Minutes of the Hurricane City Council meeting held on October 16, 2025, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 4 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, City Engineer Arthur LeBaron, Building Official Larry Palmer, HR Director Sel Lovell, Streets Superintendent Hayden Roberts, Finance Director Paige Chapman, Water Superintendent Ken Richins, and City Recorder Cindy Beteag.

AGENDA

4:00 p.m. Work Meeting

Reports from the Utah League conference

Mark Sampson reported that 590 bills were introduced last year, 200 of which directly affected cities. He noted that the moderate-income housing class was particularly interesting and suggested that the City should spend time explaining the R1-4 zoning more clearly, including possibly creating a fly-through of the subdivision to illustrate how the zone would appear. He also attended a class on homelessness and recommended that the City develop a proactive plan to address the issue before it becomes a problem locally.

Gary Cupp stated he attended workshops focused on civic centers and public/private partnerships. He believes the City is on the right track with the civic center project and noted the importance of incorporating retail and entertainment components, noting that the General Plan and zoning support such uses. He also observed that larger cities often have multiple civic centers and that public/private partnerships are common, concluding that the City is moving in the right direction with its plans.

Fred Resch III noted that some of the ideas from the workshops could be applied to downtown revitalization. He found the affordable housing class informative and also attended a session called “City Hall 101,” which educates citizens on city operations to improve understanding. Councilman Fawcett expressed support for this type of outreach and suggested hosting department-specific sessions where staff can explain their functions and answer questions. Councilman Ellerman proposed creating short videos for each department to post on the City website, while Councilman Prete suggested presenting similar information in schools.

Councilman Fawcett reported that he attended a class on setting water rates, pointing out that rates should cover operations, debt service, and reserve fund requirements, with annual reviews to adjust as needed. He also attended the affordable housing session, noting that the state has established three funding mechanisms, but that high-density development and city participation are required to access some of these funds. Councilman Thomas expressed frustration that the workshops often highlight problems without offering solutions. He stated that R1-4 zoning is a better local solution for affordable housing than state programs, as it naturally limits home size and encourages affordability without requiring deed restrictions. He explained that, with the zoning's setbacks and street widths, developments will retain a typical neighborhood feel. He presented a house plan compliant with R1-4 zoning, which he believes is more desirable than townhomes and could effectively address affordability. Mayor Billings noted that this approach aligns with discussions at the conference and noted her intention to showcase housing around the civic center through a video illustrating how families live in such developments. Councilman Hirschi supported this idea. Councilman Fawcett suggested that affordable housing developments be spread throughout the community and include mobile home options. Councilman Thomas indicated that local developers are willing to assist with these efforts. Councilman Fawcett also recommended reestablishing the former affordable housing committee and involving developers. Councilman Ellerman highlighted a neighborhood developed under R1-4 zoning over ten years ago as an example.

Mayor Billings reported that Brad Winder was unable to attend the meeting but submitted comments consistent with topics already discussed. She shared that she attended an America250 class focused on outreach and potential community events. She summarized the State's suggestions, which include: 500 for Our Future; *The Pen is Mightier*, a traveling display for different communities; walking 250 miles on Utah trails; providing prizes; emphasizing service and sharing monthly service ideas; and *America's Potluck*, a community gathering in local parks where participants bring a dish to share with family and friends. Councilman Fawcett expressed support for holding the events in parks. Mayor Billings also noted the importance of highlighting the values of the Declaration of Independence. She has met with multiple stakeholders to ensure city events tie into America250 activities. She suggested creating a literary corner with drawing opportunities and possibly art contests and will send detailed ideas to the Council. Councilman Fawcett proposed that each Council member lead a monthly citizen hike as part of the initiative.

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

Jorge Morano introduced himself as the new Facilities Maintenance Manager. He previously worked for the City of Las Vegas for ten years as a Building Service Technician and expressed hope that his experience will benefit his role with the City. Kaden DeMille explained that the position was expanded to cover maintenance across all departments, not just recreation, and noted that Mr. Morano has been a valuable addition to the team. They are also exploring the implementation of a ticket system and the potential for all custodial staff to report through this position.

Chief Yates reported that earlier today, a plane experienced engine problems and was forced to make an emergency landing on 1500 West near 2300 South. No injuries occurred. He also noted a three-car crash and a lost child incident within the same timeframe. He highlighted the hiring of four new officers, all of whom participated in ride-alongs and selected the department based on that experience. The recent pay increase was a factor in recruitment. Two officers will attend the academy, and the other two are scheduled to graduate locally in April. Additionally, one officer will begin academy training on Monday. All five officers are filling existing vacancies. The Animal Shelter parking lot is nearing completion. Both lieutenants are attending FBI Command College and are expected to graduate this week, providing valuable leadership training. He also reported that Wes Marshall recently graduated from POST and is now certified in narcotics and patrol. The department's K9 unit has been trained and is now capable of tracking.

Larry Palmer reported that there have been eleven single-family homes, four twin homes, and one commercial remodel for Slot Canyon Eatery, which is currently demolishing the former Eagles location. He noted discussions with homeowners experiencing flooding issues. In the Valley View Drive area, the builder is actively working on solutions for drainage problems associated with homes built in the early 2000s. He also spoke with another homeowner concerned about street drainage and advised him to coordinate with Public Works regarding future plans. He explained that the homeowner's garage is located in a low spot and informed him that a claim could be filed if the City is deemed at fault. Councilman Thomas asked whether there is a code requiring a house to be built at least one foot above the road. Mr. Palmer explained that when there is a significant elevation difference between lots, enforcement is difficult. He also noted that the code allows residents to install a drainage swale, provided it is contained on their property or tied into the City's drainage system, but pointed out that hillside properties can be particularly challenging to regulate.

Mike Vercimak stated that staff have been addressing flooding issues and working with homeowners and contractors on potential solutions. He thanked the Streets Department for working nearly 36 consecutive hours to address problems and concerns. Development activity remains busy, and surveying and plotting of hangar spaces at the airport will begin soon. He clarified that the plane involved in an earlier emergency landing took off from Hurricane Airport, though it originated from Las Vegas. Councilman Ellerman asked whether the flooding issues are due to incomplete subdivisions. Mr. Vercimak explained that new development had removed a section of curb and gutter to install water and sewer lines; a dirt berm had been placed temporarily but was overwhelmed during the storm. Councilman Ellerman also inquired about the continued closure of 1760 West and whether a penalty could be assessed. Mr. Vercimak noted that complications with the storm drain contributed to the closure, though the road has been open to local traffic since the last meeting. Councilman Fawcett stated that his observations of the flooding areas indicate most issues are related to ongoing construction. He suggested implementing requirements during construction to mitigate flooding problems. Councilman Prete added that, at a minimum, such requirements should apply to sloped areas.

Sel Lovell stated that there are currently seven open positions. He noted that while they are receiving a large number of applicants, reviewing and processing them is time-consuming. He also announced that Wellness Week will take place next week, which will include a vaccination clinic.

Ken Richins reported that the water department has been busy addressing water breaks while continuing to advance their ongoing projects. The Goulds Wash Well has reached a depth of approximately 500 feet, with plans to extend to 800 feet; a prior test well had discovered water at 200 feet. The Sky Ranch Tank project is on schedule, with footings planned in the coming weeks, and mobilization for the Sky Ranch Well is still in progress. The Dixie Springs Well encountered another complication, requiring the use of cameras to assess the issue and determine that the well interior needed additional patching. Irrigation projects remain on schedule, though recent rain has necessitated clearing mud before concrete can be poured.

Weston Walker thanked Hayden Roberts and the Streets Department crew for their efforts addressing recent flooding issues. He reported that the online system for submitting construction drawings is now live, and they are beginning to receive more submissions through this platform. He also noted that the MS4 goals for 2025 have been completed, and work has already commenced on the 2026 goals.

Hayden Roberts reported that crews are continuing cleanup efforts following recent flooding. Mayor Billings noted that storm drains at the Community Center are plugged. She also shared a citizen request to leave city tree leaves uncollected to serve as a breeding ground for caterpillars; she did not support the idea due to potential problems but mentioned it for the Council's awareness. She also noted a property in Dixie Springs with significant debris needing cleanup. She mentioned that the Fire District has a volunteer group that could assist, provided a dump truck or similar equipment is brought to the site. Councilman Ellerman raised a concern about debris on the slope of the drainage ditch on 600 North; Mr. Roberts confirmed crews are addressing it. Additionally, Mayor Billings noted a complaint regarding street sweepers lacking water sprayers for dust control; Mr. Roberts clarified that one sweeper is equipped with a sprayer while the other is not.

Mike Johns announced that the City is celebrating the 50-year anniversary of the power department on October 28th. He reported that there were no power issues during the recent storm. He also noted that the department coordinated with Rocky Mountain Power to address an outage at the Walmart Distribution center, temporarily switching service to help feed power until it could be fully restored. He explained they have requested that the City provide additional support in the future, as there is significant line work planned in the area.

Arthur LeBaron noted that approximately one-third of the items on the agenda pertain to his department, but he anticipated they would be quick and straightforward. He is focused on City-initiated projects, while Jeremy Pickering is managing developer-related items. Mr. LeBaron reported holding a major meeting with the storm drain master plan consultant to identify needed improvements. He explained that the City currently charges $4 per month for drainage, but the consultant will likely recommend a revised fee structure based on impervious area. He also discussed the budget for drainage projects and noted an upcoming meeting for the Goulds Wash flood control project on October 22nd. He clarified that the agenda items cover design and bidding, with a separate contract required for construction management.

Gary Cupp stated the Planning Commission agenda will be short next week. He stated that staff is working on several code updates, including regulations related to flag lots. Additionally, they plan to update the sign ordinance following the election. Mr. Cupp confirmed that some signs currently displayed are not considered election-related and should be removed.

Fred Resch III reported that the State has accepted the City's Moderate Income Housing Plan progress report and has given the City priority consideration for UDOT projects. He also stated that the Beautification Committee is launching a new project to collect plastic bags for recycling; if a certain weight is collected, a park bench will be donated. Collection boxes will be placed at the City Office and at various locations throughout the community. He noted that the house located at 200 South and Main was reviewed by the Fire District and determined not to be in violation. Mayor Billings added that she spoke with the property owners, who are willing to allow some assistance with cleanup.

Kaden DeMille stated the asphalt has been laid at the four-court gym.

Cindy Beteag confirmed a work meeting could be scheduled on the next agenda to discuss a PID application.

Joseph Prete was excused at 6 p.m.

6:00 p.m. - **Call to Order** –

Prayer, Thought, and Pledge led by Councilman Thomas.

Declaration of any conflicts of interest

None declared.

Minutes of the Regular City Council Meeting for September 29, 2025

David Hirschi motioned to approve the September 29, 2025, minutes as written. Seconded by Drew Ellerman. Motion carried unanimously.

Presentation from Small Business Development Center - Jackie Hobson

Jackie Hobson explained the Small Business Development Center closed for about eight months in Southern Utah, so she is excited to be relaunching. They are located by the fairgrounds, and she thanked the Council for their support. They do many counseling hours, and they are a free service. She gave a brief history of her involvement with this program. They reopened in August, and they are a real support for local businesses. They help with business plans, funding support, marketing and brand strategy, system support and hiring, and using technology. She is working on a few initiatives to help more businesses. She closed with her contact information and thanked the Council again for their support.

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

Presentation on schematic design and elevation profiles for the City Hall and Police Station

Scott Gilberg and Kaden DeMille presented the schematic design for the future City Hall and Police Department buildings. Mr. Gilberg also highlighted the upcoming enclosed pool project, featuring an eight-lane competition pool and open swim area, which is expected to go out to bid within a month. Mr. DeMille explained that planning for new facilities began after the current offices became overcrowded—now housing 26 employees, a 200% increase since construction. The proposed buildings are designed to accommodate projected staffing needs for the next 25 years, anticipating the City's continued growth, with Hurricane expected to reach 100,000 residents by 2050. The total estimated cost for both buildings is approximately $40 million, with site and utility costs around $4.4 million. After reviewing available funds, the projected funding shortfall is about $28 million. Mr. DeMille proposed bonding at 4.5%, with structured payments that would increase as other debts are paid off. Mayor Billings noted that a lower interest rate may be possible, and Mr. DeMille confirmed bonding would not occur until next year if approved. Councilman Fawcett recommended increasing annual savings to prepare for the bond payment. The Council expressed overall support for the design and financial approach presented.

Public Forum – Comments From Public

None.

OLD BUSINESS

1. Consideration and possible approval of Zone Change Amendment Ordinance No. ZC25-12, a proposed zone change located at 184 N State Street from Single Family Residential R1-10 to Multiple Family RM-3; parcel H-178; White Glove Construction - Kevin Hanson, Applicant.

Mayor read the following summary written by Gary Cupp that was provided in the packet. "This item was continued at the September 29, 2025, City Council meeting to allow staff and the JUC time to review a 10-unit site-layout proposal submitted by the applicant consisting of 2 duplexes and 2 tri-plexes. Ten units is below the maximum density that would be allowed on the 1.22-acre property if the requested RM-2 zone is approved. The applicant's original request was for a zone change from Single Family Residential R1-10 to Multiple Family RM-3. Once the proposed site layout is reviewed by the JUC, a development agreement will need to be entered into with the property owner to restrict future development to the proposed site layout and density." Mr. Cupp stated the applicant has asked for this item to be tabled until they are ready to bring it back.

David Hirschi motioned to table Zone Change Amendment ZC25-12, a proposed zone change located at 184 N State Street. Seconded by Clark Fawcett. Motion carried unanimously.

2. Consideration and possible approval of Ordinance 2025-17 amending Title 10, Chapters 3, 7, 13-17, & 37 regarding accessory buildings in front yards; LUCA25-06; Hurricane City, applicant. -Gary Cupp

Mayor Billings read the following summary written by Gary Cupp that was provided in the packet. “Staff requests that this time be continued to allow more time to incorporate the City Council's direction received at the last meeting. At the September 29, 2025 meeting, the City Council voiced concerns about allowing ADUs and other accessory buildings in front yards, and continued the item for staff to revise the ordinance update to no longer include such provisions. Staff was directed to only proceed with the various clean-ups and clarifications relating to the definitions of yards and setbacks in the land use code. Staff is still working on the revisions as directed. These clarifications will also include updates to the code definitions for “dwelling units” and ADUs that will address code conflicts that have been encountered with the use of casitas and guesthouses. Lastly, the use tables will need to be updated to reflect the proposed code changes. Staff requests another continuance to allow more time to incorporate the City Council's direction into the ordinance update.” Dayton Hall asked for it to be tabled to allow staff to complete the amendments, especially since there isn’t a pending application that the amendment would affect. Amy Heaton explained she wants to build on a flag lot, so this one won’t affect her.

David Hirschi motioned to table Ordinance 2025-17 amending Title 10, Chapters 3, 7, 13-17, & 37 regarding accessory buildings in front yards. Seconded by Kevin Thomas. Motion carried unanimously.

3. Consideration and possible approval of a walking path through the City property for Valley Academy students - Brian Hall

Mayor Billings read the following summary written by Cindy Beteag that was provided in the packet. “The City Council discussed this item on September 4, 2025. During the meeting, they discussed the possibility of extending 325 North prior to approving trail access. The Council requested that the applicant meet with the school to gather its input before any decisions are made.”

Brian Hall explained that the previous request made by the Council goes beyond his typical responsibilities. He noted that the school principal had sent an email after the previous meeting addressing a few concerns. Mr. Hall stated that 30–40 students participate in their running program, but 100 North is a busy road. He hopes to provide a safer route by allowing students to use a path along the west side of the current building, which he believes could be developed into a simple trail. He has also spoken with neighboring property owners about the potential route and their animals. Mayor Billings expressed concern about the impact on future development, while Kaden DeMille cautioned that once the path is opened, it could be used by anyone. He also noted that construction will begin soon, making it difficult to control access once established, and liability could become an issue. He added that future trail connections are already planned as part of upcoming projects. Mr. Hall stated the school would be willing to sign an indemnification agreement. Mayor Billings pointed out that sidewalks are already in place to keep students off the street, but Mr. Hall noted his goal is to keep them entirely away from traffic. Councilman Hirschi pointed out that there are staff objections that need to be taken into consideration. Dayton Hall said he would support the proposal only if an indemnification agreement is required. Brian Hall clarified that his intent is not to connect the two school properties and that he does not want Hurricane Elementary students using the path. Councilman Thomas preferred to wait until construction is complete and a more formal plan can be developed. Councilmen Fawcett and Ellerman were supportive of allowing temporary use, noting that it could be discontinued once construction begins.

Clark Fawcett made a motion to approve a temporary walking path through City property for Valley Academy students, contingent upon the execution of an indemnification agreement and the City providing Valley Academy with notice prior to the start of construction. The agreement will terminate once construction begins. Approval is limited to the Valley Academy running club, and a supervisor must accompany students whenever they use the path. Seconded by Drew Ellerman. Motion carried with David Hirschi, Clark Fawcett, and Drew Ellerman voting aye. Kevin Thomas voted nay.

NEW BUSINESS

1. Consideration and possible approval of a Proclamation designating October 23-31 as Red Ribbon Week - The Elks National Drug Awareness Program

Dixie Elks representative, Perk, thanked the Council for considering the proclamation and read the proposed text aloud. She explained that Red Ribbon Week honors the memory of a DEA agent who was tragically killed while investigating the Mexican cartel—a case that has spanned decades, with the cartel leader finally apprehended last year. She also shared that the Elks sponsor a poster, essay, and video contest for various age groups, encouraging youth participation. This year's theme is "Illegal Drugs Are a Grave Mistake."

Drew Ellerman motioned to approve the Proclamation designating October 23-31 as Red Ribbon Week. Seconded by Kevin Thomas. Motion carried unanimously.

2. Consideration and possible approval of a proclamation joining Washington County Youth Coalition (WCYC) in a 2025-2026 Alcohol-Free School Year for Youth

Austin Gardner with Crimson Cliffs, Gabriel Dominguez from Hurricane High School, and a student from the Career Tech High School presented the 2025-2026 Proclamation. Mr. Gardner read the proposed proclamation to the Council.

Kevin Thomas motioned to approve the Proclamation joining Washington County Youth Coalition in a 2025-2026 Alcohol-Free School Year for Youth. Seconded by Clark Fawcett. Motion carried unanimously.

Mr. Gardner highlighted the importance of Utah's alcohol proximity laws, which require alcohol establishments to be at least 200 feet from schools, churches, and parks to protect youth and families. He expressed concern over recent efforts to weaken these laws and urged the community to support keeping them in place. He noted that these protections prioritize safety and health, noting that youth drinking rates increase when alcohol outlets are closer to where children gather. He called for continued community support during the 2026 legislative session to maintain safe, alcohol-free environments for Washington County youth.

3. Consideration and possible approval of a Memorandum of Understanding (MOU) for a continued partnership regarding the Stars and Stripes 4th of July Firework Show - RedRock Media

Mayor Billings expressed appreciation for the partnership with Red Rock Media, noting the success of the annual fireworks show at Sand Hollow and the strong community involvement it has generated. She commended the organization for its efforts in promoting local first responders and collaborating effectively with the State Park and area businesses. She mentioned local businesses, including Liberty Village, Pecan Valley, and Jellystone, have shown interest in participating. She noted that the partnership has been ongoing for three years, with the upcoming event marking the fourth year under the current agreement. The State Park indicated it is comfortable with the existing MOU but would prefer to establish a separate agreement directly with the City to address cleanup and other logistical matters unrelated to RedRock Media.

Mike Evans expressed gratitude for the ongoing partnership, noting its growth since inception. He highlighted that this year is particularly special as it marks the countdown to the 250th anniversary of the signing of the Declaration of Independence. In collaboration with Liberty Village, RedRock Media will host a series of events starting on the 27th of this month—250 days before July 4th—to build momentum leading up to the celebration. He highlighted that while these events are not directly related to the Fourth of July fireworks, they will support overall community engagement. He raised a question regarding a clause in the agreement specifying that the event name must be agreed upon by all parties. He stated that the event has been called *The Stars and Stripes Show* in previous years and confirmed that the Council supports continuing with this name.

David Hirschi motioned to approve the Memorandum of Understanding (MOU) for a continued partnership regarding the Stars and Stripes 4th of July Firework Show with RedRock Media. Seconded by Kevin Thomas. Motion carried unanimously.

Drew Ellerman motioned to go into a Public Hearing at 7:49 p.m. Seconded by Clark Fawcett. Motion carried unanimously.

4. Public Hearing to take comments on the following:

    a. Adoption of a Joint Agency Regional Water Conservation Plan

Murna Trump expressed her support for the Joint Regional Water Conservation Plan, noting that it is beneficial for strengthening the City's water supply. She requested that the Council prioritize retaining water within the community rather than selling it.

Clark Fawcett motioned to go out of Public Hearing at 7:50 p.m. Seconded by David Hirschi. Motion carried unanimously.

5. Consideration and possible approval of Resolution 2025-20 adopting the 2025 Joint Agency Water Conservation Plan

Mayor Billings explained that the proposed plan allows the region to collaborate on water conservation while each city retains control over how it conserves water. She clarified that the plan does not involve selling or relinquishing any water rights. Councilman Thomas asked about the consequences of not joining the regional plan. Ken Richins responded that the plan is required every five years. While the City has conducted its own plan, continuing independently would still fulfill requirements, but joining demonstrates good stewardship of water resources. The Water Board unanimously recommended approval. Mayor Billings added that the Council previously considered whether to participate individually or as a region, and all towns chose to join collaboratively. She noted that the plan is beneficial and does not compromise any city rights.

Clark Fawcett motioned to approve Resolution 2025-20 adopting the 2025 Joint Agency Water Conservation Plan. Seconded by Drew Ellerman. Motion carried unanimously.

6. Consideration and possible approval of a contract with Avenue Consultants for design services for the Sand Hollow State Park Second Access project

Mayor Billings explained that this item pertains to the access road and on/off ramps, noting coordination with the State. Arthur LeBaron introduced Brett Jensen from Avenue Consultants. He explained that one strategy is to create a separate bid package specifically for the ramps to begin construction as soon as possible. Other components, including queuing lanes and the State Park entrance, would follow after the ramp construction.

Drew Ellerman motioned to approve the contract with Avenue Consultants for the design services for the Sand Hollow State Park Second Access project in the amount of $607,192.92. Seconded by Clark Fawcett. Motion carried unanimously by a roll call vote.

7. Consideration and possible approval of a contract with J-U-B Engineers for design services for the 100 South project

Arthur LeBaron noted that the downtown project is timely and beneficial, as 100 South has long been a substandard road for hosting Peach Days. He stated that the project will improve the area and make it more attractive. He confirmed the scope and fee fits within the approved budget and recommended moving forward. Mayor Billings raised the issue of one block on 200 West that has not yet been completed. She suggested considering inclusion of the east side of that block in the current project, similar to previous expansions on 100 North, particularly because of diagonal parking needs. Mr. LeBaron explained that a parking analysis will be conducted for 100 South and could also be applied to 200 West. Dayton Hall noted that the proposed contract allows for additional services if requested by the City, with mutual agreement on scope and fees, allowing the Council to revisit the matter at a later time.

Clark Fawcett motioned to approve the contract with J-U-B Engineers for design services on the 100 South project in the amount of $209,700. Councilman Prete returned to the meeting at 8:02 p.m. Seconded by Kevin Thomas. Motion carried unanimously by a roll call vote.

8. Consideration and possible approval of a contract with Sunrise Engineering for design services for the Pah Tempe Virgin River Canyon Trail Feasibility Study project

Arthur LeBaron explained that the City has been collaborating with Washington County on a trail project for over a year, including several field visits. The City successfully applied for a 100% state-funded planning grant from the Utah Outdoor Recreation Program to study the feasibility of a trail extending from Confluence Park up the river to the proposed Zion Corridor Trail along SR-9. The trail would follow the river bottoms, parallel the historic Hurricane and LaVerkin canals, and extend to the historic diversion points. Portions of the trail would align with existing Jeep trails. Sunrise Engineering, which is also involved with the Zion Corridor Trail, has been selected to conduct the study. The total cost of the study is approximately $80,000, fully covered by the state grant. Mr. LeBaron noted that much of the trail would run along the regional pipeline and be a paved path at least 12 feet wide, with interpretive signage highlighting historic canal features. Additionally, primitive trails would be included for recreation. Vern Malloy from Sunrise Engineering was introduced for any questions.

Drew Ellerman motioned to approve the contract with Sunrise Engineering for design services for the Pah Tempe Virgin River Canyon Trail Feasibility Study project in the amount of $79,950. Seconded by David Hirschi. Motion carried unanimously by a roll call vote.

9. Consideration and possible approval of a contract with Sunrise Engineering for design services for the 650 South project

Arthur LeBaron explained that the project involves a complete overhaul of 650 South, extending from 700 West to just short of 1530 West. The project will include extensive utility work, right-of-way acquisition, and significant drainage design. He noted that, while challenging, it is one of the most engaging projects the City will be undertaking due to its impact on numerous properties along the corridor.

David Hirschi motioned to approve the contract with Sunrise Engineering for design services for the 650 South project in the amount of $420,700. Seconded by Kevin Thomas. Motion carried unanimously by a roll call vote.

10. Consideration and possible approval of a contract with Rosenberg Associates for design services for the 1400 West project

Arthur LeBaron explained that the proposed project scope is being extended to include 650 South. The current contract amount covers this entire scope, with only one small section requiring a property acquisition; the City owns the remainder between 400 South and 650 South. Dayton Hall clarified that the Council packet included only the scope of work and fee schedule, not the full contract. The finalized contract was received today from the engineer. He suggested the Council could approve the project and contract amount subject to review and approval by the City Attorney and City Engineer, or they could continue the item to the next meeting to review the contract in full. Councilman Hirschi asked why the alignment of the road was not straight. Mr. LeBaron explained that topographic constraints further south necessitate the road shifting east as it progresses southward.

Kevin Thomas motioned to approve the contract with Rosenberg Associates for design services for the 1400 West project in the amount of $177,080 subject to the City attorney and staff reviewing the contract. Seconded by Joseph Prete. Motion carried unanimously by a roll call vote.

11. Consideration and possible approval of a Cooperative Agreement with UDOT for funding on Purgatory Road

Mayor Billings read the following summary written by Arthur LeBaron that was provided in the packet. “Four years ago Hurricane City was awarded $440,147.85 in Federal Aid for the Purgatory Road Project. We have been unable to use that money on the project because we don't have construction money. The Federal policy has been that in order to use Federal Aid money to design a project, there must be construction money available to immediately go to construction. Our current effort on Purgatory Road is to complete enough design to adequately identify and start to acquire the necessary right-of-way, and then pursue construction money from outside sources. Recently a UDOT official reached out to me and asked if the City would be willing to exchange the Federal Aid money for State money because they can trade it out for other funds they have and use it for maintenance, but we would take a 15% hit because of Federal red tape. I have been aware of this exchange throughout my career and jumped at the chance to use State funds rather than Federal. The cooperative agreement lays out the amount, the exchange rate, the required local match, how Hurricane City can get the money for the project. The Federal funds are not available to the City for use indefinitely, and this exchange gives the City the opportunity to move forward, utilizing outside funds. The breakdown of funds is as follows: Federal Funds: $440,147.85. State Funds at 85%: $374,125.67. Local Match at 6.77%: $27,167.55. Total Value: $401,293.22. We have already done consultant selection for the design of this project but have been unable to move forward with the Federal funds. This will allow us to move forward. We have also garnered other funds for design from the Washington County Corridor Preservation Fund. With the combination of funds we will be able to finish our current proposed design effort to get right-of-way from SR-9 down to SR-7. It has been my experience that the use of Federal funds on a project causes at least a 20% increase in project costs, plus delays. The 85% exchange rate is actually a bonus in my opinion. We have budgeted $100,000 to go toward the design of the Purgatory Road project, so we will easily meet the local match. Staff recommendation is to accept the cooperative agreement as proposed." Mayor Billings noted that the City has coordinated with Washington County and Washington City on this project, which will provide a continuous connection and a second access to the fairgrounds. She noted that the project will link industrial areas, residential neighborhoods, SR-9, and SR-7. Mr. LeBaron explained the current approval is for design purposes, allowing the City to begin right-of-way acquisitions. He also mentioned that improvements at the DMV intersection are needed and will be the final segment within City limits.

Joseph Prete motioned to approve the Cooperative Agreement with UDOT for funding on Purgatory Road. Seconded by Clark Fawcett. Motion carried unanimously by a roll call vote.

12. Consideration and possible approval of a Cooperative Agreement with UDOT for the Sand Hollow Interchange Drainage Improvements

Mayor Billings read the following summary written by Arthur LeBaron that was provided in the packet. "Several years ago heavy rainfall caused significant erosion to some of the fill slopes at the SR-7 interchange at Sand Hollow Road. After discussing maintenance responsibilities with UDOT and reviewing Utah Code, it is clear that some of the maintenance of the problem areas falls under the jurisdiction of Hurricane City. The Engineering Department informed UDOT that the City would not start maintenance activities until some additional durable improvements were completed. UDOT asked if the City would act as the procurement agency for drainage improvements across the entire interchange and UDOT would contribute the necessary funds. The cooperative agreement under consideration allows Hurricane City to bid out the project and UDOT will contribute $300,000 for the project. We have a bid from Interstate Rock that estimates the improvements in the mid $200,000's, so $300,000 should be adequate. We have done similar cooperative agreements with UDOT. The signal and roadway improvements at 2600 West State Street is a good example. Staff recommends approval of the cooperative agreement." He added that this plan was approved by the JUC.

David Hirschi motioned to approve the Cooperative Agreement with UDOT for the Sand Hollow Interchange Drainage Improvements. Seconded by Drew Ellerman. Motion carried unanimously by a roll call vote.

13. Consideration and possible decision and direction to staff regarding an economic development general plan update, associated incentives, and consultation services - Mayor Billings

Mayor Billings reported that she, along with Gary Cupp, Kaden DeMille, Todd Brightwell, Darren Prince, Mac Hall, Councilmen Drew Ellerman and Kevin Thomas, met to discuss strategies that could be formalized to support economic development. The goal is to establish clear incentives and procedures so that when developers approach the City, staff can respond with pre-approved options rather than requiring each request to go before the Council. She outlined several proposed ideas: Fast-Track Review Process: Commercial projects meeting specific criteria could be expedited through permitting and review. A designated staff member would guide qualifying projects through the process to avoid unnecessary delays. Infrastructure Partnerships**:** In certain cases, such as major commercial developments, the City could consider participating in infrastructure improvements—similar to how St. George assisted with the Costco project—if specific parameters are met. Deferred Impact Fees**:** For qualifying commercial developments, such as hospitals or other major employers, impact fees could be deferred until the Certificate of Occupancy rather than paid upfront, reducing developers' initial financing burden while still ensuring full payment. Sales and Property Tax Incentives: The City could consider rebating a portion of sales or property taxes generated by new developments once they meet defined performance standards. Kaden DeMille added that any such programs should include clear minimum thresholds or standards, such as wage levels, sales tax generation, or construction timelines. Councilman Fawcett highlighted the importance of strong parameters to ensure accountability and that incentives are only granted after all conditions are met. Mayor Billings noted that identifying which areas of the City would qualify for these incentives would also be important. Dayton Hall concluded that these concepts provide a solid foundation but recommended that staff further refine and outline the proposed direction—identifying qualifying business types, standards, and program structure—and then bring it back to the Council for further discussion before drafting an ordinance.

14. Consideration and possible approval of Resolution 2025-38 Authorizing the Fremont Solar PPA Project

Mayor Billings read the following summary written by Crystal Wright that was provided in the packet. "The Fremont Solar project is located in Iron County, UT, will come online in 2027, and is a solar project with battery storage capability included. The estimated cost is between $69-74/MWh. Our Power Board would like to increase the subscription amount previously requested to an amount up to 10MW. Our earlier subscription request was for 5MW. The battery capability will allow us to utilize the additional solar energy during our highest peak load times during the day so the board would like to increase the amount of power we receive. The additional energy will be needed in addition to any requested subscriptions for other upcoming power projects."

Mike Johns explained that the project would allow participation of up to 10 megawatts, depending on resource availability. The Power Board has recommended increasing participation up to 10%. Councilmember Fawcett confirmed that the project would not move forward unless it is fully funded, to which Mr. Johns responded that it is currently 97% funded.

Mr. Johns noted that the main value of the project lies in the battery component, rather than the solar generation. While the City does not currently have significant solar investments, the battery portion would provide meaningful benefits by storing energy during the day and releasing it during peak evening demand. Councilmember Prete asked whether committing to the project could result in paying for power that the City does not use, for example, during cooler periods with lower demand. Mr. Johns clarified that the project would operate similarly to other UAMPS pool projects. All generation costs are shared within the power pool, and power is scheduled based on price and availability. Any unused power remains in the UAMPS pool and affects the overall pool cost but would not directly increase the City's cost to customers.

David Hirschi motioned to approve Resolution 2025-38 Authorizing the Fremont Solar PPA Project. Seconded by Joseph Prete. Motion carried unanimously.

15. Consideration and possible approval of Zone Change Amendment Ordinance No. ZC25-18, a proposed zone change request, located at 505 S Sand Hollow Rd., from PC planned commercial to GC general commercial; Scott Nielson, Applicant

Mayor Billings read the following summary written by Fred Resch III that was provided in the packet. "The applicant is requesting a zone change from Planned Commercial to General Commercial on a 2.57-acre property located at 505 S Sand Hollow Road. This property, part of the Glampers Inn/Jellystone Park development, is proposed to be used for RV rentals and sales which is not permitted in the Planned Commercial zone. A public hearing on the proposed zone change was held at the October 9, 2025, Planning Commission meeting and no comments relating to the zone change were received. The Planning Commission had no substantial discussion on the item and voted unanimously to recommend approval of the zone change by the City Council subject to staff and JUC comments. Staff makes the following findings: 1. The proposed amendment is compatible with the goals and policies of the General Plan pertaining to the Planned Community land use designation. 2. The proposed amendment is in harmony with the overall character of the existing development. 3. The proposed amendment is considered a minor change and will not have any adverse impacts. 4. Public facilities are adequate. Staff recommends approval subject to staff and JUC comments."

Roy Smith addressed the Council regarding a proposal to add an RV sales and rental facility at the resort. He explained that many visitors require RV rentals and establishing a dedicated facility would benefit both the resort and the city by generating additional revenue. Councilmember Fawcett confirmed that the proposed use would be allowed under general commercial zoning, but not under planned commercial zoning. Councilmember Ellerman noted that a site plan approval would still be required. Mr. Smith described the property, noting that it already has a privacy wall and landscaping around the perimeter. The building would be constructed on a dirt area, with 15–20 RVs available for sale or rental, and no service or parts operations would occur on-site. Parking for resort events and overflow is already provided, so the new facility would not impact existing resort operations. Councilmember Ellerman raised concern that if the business is successful, the RV sales could expand and reduce available parking. Mr. Smith stated that the facility would not exceed 25 RV units, and that the resort is seeking a separate dealership location elsewhere. Gary Cupp noted that the project must stay within the approved site plan, and any expansion would require additional approvals or code enforcement.

Drew Ellerman motioned to approve the Zone Change Amendment ZC25-18 located at 505 S Sand Hollow Rd. from Planned Commercial to General Commercial. Seconded by Clark Fawcett. Motion carried unanimously.

16. Consideration and possible approval of Zone Change Amendment Ordinance No. ZC25-19, a proposed zone change request, located at approximately 650 S Mountain View Dr., from RA-1 (residential agriculture one unit per acre) to R1-10 (residential one unit per 10,000 square feet); Andrew Kay, Applicant; Brandee Walker, Agent

Mayor Billings read the following summary written by Fred Resch III that was provided in the packet. "The applicant is requesting a zone change from Residential Agriculture RA-1 to Single Family Residential R1-10 on two properties combining to 0.53 acres located at approximately 650 S Mountain View Drive. These are remainder parcels from the Mountain View Estates subdivision that are proposed to be integrated into the neighboring proposed Hillside Estates Phase 2 subdivision. A public hearing on the proposed zone change was held at the October 9, 2025, Planning Commission meeting and no comments on the zone change were received. The Planning Commission had no substantial discussion on the item and voted unanimously to recommend approval of the zone change by the City Council subject to staff and JUC comments. Staff makes the following findings: 1. The proposed amendment is compatible with the goals and policies of the General Plan designation of Single Family development. 2. The proposed amendment is in harmony with the overall character of the existing development. 3. The proposed amendment is considered too minor a change to have any adverse impacts on adjacent properties. 4. Public facilities are adequate. Staff recommends approval subject to staff and JUC comments."

Councilmember Ellerman asked about the depth of the lots after the installation of curb, gutter, and sidewalk. Gary Cupp explained that the land is expected to be transferred to the property owners at some point, likely in exchange for the road improvements, and that the lots would be merged with adjoining parcels. Arthur LeBaron noted that the City already has the right-of-way for 650 South on the south side and highlighted a preserved corridor north of the parcel.

Drew Ellerman motioned to approve the Zone Change Amendment ZC25-19 located at approximately 650 S. Mountain View Dr. from RA-1 to R1-10. Seconded by Joseph Prete. Motion carried unanimously.

17. Consideration and possible approval of a Preliminary Plat for Sand Hollow Mesa Neighborhood Six, a 579 lot subdivision located at 3800 S 2200 W. Toquerville Enterprises, Applicant. Karl Rasmussen, Agent

Mayor Billings read the following summary written by Fred Resch III that was provided in the packet. "The applicant has submitted a preliminary plat for Sand Hollow Mesa, Neighborhood Six. This represents the first phase of the Sand Hollow Mesa project, which received a zone change and Planned Development Overlay approval in 2021. Sand Hollow Mesa is a large master-planned community encompassing nearly 1,100 acres and more than 3,600 approved units. The current proposal covers 88 acres and includes 579 units consisting of single-family homes, townhomes, and condominiums. The property is zoned Single Family Residential (R1-10) with a Planned Development Overlay (PDO) as part of the Sand Hollow Mesa development. A previous application for Neighborhood Six was tabled in December 2023 due to inadequate public facilities and was resubmitted in May 2025. At the applicant's request, the City issued a status update letter on June 2, 2025, outlining the additional offsite public facility improvements required to support the project. These include construction of a new transmission line and substation, roadway access along 2400 West, water looping and modeling, and a sewer trunkline connection. To date, these improvements remain unresolved. The applicant has exercised an option under Utah Code Section 10-9a-509.5, which requires that the City Council approve or deny the preliminary plat application within 45 days after notice from the applicant. Staff recommends denial of the application for the reasons outlined in this report, and a proposed Record of Denial is included in the packet for the Council's consideration. The Planning Commission considered this item on October 9, 2025. The Commission concurred with staff's recommendation and voted unanimously, with one abstention, to recommend denial of the application to the City Council. Power Infrastructure – The applicant needs to ensure, before preliminary plat approval: *The recordation of all easements to get transmission power lines to the site. *The dedication of the substation site as outlined in the Sand Hollow Mesa development agreement. *Ensure the construction of the transmission line and the substation. As these are impact fee eligible improvements, staff has already prepared a reimbursement agreement, however that needs to be approved by the City Council. Roadway and Emergency Access – Acquisition of all necessary right-of-way along 2400 West and construction of a 32-foot asphalt spine road to 3000 South. Agreements and/or bonding will be required prior to preliminary plat approval. Water Model and Looping – Submission of a current, finished water model for City review and approval, together with a plan to provide looping to City standards. Any required off-site improvements must either be constructed prior to preliminary plat approval or addressed in a binding agreement with the City, which may include bonding requirements. At this time, these improvements and agreements have not been completed, bonded for, or otherwise secured. Under HCC 9-6-3(B) and 10-37-4, development may only proceed where adequate public facilities are "in place or will be timely provided." Without executed agreements, approved designs, and bonding to guarantee construction of the required offsite improvements, staff cannot determine that facilities will be timely provided. Staff recommends denial of the preliminary plat for Sand

Hollow Mesa Neighborhood Six. The current application is premature and does not meet the standards of the Hurricane City Code. Because the applicant has invoked Utah Code Section 10-9a-509.5, the denial of the preliminary plat application must be in writing. A proposed Record of Denial has been drafted for the City Council's consideration and is included in the packet. Staff recommends that the City Council adopt, or amend and adopt, the draft Record of Denial and authorize the Mayor to sign the Record of Denial."

Karl Rasmussen addressed the Council regarding a letter in the packet outlining three items cited as the basis for denial of the preliminary plat. He stated that the property owners can comply with all items, including water modeling and fire access. He requested that any fire access paving requirement be included as a condition of approval rather than a reason to deny the application. Wade Budge, an attorney representing the developer, stated that the project was approved in 2021 with a development agreement and argued that preliminary plat approval does not require all improvements to be completed, consistent with state law. He stated that the developer will provide the required substation site and is cooperating with the City on transmission easements. Mr. Budge explained that water and sewer improvements will be finalized at the final plat stage, with Alpha Engineering having reviewed and approved the proposed plans. He stated that the developer is willing to work with the City and service districts to ensure all necessary infrastructure is in place, including laterals and distribution lines. Finally, Mr. Budge expressed concern that other nearby developments had received final plat approvals while this project was facing denial, noting that the outstanding items can be addressed as conditions of approval in accordance with state law. The developer is requesting Council approval of the preliminary plat, subject to installation of all required improvements prior to final plat recording.

Mayor Billings clarified that previous nearby projects were approved because they had sufficient power capacity for their developments. She also noted that the City does not install sewer improvements, which raises the question of who must obtain easements when the necessary right-of-way is not in place. Mr. Budge stated they intend to install sewer laterals only on their own property. Mayor Billings asked who is responsible for constructing the needed power line within the developer's required timeframe. Mr. Budge stated that he believes there is available power capacity and they are conducting their own analysis. He stated no other developer has been required to construct a transmission facility, which they consider a system improvement that must be included in the impact facilities plan, allowing future developers who tie into it to participate in reimbursement. They will construct all distribution lines. Mr. Budge further explained that the development agreement states Hurricane City will provide power to the site. Councilman Fawcett said this is the first time he has heard that the transmission line extension would be a City responsibility. Mr. Budge cited State Code 10-9a-403 (adequate public facilities), noting that both parties signed an agreement outlining responsibilities. He stated the solution cannot be to deny the preliminary plat, as State law does not allow that. He also disagreed with staff's position that improvements must be bonded before preliminary plat approval, explaining that Utah is an early-vesting state—vesting occurs at preliminary plat approval, while improvements must be installed or bonded before recordation.

Councilmember Ellerman expressed concern that there are numerous instances where developers have bonded for improvements but never completed the projects, allowing them to sell lots prematurely. Mr. Budge responded that this approach is consistent with state law and suggested that, if there are concerns, the issue should be addressed with the State Legislature. He recommended amending the agreement to require installation of improvements prior to recordation. Councilmember Ellerman noted that citizens could face additional exactions to provide power to the project. Mayor Billings inquired about the timeframe outlined in the development agreement. Dayton Hall explained that if a final plat is not recorded within five years of the agreement—by next April—the City Council has the right, but not the obligation, at the sole discretion of the City Council, to terminate the agreement. He continued, asking to address several of the comments. He clarified that water looping is not an issue, as the Water Department has confirmed that existing water lines installed by other developers are adequate, and the water model is not a basis for staff's recommendation. Similarly, Ash Creek has not raised significant concerns regarding sewer lines, so that is also not a basis for the recommendation. He explained that staff's concerns are based on three primary issues, the first being the lack of available power capacity in the area. A new substation, transmission lines, and easements are required, with some of the needed transmission lines located up to five miles away. In response to the question of why other developments on the south end of the city had been approved, he noted that those developers had paid for the distribution lines needed to connect their projects to existing substations. Because they covered the cost to extend power infrastructure, their projects were able to move forward. In each case, the developers lacked existing power capacity and therefore paid the cost to extend service before receiving approval. He then addressed the development agreement, noting it states that both parties acknowledge that off-site public infrastructure improvements are required due to the property's disconnection from existing systems. The agreement allows the developer to construct necessary off-site improvements and requires the dedication of those improvements to the City. It also provides for reimbursement when system improvements are installed. He noted that he has already drafted and sent a reimbursement agreement to the applicant's counsel for system improvements—such as transmission lines or a substation—that the City cannot currently finance, as this provides a legal and appropriate method to satisfy the off-site improvement requirements outlined in the development agreement. Mayor Billings confirmed that the substation is part of the City's Capital Facilities Plan.

Mr. Hall continued discussing the lack of power capacity, explaining that not all easements are currently in place to run a transmission line to connect to the substation. The City and the applicant have obtained an easement from Lorin Lowe but are still negotiating with two other landowners. He noted that the development agreement incorporates applicable law from 2021, including two City ordinances requiring adequate public facilities before development approval. The first, HCC 9-6-3, states that a proposed development shall not be approved if the demand for public facilities will exceed adopted service levels, unless improvements are reasonably calculated to meet those standards. The second, HCC 10-37-4, requires that land may only be developed where existing infrastructure is in place or will be timely provided to serve the proposed development. Staff's concern is whether adequate services can be timely provided to support this 500-plus lot project. Mr. Hall outlined the sequence of approvals and construction, noting that after preliminary plat approval, construction drawings would be reviewed, horizontal infrastructure installed, and the final plat recorded. He raised the question of when the City Council would be willing to take significant actions—such as exercising eminent domain or bonding to build a substation and transmission lines—if necessary to provide adequate services, emphasizing the challenge of meeting the requirements of the adequate public facilities ordinances incorporated into the development agreement.

Mr. Hall continued, stating that City staff's second concern is fire access. He noted a similar situation occurred in Pecan Valley, where a Fire District representative confirmed that a second access was required. According to the Fire District, second access must be paved, with the width determined by the City. The City is actively negotiating with the property owner to acquire the necessary right-of-way. Arthur LeBaron added that the Fire District has informed staff that the development requires a second access and that the right-of-way must exceed 35 feet. Mayor Billings asked whether the development agreement could require that the second access and power infrastructure be completed prior to final plat approval. Mr. Hall referred the Council to the ordinance, which requires that infrastructure either be in place or be timely provided to serve the development. He emphasized that the City needs assurances that facilities will be available when required and noted that this is the appropriate time to address these issues. He also added that the termination date in the development agreement could be extended to allow additional time to resolve infrastructure concerns. Councilman Hirschi asked if approving the project would impact adjacent property owners. Mr. Hall stated that it could be a concern. Councilman Fawcett asked if the development requires the City to build the power line. Mr. Hall explained that the agreement anticipates a substation on property dedicated to the City, which has not yet been completed, and that off-site improvements necessary to service the project are still lacking. Mayor Billings suggested that if the developer is willing to dedicate and build the infrastructure, the development agreement could potentially be amended. Mr. Hall agreed, noting that any amendment must assure the City that funding will be available to provide the infrastructure when needed, consistent with the ordinance's requirements. Mayor Billings clarified that power would only be needed when the developer is ready to pull building permits. Mr. Hall asked whether the Council would be willing to exercise eminent domain or borrow funds to ensure the infrastructure is in place by that time. Councilman Prete raised a concern about potential legal pressure, asking whether a private developer could compel the City to pursue eminent domain if it becomes necessary, particularly if developers have already invested significant funds in infrastructure.

Mr. Rasmussen stated that the denial letter does not reference eminent domain. Councilman Ellerman noted that eminent domain might be the only option to acquire the necessary land. Mr. Rasmussen responded that this would likely not be required, as the project does not involve Mills' property. Councilman Ellerman noted that another property owner has been unwilling to allow the easement. Mr. Budge explained that Mr. Hall had sent a $9 million reimbursement agreement and argued that the development agreement does not obligate the developer to pay for off-site power improvements and their obligation is limited to dedicating the substation site, for which the deed was sent a week ago for review. He noted that there are two references in the development agreement indicating that the City will provide power. He added that he has not seen a preliminary plat denied due to an issue five miles away, and that the parties have been addressing these matters since 2021. He also confirmed that they will work with the Fire District regarding access. Mr. Budge expressed that he believes the City's position on power is incorrect and warned that denial could result in litigation. He requested that the Council honor the process outlined in the code and development agreement. Mayor Billings confirmed that the estimated cost to build the transmission line and substation is $9 million and noted that, if the project is approved, the City would be responsible for providing the power. Councilman Fawcett confirmed that the development agreement does not specify a timeline for when the City must provide power.

Clark Fawcett motioned to go into closed session at 10:17 p.m. to discuss reasonably imminent litigation. Seconded by Drew Ellerman. Motion carried unanimously.

Joseph Prete motioned to go out of a closed session at 11:02 p.m. Seconded by Drew Ellerman. Motion carried unanimously.

Joseph Prete explained the Council is open to exploring the option of extending the development agreement, however, at this time he motioned to continue the Preliminary Plat for Sand Hollow Mesa Neighborhood Six to the next meeting to allow staff time to review the recent submissions. Seconded by David Hirschi. Motion carried unanimously.

> 18. Consideration and possible approval of Ordinance 2025-20 to amend Title 10 Chapters 3, 12-17, 26, 34, 49, and 51 regarding transient lodging facilities. Land Use Code Amendment LUCA25-10. Hurricane City, Applicant

Mayor Billings read the following summary written by Fred Resch III that was provided in the packet. "This is a "clean-up" ordinance to remove the definition of "bed and breakfast, inn" from the city code. The intention of previous code updates regarding transient lodging facilities, including Ordinance 2024-14, was to remove short-term rentals from commercial zones. "Bed and breakfast, inn" was still permitted and vaguely defined and should have been removed from the ordinance during that code change. No currently licensed bed and breakfast inns exist in the City. The Planning Commission held a public hearing on this item on October 9, 2025 and no comments were received. The Planning Commission discussed how no bed and breakfasts currently exist in Hurricane and how one could potentially still open as long as they met the standards of a "hotel". The Planning Commission voted unanimously to recommend approval of the ordinance to the City Council. Staff recommends approval." Drew clean up language to get rid of definition. Still could do it under hotel definition.

Drew Ellerman motioned to approve Ordinance 2025-20 amending Title 10, Chapters 3, 12-17, 26, 34, 49 and 51 regarding transient lodging facilities. Seconded by Joseph Prete. Motion carried unanimously.

19. Consideration and possible approval of Ordinance 2025-21 to amend Title 10 Chapter 39 regarding bonding for off-site improvements. Land Use Code Amendment LUCA25-11. Hurricane City, Applicant

Mayor Billings read the following summary written by Fred Resch III that was provided in the packet. "This is a "clean-up" ordinance that formally adopts the City's long-standing practice of requiring bonding for off-site improvements. The City has historically required these bonds to ensure that it can address any deficiencies in off-site work; however, it was recently discovered that this requirement was never codified in the municipal code. This proposed amendment corrects that oversight and also removes discretionary language related to the types of bonds accepted by the City. The Planning Commission held a public hearing on this item on October 9, 2025 and no comments were received. The Commission discussed the types of bonds accepted by the City and the standard bonding practices, and unanimously recommended approval of the ordinance. Staff recommends approval of the proposed ordinance." Mike Vercimak explained the types of bonding and when they are used.

Joseph Prete motioned to approve Ordinance 2025-21 amending Title 10, Chapter 39 regarding bonding for off-site improvements. Seconded by Clark Fawcett. Motion carried unanimously.

20. Mayor, Council, and staff reports

Mayor Billings announced that the 4th Annual Housing Action Coalition will be held on November 6th. She also shared a letter of support regarding the northern corridor from the Bureau of Land Management and confirmed that the Council was in agreement with sending the letter.

Councilman Ellerman reported that he attended the Fire District Board meeting, where the new impact fee was approved. The fee has doubled to $1,060 and applies not only to homes but to any property meeting the definition of an ERI. Commercial fees increased from $0.54 to $1.58 per square foot. Mayor Billings added that the Fire District is preparing to build a new station on Sand Hollow Road and noted she received an email regarding homeowners' insurance cancellations due to distance from fire stations. Councilman Ellerman stated that the bid for the station design has been awarded, and the design template will be used for multiple future buildings.

Councilman Prete wished all the candidates well with the election and thanked them for running.

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

A closed meeting was held during new business 17. Refer to that item for the motion.

Adjournment: Joseph Prete motioned to adjourn at 11:19 p.m. Seconded by Drew Ellerman. Motion carried unanimously.