. She explained that which code applies depends on when the storage units were built. Mr. Sessum responded that he was told the lighting was grandfathered in, but additional lights have been added since then.

Mayor Billings took new business 1 and 2 out of order and addressed them next. These minutes are in order of the agenda.

OLD BUSINESS

1. Consideration and possible approval of Ordinance ZC24-07 Zone Change and Preliminary Site Plan request from NC, Neighborhood Commercial to R1-8 (PDO), Single Family Residential R1-8 with a Planned Development Overlay, located at 2230-2254 W 600 N. Parcel H-3-1-29-2213, H-3-1-29-2214. 317 Sycamore LLC, Applicant. Beau Ogzewalla, Agent

Mayor Billings read the following summary that was provided in the packet written by Gary Cupp. "This item was continued from April 3, 2025, to allow the applicant to provide additional parking to the site plan and explore possible alternative commercial options for the project. As requested, the applicants have submitted an updated site plan that shows the addition of 10 parking spaces. Other updates to the site plan include adjustments to the roadway to better match access and utility agreements, and to provide better connectivity with the neighboring property to the east. Also, the amount of proposed commercial area has been slightly increased."

The applicant explained that adjustments had been made to the project, including shifting the road, adding more parking stalls, and moving the trail away from the cart path. The commercial area has also been expanded. He said he is still willing to rezone his other parcel to commercial in the future, as previously discussed. Councilman Ellerman asked whether the City had an easement for the cart path. The applicant said there is not one currently but offered to provide it. Dayton Hall stated the easement can be shown on the site plan, as the plat will mirror the site plan. Councilman Prete clarified that a block wall is planned between this development and the future road to the east. Councilman Ellerman expressed concern about walls next to roadways and suggested using landscaping boulders or rod iron fencing instead. He also recommended not requiring a sidewalk on the east side of the development. Councilman Prete asked if staff had any concerns. Mike Vercimak said his concern is the lack of access to a public road. The applicant explained that he owns the adjacent parcel and has an easement across it. Mayor Billings recommended that any approval be conditioned upon securing public access.

Kevin Thomas motioned to approve Ordinance ZC24-07 Zone Change and Preliminary Site Plan request from NC to R1-8 PDO located at 2230-2254 W. 600 North subject to a public access is granted through the adjacent parcel as well as the sidewalk not being required on the east side. Dayton Hall pointed out the adjacent road might not be built for many years. Do they want to give up a sidewalk without knowing the time frame. He stated the dedication of the easement for water looping hasn't been recorded yet, but the adjoining owners have verbally agreed. Mayor Billings pointed out that is part of the JUC comments. Councilman Thomas added to his motion to include the JUC comments. Seconded by Drew Ellerman. Motion carried with Kevin Thomas, Drew Ellerman, and Joseph Prete voting aye. David Hirschi voted nay.

2. Consideration and possible approval of Ordinance 2025-08 amending Title 10, Chapters 3, 7, 12, and 14 regarding farm stands; LUCA25-03; Hurricane City, Applicant

Mayor Billings read the following summary that was provided in the packet written by Gary Cupp. "This item was continued at the May 1, 2025, City Council meeting to allow staff to make adjustments to the proposed land use code update that would allow commercial farm stands. It was initially proposed that farm stands selling commercially packaged food and other items should only be allowed on agricultural properties of no less than five acres in size. At the request of the Council, the proposed minimum property size has been reduced to one acre and cannot be located in recorded subdivisions. Staff has also updated the proposed conditions of approval to clarify that commercial farm stands must be primarily devoted to the sale of agriculturally produced or farmed products, and also to clarify the percentage of commercially packaged goods allowed to be sold. Please note, the Council is also considering an unrelated update to add the phrase *"drilling, or other methods"* to Section 10-3-4 of the City code for the purpose of clarifying the definition of Mineral Extraction."

Dayton Hall stated that the Council previously discussed the definition of a farm stand and read the proposed updates. He explained that if items sold are not agricultural products, the use would require a conditional use permit. He also reviewed the specific requirements tied to the definition. Councilman Hirschi questioned whether the City should limit the amount of product sold that isn't produced on the property. Mayor Billings responded that if it's agricultural, it shouldn't matter where it is produced. Gary Cupp clarified that under the current proposal, up to 50% of the products can come from off-site, but the property itself must have agricultural use that accounts for at least 50% of what is sold. Mayor Billings pointed out that some properties may not be able to produce enough volume, so owners will rely on additional products from other sources. Councilman Hirschi said he supports limiting the amount of non-agricultural products sold but prefers removing the requirement for a minimum amount to be grown on-site. The Council also discussed the idea of limiting off-site products based on the number of miles from the farm stand location. Mr. Hall noted other proposed changes, including that a farm stand must be located on at least one acre and not within a recorded subdivision. He clarified that farm stands are subject to different regulations than general retail sales. Councilman Prete said he is not in favor of allowing products from across the state and

suggested increasing the minimum lot size to two acres. He expressed concern that allowing farm stands on one-acre lots, especially with statewide products, turns it into a broader commercial operation rather than a local concept. Councilman Thomas agreed that the goal should be to keep farm stands local. Mr. Cupp expressed concern that allowing products from all over could turn farm stands into something more like grocery stores. Councilman Hirschi said he supports encouraging competition and agricultural use. Councilman Prete suggested limiting the 50% of off-site products to those sourced within 50 miles. Councilman Ellerman recommended adopting the current proposal and making adjustments later if needed.

Drew Ellerman motioned to approve Ordinance 2025-08 amending Title 10, Chapters 3,7,12, and 14 regarding farm stands as written. Seconded by Kevin Thomas. Motion carried with David Hirschi, Kevn Thomas, and Drew Ellerman voting aye. Joseph Prete voted nay.

3. Consideration and possible approval of Ordinance 2025-04 Approving a Power Impact Fee Facilities Plan, a Power Impact Fee Analysis, and an Impact Fee for Power on Development

Mayor Billings read the following summary that was provided in the packet. “When the Council last discussed this item, it was continued to allow additional time for the consultants to address the questions raised regarding the analysis supporting the recommended impact fee. Provided in the packet is the updated and final impact study report. This report has been updated to reflect the adjusted impact fees, and address the concerns brought to us through SUHBA.”

Mike Johns presented the amended Chart 5.1, which summarizes future capital project costs as part of a study that began in 2023 and covers a ten-year projection. He reviewed the updated figures, noting that the proposed increase has been reduced from 132% to about 60%. Mayor Billings confirmed that SUHBA is satisfied with the adjustments. Councilman Prete expressed concern about scaling back too far and potentially harming the City’s future needs. Mr. Johns explained that since the study began, the City has gained a better understanding of the true costs of growth. He clarified that the 60% figure reflects the increase in impact fees, while the 73% figure represents the increased demand for power. When asked how the numbers dropped so significantly, Mr. Johns explained that the calculation is based on the ratio between projected growth and the added capacity of the proposed projects. Mike Vercimak stated the original study showed a 132% increase, but the revised version reflects a lower impact fee based on current projections. Mayor Billings explained that the reduction came from removing projects that wouldn’t be completed within the ten-year timeframe. Councilman Prete questioned how the City arrived at such a significantly lower figure. Mr. Vercimak said the biggest change was the removal of certain projects from the list. Mac Hall added that impact fees must be spent within six years, which also influenced the adjustment. He said the updated study is reasonable. While it may slightly restrict growth, setting fees too high would restrict it even more. Mr. Johns noted that the study will be updated again in five years.

Kaden DeMille pointed out that the biggest change is the revised cost of growth. He noted that infrastructure is necessary, and growth is inevitable, which is reflected in all impact fee categories. He also reminded the Council that if they choose to adopt a lower fee than recommended, the difference will have to be covered by ratepayers. Councilman Hirschi added that the Power Board recommended moving forward with the proposed fees but acknowledged they may need to revisit the issue before the next scheduled update.

David Hirschi motioned to approve Ordinance 2025-04 Approving a Power Impact Fee Facilities Plan, a Power Impact Fee Analysis, and an Impact Fee for Power on Development. Seconded by Kevin Thomas. Motion carried unanimously by a roll call vote.

4. Consideration and possible approval of Ordinance 2025-09 creating term limits for elected municipal officers -Mayor Billings

Mayor Billings read the following summary that was provided in packet. “When the Council discussed this item previously, it was continued to allow the Council additional time to consider the item.” She read the proposed term limits. Councilman Prete stated the Mayor’s policy has been having board members serve one to two terms and this would follow the same path.

David Hirschi made a motion to approve Ordinance 2025-09. He noted that the recent ballot initiative effort fell short by only a few hundred signatures and believes there is strong public support for it. Joseph Prete agreed, stating it likely would have made it onto the ballot. Kevin Thomas expressed support for term limits at the federal level but said he struggles with them at the local level, where experience and continuity can be valuable. He said it takes time to learn the process and would prefer a three-term limit over two. He added that he would hate to see someone forced out who is doing a good job. Drew Ellerman echoed that concern, saying it could be harmful to lose an effective leader. He believes voters should be the ones to decide and sees merit on both sides of the argument but would be more comfortable with a three-term limit. Joseph Prete also said that if term limits are implemented, he would prefer three terms instead of two, though he noted he doesn’t feel strongly either way. Motion died for lack of second.

Joseph Prete motioned to approve Ordinance 2025-09 subject to a three term instead of two. Mayor Billings reiterated why she proposed this and added that all staff she asked said two terms. She would prefer nothing over three terms. Councilman Prete withdrew his motion.

Joseph Prete motioned to table Ordinance 2025-09. Motion died for lack of second.

Drew Ellerman motioned to deny Ordinance 2025-09 creating term limits for elected municipal officers. Seconded by Joseph Prete. Motion carried with Kevin Thomas, Drew Ellerman and Joseph Prete voting aye. David Hirschi voted nay.

NEW BUSINESS

1. Consideration and possible approval of waiving all City impact fees for Washington County's EOC/Parks Building - Commissioner Iverson

Mayor Billings read the following summary that was provided in the packet written by Cindy Beteag. "Washington County has an approved site plan to construct a 16,150-square-foot building to house the Emergency Operations Center and Parks Department, located at approximately 5710 W Shooting Sports Park Road. As part of the project, the County is requesting a waiver for all impact fees associated with the development. Based on the building's square footage, the total impact and connection fees are as follows: Public Safety – \$345.80, 1" Water Impact – \$5,522.00, Parks Impact – \$11,938.56, Streets Impact – \$3,388.84, and 600-amp Power Impact – \$22,073.00, totaling \$43,268.20. The County will still pay the water connection fee, which is a hard cost to the City. Similarly, the Power Department will issue an invoice for the power connection fee, as the building will be CT metered. It is recommended that the County coordinate with the Fire District and Ash Creek Sewer District to seek waivers for their respective impact fees. Documentation has been provided confirming that the Washington County Water Conservancy District has already waived its impact fees for this project."

Mayor Billings noted that since it is an interlocal agency, the fees are typically waived. Commissioner Iverson thanked the Council for allowing him to be added to the agenda and for being strong partners. He explained that the EOC building serves as a storage area for emergency equipment and includes training rooms. Councilman Hirschi added that the City waives the fees to prevent citizens from being double taxed.

David Hirschi motioned to approve waiving all City impact fees for Washington County's EOC/Parks Building in the amount on \$43,268.20. Seconded by Kevin Thomas. Motion carried with David Hirschi, Kevin Thomas, Clark Fawcett, and Joseph Prete voting aye. Drew Ellerman voted nay.

2. Consideration and possible approval of waiving the City water impact fee for Washington County's Legacy Park trailer hookups - Commissioner Iverson

Commissioner Iverson stated they wanted to purchase an additional water meter. There are already water meters there, but they need more. Mayor Billings read the following summary provided in the packet written by Cindy Beteag. "Washington County is requesting a waiver for the water impact fees associated with the development of the trailer hookups, totaling \$3,106.00. The County will still pay the water connection fee, which is a hard cost to the City."

Kevin Thomas motioned to waive the City water impact fee for Washington County's Legacy Park trailer hookups in the amount of \$3,106. Seconded by David Hirschi. Motion carried with David Hirschi, Kevin Thomas, Clark Fawcett, and Joseph Prete voting aye. Drew Ellerman voted nay.

3. Discussion regarding the City Civic Center and informational notice to public that Civic Center survey closes at midnight on May 15, 2025

Mayor Billings shared that QR codes for the survey have been distributed widely—around town, via mail, email, and social media. The survey closes tonight at midnight, and results will be announced soon after. She noted that staff received twenty questions seeking clarification, some of which were addressed during the work meeting. The first question concerned the proposed size of each new building. Kaden DeMille responded that the proposed police station would be 41,700 square feet, and the new city office would be 31,200 square feet. Mayor Billings then asked about the specific needs for the new city office and police station. Chief Yates explained that the police department moved into their current building in 2008 with seventeen staff members. They have since grown to forty-four employees and are now at full capacity. A soft interview room has been converted into an office to accommodate staff. Monthly state-mandated training requires splitting employees into two groups because the current training space cannot fit everyone; they use Utah Tec's facility but noted it is still not secure. Chief Yates described the building as a former doctor's office with major security issues. Prisoners enter through the same entrances as civilians, and the break room is located near where prisoners are brought in. There are no locked areas to securely hold prisoners, and parking is shared with dentists and court visitors. The back parking lot will become an access point for the new entertainment center, further complicating safety. He highlighted that the evidence room is inadequate. Because they must retain evidence longer, storage needs have increased, but the room lacks proper ventilation. Industrial-sized refrigerators are required for some evidence, yet they currently use standard refrigerators. Chief Yates also mentioned a tragic incident last year where someone took their life in the parking lot, possibly attempting suicide by cop. He stressed that public access to police parking should be restricted for officer safety. He stated that these needs are urgent and not optional. He urged the Council to move forward as quickly as possible.

Kaden DeMille explained that the administrative building is overcrowded, with staff scattered throughout the space. The break room doubles as a meeting area, and the bathrooms are insufficient. They have relocated as many employees as possible out of the building. Councilman Fawcett rejoined the meeting at 7:50 p.m. Mayor Billings moved to the next question about the proposed infrastructure costs. Mr. DeMille estimated \$38 to \$43 million for horizontal and vertical construction of both buildings, with utility infrastructure costing around \$6 million. The City Office building is projected at \$13.1 million, and the police station at \$18.8 million. About \$4.5 million has already been saved for the project, with \$7.7 million expected by July. The bond amount needed, after savings, would be about \$25 million. With an estimated 4.5% interest rate, annual bond payments would range from \$1.2 to \$1.8 million. Regarding land needs for the civic center, Mr. DeMille said the total property spans twenty acres, with just over six acres needed for the civic buildings and about two acres for open space. When asked about potential sale value, he estimated about \$13 million at the highest and best use.

Councilman Fawcett noted that lowering the allowed density would reduce this value. At current zoning, Mr. DeMille estimated a sale value of around \$8 million. Mayor Billings asked about the timeframe for engineering and construction. Engineering each building would take about eight months, while the police station's construction could take sixteen to eighteen months. For potential revenue from leasing the property, Mr. DeMille cited approximately \$450,000 annually based on Zion's Bank's proposed uses. At current zoning, the revenue would be around \$325,000 per year. Selling the excess property at the highest and best use could yield about \$13 million. The cost to build the new building and renovate the current one for court use is about \$9.5 million. Purchasing portable offices would cost roughly \$400,000, with each unit accommodating three to four offices. Mayor Billings noted that remodeling would add to those costs. She added that the Ace building is on the market for about \$3 million but is currently under negotiation.

Mayor Billings stated the survey closes tonight, and the results will be presented at the next meeting. The Council can then make a decision during the second meeting in June. Councilman Ellerman clarified that the police station would be three stories. Councilman Prete outlined several funding and building options they have discussed. These include building one building and not the other, building one building to serve both functions, building both buildings with a ground lease as currently proposed, building both with a ground lease structured differently, building both and selling any unused land, keeping both buildings in their current locations with added portable offices, or building the police station first while relocating some administration to the old police building or using part of the police building until the new one is ready. He noted these are just some possibilities and that other options could be explored. Mr. DeMille said staff have discussed many of these options. Councilman Prete expressed interest in focusing on building the police station first while relocating some administration to the old police building to stretch the budget further. Mr. DeMille added that the City has a track record of managing funds carefully and stretching dollars conservatively.

David Hirschi motioned to go into a Public Hearing. Seconded by Kevin Thomas. Motion carried unanimously.

4. Public Hearing to take comments on the following:

- a. A potential Real Estate Purchase and Construction Agreement, which includes the disposal of City-owned parcel numbers H-QCIP-2-7; H-QCIP-2-8; H-QCIP-2-9; H-QCIP-2-10; H-QCIP-2-11; H-QCIP-2-12; H-QCIP-3-20 located within the Quail Creek Industrial Park area

No comments.

Clark Fawcett motioned to go out of a Public Hearing. Seconded by David Hirschi. Motion carried unanimously.

5. Consideration and possible approval of a Real Estate Purchase and Construction Agreement with D & G Property Holdings, LLC and Washington County Council of Governments - Arthur LeBaron

Mayor Billings read the following summary that was provided in the packet written by Arthur LeBaron. "Using Corridor Preservation Funds in 2017, the City purchased 7 vacant lots in the Quail Creek Industrial development to preserve the Purgatory Road corridor from development. Since that time Dennett Construction has finished several phases of the Quail Creek Industrial park, and has worked their way to the point that Purgatory Road needs to be connected through the preserved area. City staff members worked with an appraiser and Dennett Construction to make an agreement wherein the Dennetts purchase the 7 vacant lots for \$1,165,000 and complete the construction of Purgatory Road as it is master planned. The \$1,165,000 will go back into the Corridor Preservation Fund and the roadway connection will be completed between Phase 5 of Quail Creek Industrial and the existing 5300 West that runs past Purgatory Correctional Facility. City Staff and Dennett Construction are happy with the agreement before the Council. Washington County Staff have been consulted and are on board with this sale. The property transaction has been properly noticed to the public for disposal. Approval of the Purchase and Construction Agreement is recommended."

Arthur LeBaron, participating online, explained that the City has owned the property for about ten years. It was purchased using Corridor Preservation funds, so any proceeds from the sale will be returned to that fund. He believes the deal is favorable and benefits both parties. He noted that the agreement was drafted by City Attorney Dayton Hall and reviewed by all involved. Doug Dennett commented that they were not provided with the numbers but were told what the terms had to be. Mayor Billings declared a conflict of interest because Mr. Dennett has donated to her election campaign. Mr. Hall described the location of the property. He explained that the Dennett's will purchase all the land and build the road. In return, they will receive lots on both sides of the new road. The price is based on fair market value. Mr. LeBaron added that a reimbursement agreement will be proposed for part of the road construction, which includes necessary realignment costs. He presented the proposed plat showing the land redesign.

Kevin Thomas motioned to approve the Real Estate Purchase and Construction Agreement with D & G Property Holdings, LLC, and Washington County Council of Governments. Seconded by David Hirschi. Motion carried unanimously.

6. Consideration and possible revocation of the Virgin River Massage business license

Dayton Hall explained that this is a revocation hearing. A detailed staff report was included in the meeting packet. He noted that the license holder has sent an email consenting to the

revocation. He confirmed that no one was present to represent the applicant, and that this is not a contested revocation.

Joseph Prete motioned to revoke the business license for Virgin River Massage. Seconded by Kevin Thomas. Motion carried unanimously.

7. Consideration and possible approval of Resolution No. 2025-23 approving an increase in billing rates for culinary water usage in Hurricane City - Ken Richins

Mayor Billings read the following summary that was provided in the packet written by Ken Richins. “The Washington County Conservancy District is increasing its wholesale water rate by \$0.15 per thousand gallons. Hurricane City buys a portion of the water it supplies to its residents from the district at the wholesale rate. This agenda item is to consider increasing Hurricane Cities retail rate by \$0.15 per thousand gallons to match the increase by the District. The Water Board discussed this item on April 29, 2025, and unanimously recommended that the City Council increase the city’s water rates by \$0.15 per thousand gallons and a 2% across the board inflation increase.”

Councilman Prete asked what the current rate is. Kory Wright stated \$1.76 and it would be raised by \$0.15 to keep up with the Water District. There is an annual 2% increase on top of that.

Clark Fawcett motioned to approve Resolution 2025-23 approving an increase in billing rates for culinary water usage in Hurricane City. Seconded by Drew Ellerman. Motion carried unanimously.

8. Consideration and possible approval of Resolution 2025-24 Appointing Mark Maag to the Power Board

Mayor Billings read the following summary that was provided in the packet written by Crystal Wright. “This item is needed to fill a vacancy on our Power Board that occurred when Tony Certonio vacated his Power Board seat due to personal time constraints. In the 5/7/25 Power Board meeting, Dave Imlay made a motion to recommend approval of this appointment with a second by David Hirschi. The motion passed unanimously.” Mayor Billings added that he is a local electrician, and she thinks he is a good guy for the board. Councilman Fawcett added that he was a valuable asset on another board and he recommends him as well.

Clark Fawcett motioned to approve Resolution 225-24 Appointing Mark Maag to the Power Board. Seconded by Joseph Prete. Motion carried unanimously.

9. Consideration and possible approval of a Power Line Extension request for Zion Regional Medical Center

Mayor Billings read the following summary written by Crystal Wright that was provided in packet. “Zion Regional Medical Center is requested approximately 10.5MW of power for their complete project. Power infrastructure needed to meet that need include the construction of the Sky Mountain Substation as well as some transmission line construction. These infrastructure needs have been identified and discussed with the development team and will be required in order to proceed with their project. They have agreed to provide for those needs.” She stated this gives staff the opportunity to work with the hospital.

Councilman Fawcett noted that the report emphasized the need for the Sky Mountain Substation but asked if it would be used exclusively for the hospital project. Mike Johns explained that the Sky Mountain Substation is intended to offload circuits currently served by the Brentwood Substation. The hospital itself will be powered by the Brentwood Substation. He added that the Sky Mountain Substation is included in the impact fee study, and the hospital will cover the costs for all the lines extending from Brentwood to their site. Councilman Fawcett asked if the City has the funds to complete the Sky Mountain Substation within the necessary timeframe. Mr. Johns confirmed that this is the plan. Kaden DeMille mentioned some money has been saved for this. Mike Vercimak added that the hospital could build the substation and receive impact fee credits in return. Councilman Ellerman inquired whether either substation would need to be upsized to accommodate the hospital. Mr. Johns stated that the only upsizing required would be additional capacity at Sky Mountain. Dayton Hall summarized that the City currently lacks adequate facilities to support the hospital, so approval cannot be granted at this time. Additional infrastructure will be necessary. He explained that the hospital has been told the City cannot support them immediately but, if they fund the improvements, reimbursement vouchers can be provided. Mr. Johns confirmed this was the agreement discussed with the hospital.

David Hirschi motioned to approve the Power Line Extension request for Zion Regional Medical Center. Seconded by Kevin Thomas. Dayton Hall stated he would prefer a motion for the City to move forward to allow the hospital to facilitate a power line extension. Councilman Hirschi amended his motion as stated. Seconded by Kevin Thomas. Motion carried unanimously.

10. Consideration and possible approval of awarding the contract for drilling and developing of the Sky Ranch well project, to Gardner Brothers Drilling for the amount of \$1,308,985.00 - Ken Richins

Mayor Billings read the following summary provided in the packet written by Ken Richins. “Mayor and council members, on 2/13/2025 at 2:00 pm bids were received for the drilling and developing of the Sky Ranch well. There were three qualified bids. Alpha Engineering, our consulting engineer, recommended we award the bid to the lowest bidder which was Gardner Brothers from Enterprise Utah. For the project Base Bid price + Additive Alternative No. 2 of \$1,308,985.00. The Engineers letter of recommendation and bid tabulations are attached. The reason we couldn't award this contract earlier was because we needed to trade the property

we owned from the original test well that didn't work out for the property, we drilled the second test well on.” Councilman Fawcett asked if the money would come from the Board of Water Resources. Mayor Billings confirmed the City received the additional funding today.

Clark Fawcett motioned to award the contract for drilling and developing of Sky Ranch well project to Gardner Brothers Drilling in the amount of \$1,308,985.00. Seconded by Joseph Prete. Motion carried unanimously by a roll call vote.

11. Mayor, Council, and staff reports

Councilman Fawcett said that at the last Water District meeting, there was a discussion about restricting water usage for certain purposes. He asked the Council to review the topic and provide feedback. He expected the Board to discuss drought concerns and extending water service outside city limits, but those issues have not been revisited. Mayor Billings suggested he request that these items be placed back on the agenda. She also noted that while the Water District approved water efficiency standards, implementing them is challenging. It would require either development agreements with every new subdivision or changes to the City’s code. Dayton Hall said he met with the District recently and understands they plan to link an ultra-efficient water standard with a new impact fee. If developments meet that standard, their fees won’t increase as much. However, the District is currently applying these standards only to developments outside city limits and isn’t ready for cities to adopt them yet. Councilman Fawcett said the City will need to explore the best approach when the time comes. Mr. Hall added that if the City adopts this, it would likely require voluntary development agreements for subdivisions and an ordinance change to allow exceptions. However, they don’t need to address it until the Water District is prepared. Mayor Billings said the water shortage and drought contingency plans will be coming back for review. She shared that she received an email from the Water District asking whether the City wants to create its own conservation plan or join theirs. She read the email to the Council. Mr. Hall confirmed the Council will need to vote on the plan once finalized. He suggested the staff will likely recommend adopting the District’s plan after it is officially approved.

Councilman Ellerman thanked everyone who participated in the community cleanup event, where they collected over 1,300 pounds of trash.

Mayor Billings asked if anyone wanted general admission tickets to the Copper Rock tournament. She mentioned that the Jacqueline family wants to meet Monday at noon to discuss the power line extension and other outstanding issues. She reminded everyone that today is the last day for residents to complete the QR survey. Noting some members of the historical committee are in failing health, she requested recommendations for replacements. She also shared that Phyllis Lawton brought up needed repairs for the museum and the Bradshaw Hotel. Councilman Prete suggested Reuben Wadsworth for the historical committee. Mayor Billings raised a land use violation at Fisher Family Farm for discussion before sending a

letter. The property is zoned residential agriculture, but the farm operates a gift shop and charges for the petting zoo and playground. Gary Cupp explained these activities fall under agritourism, which isn't permitted in the current zone but is allowed in the agricultural zone. Most of their uses would fit in that zone, though the gift shop sells candy and t-shirts as well. Councilman Ellerman said he is okay as long as what is sold relates to the farm. Councilman Fawcett suggested requiring a percentage of sales to be farm related. Mr. Cupp asked how the Council wants to proceed with the letter. Mayor Billings said she will call the farm tomorrow to explain they need to apply for a zone change. Councilman Prete asked how it works if the City recommends the zone change. Dayton Hall clarified the letter would inform them that their current use is not permitted and that they must either stop the noncompliant activities or apply for a different zoning designation. Mayor Billings asked if the Council wanted to waive the application fee for the zone change. Councilman Prete opposed waiving the fee, concerned it might imply the change is already approved. Councilman Fawcett agreed. Mayor Billings said she will call the farm tomorrow and then staff will send the letter.

Cindy Beteag reported that the declaration period for residents interested in running for mayor or city council is June 2-6, from 8 a.m. to 5 p.m. each day.

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

No closed meeting was held.

Adjournment: Joseph Prete motioned to adjourn at 9:02 p.m. Seconded by David Hirschi. Motion carried unanimously.