

Minutes of the Hurricane City Council special meeting held on July 23, 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, and Drew Ellerman.

**Members Excused:** Joseph Prete

**Also Present:** City Attorney Dayton Hall, Public Works Director Mike Vercimak, Assistant Public Works Director Weston Walker, City Planner Gary Cupp, Assistant Planner Fred Resch III, Streets Superintendent Hayden Roberts, Power Director Mike Johns, City Engineer Arthur LeBaron, HR Director Sel Lovell, Water Superintendent Ken Richins, Water Supervisor Kory Wright, and City Recorder Cindy Beteag. John Postert Hurricane Valley Fire District Representative

## **AGENDA**

### **3:30 p.m. - Call to Order**

Mayor Billings welcomed everyone and called the meeting to order.

Prayer and Thought: Brock Ridding

Pledge of Allegiance: Cory Anderson

### **New Business**

1. Presentation and request by Pecan Valley area developers served by Turf Sod Road for City participation in financing and constructing a second paved access road needed to satisfy the International Fire Code

Mayor Billings explained that staff had identified four potential strategies, but she first asked the developers to present their own proposed solutions.

Jared Westoff, representing Sand Hollow Village, explained that the project has preliminary plat approval for 166 lots, which required a second access. An agreement was made with the former Fire Chief to provide a twenty-foot-wide, all-weather gravel road to meet this condition. He noted that permits have been pulled for the first two-thirds of Phase 1, and improvements for Phase 2 are nearly complete. The construction drawings for Phase 3 have since expired and need to be re-signed; however, the fire district has declined to sign off due to the absence of a paved second access. Mr. Westoff stated that a new condition is now being imposed requiring a paved, thirty-two-foot-wide road with four-foot shoulders—something that was not originally planned. He added that the construction drawings for Phase 4 have already been approved and signed, and they are working to keep the project active. Mr. Westoff expressed that adding a new condition at this stage is unusual and should have been applied at the time of preliminary plat approval. He noted that the project is already vested, and any new requirements should be

applied to future plats. He noted that in other cities, the access originally approved with the plat is considered sufficient, and he believes this project should be treated in the same manner.

Brock Ridding added that, as a developer, it is important to know that approvals have value when going through the process. He noted that off-site improvements are typically conditions of a zone change or a preliminary plat and are generally only revised if the zone or the number of lots is modified. He expressed concern that if Hurricane begins imposing changes in this manner, it will create difficulties for developers seeking to build in the community.

Cory Anderson explained that they have been working in the Pecan Valley area for some time to establish infrastructure and recently constructed another road connecting to the north side, with all plans signed off. He stated that although all phases have been approved, they are now being told they cannot record any completed plats. He highlighted that they have complied with all City requirements and installed all utilities at their own cost. Mr. Anderson noted that the secondary access originally agreed upon with the City met the requirements at the time and expressed that the burden should not fall on them if additional development was later approved. He further explained that there are no buildings in place yet, only lots, so the safety requirement does not currently apply. The road in question is part of the Pecan Valley Resort, which will be developed in the future; therefore, if constructed now, it would need to be redone. He stated that their plans have not changed, they have met all requirements, and he feels the City is attempting to revise the agreement by imposing new conditions.

Chris Wyler, owner of Pecan Valley Resort, stated that he has a recorded plat with significant financial investment and that permits are currently being held. He expressed concern about the difficulty of halting progress in the middle of development and noted he would have preferred receiving a letter outlining the specific requirements. Mr. Wyler asked whether a financing option, such as a Public Infrastructure District (PID), might be available to allow them to construct the improvements now as required, rather than having to redo them in the future.

David Hirschi motioned to go into a closed session at 3:54 p.m. to discuss a proposed development agreement and reasonably imminent litigation. Seconded by Clark Fawcett. Motion carried unanimously.

2. Closed Meeting pursuant to Utah Code section 52-4-205 to hold a strategy session regarding a proposed development agreement and reasonably imminent litigation

David Hirschi motioned to go out of closed session at 5:00 p.m. Seconded by Kevin Thomas. Motion carried unanimously.

Mayor Billings reconvened the meeting and stated that she feels the Council has identified a good solution that addresses both the developers and the Fire District. She explained that the

Council has decided not to take action on the agenda item at this time and recommended that it be tabled.

3. Reconsideration and possible approval of amending the Street Department's 5-year improvement plan to include and prioritize the immediate construction of a second paved access road for development in the Pecan Valley area, currently only served by Turf Sod Road

Kevin Thomas motioned to table amending the Street Department's 5-year improvement plan to include and prioritize the immediate construction of a second paved access road for development in the Pecan Valley area, currently only served by Turf Sod Road. Seconded by David Hirschi. Motion carried unanimously.

Mayor Billings explained that the recommendation is to advise the Building Official to allow all development with existing preliminary plat approval to move forward. She noted that if a development is in a grace period or the approval has expired, no extensions will be granted until the required road is completed. All new preliminary plat approvals will be required to meet the second access requirement, and future zoning and preliminary plats will be subject to this standard until the road is finished. Cory Anderson commented that this requirement should apply at the preliminary plat stage, not during a zone change request. Mayor Billings responded that the availability of adequate facilities and related issues will be considered during zone change requests. Brock Ridding asked whether construction drawings could be renewed, and Mayor Billings confirmed that they could.

**Adjournment:** Kevin Thomas motioned to adjourn at 5:06 p.m. Seconded by Drew Ellerman. Motion carried unanimously.