

Minutes of the Hurricane City Council meeting held on January 15, 2026, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 4:30 p.m.

**Members Present:** Mayor Clark Fawcett and **Council Members:** Drew Ellerman, Joseph Prete, David Imlay, and Lynn Excell.

**Also Present:** City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Kurt Yates, Public Works Director Mike Vercimak, Streets Superintendent Hayden Roberts, Assistant Planner Fred Resch III, Power Director Mike Johns, Recreation Director Tiffani Wright, City Engineer Arthur LeBaron, Parks Superintendent Darren Barney, Water Superintendent Ken Richins, Water Supervisor Kory Wright, HR Director Sel Lovell, Finance Director Paige Chapman, and City Recorder Cindy Beteag.

## **AGENDA**

### **4:30 p.m. Closed Meeting**

Joseph Prete motioned to go into a closed meeting at 4:35 p.m. to discuss the purchase or lease of real property and water. Seconded by Lynn Excell. Motion carried unanimously.

Drew Ellerman motioned to go out of a closed meeting at 5:12 p.m. Seconded by Joseph Prete. Motion carried unanimously.

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

Tiffani Wright reported that concrete has been poured at the new gym, and the Lichfield gym is fully booked after school each day. Programs have returned to their regular schedule. Auditions for *Mamma Mia* have been held, and the cast will be finalized by tomorrow. The Community Center roof is experiencing significant leaks. Bids have been received, and staff are still working through outstanding questions. Bathroom improvements are also planned. Pool demolition is expected to begin soon. A bid is currently open to dispose of old assets from the pool building.

Kory Wright stated that work has begun on forming the foundation around the Sky Ranch Tank. The Sky Ranch Well is in process, allowing drilling to begin soon. The main water line to the tank has been completed and has passed testing. The irrigation expansion is underway on 1150 West and will continue on 650 South, with no complaints reported. Crews have completed the pond floors and will pour two wall sections tomorrow. Concrete was poured around the booster station today. The department is currently in the process of hiring. He announced that Ken Richins will be retiring next month. The Dixie Springs well is ready to operate and is close to receiving a temporary start card.

Darren Barney reported that staff are busy with irrigation projects and baseball tournaments. He noted that there are six scheduled burials this weekend, the highest number the department has handled in a single weekend. The pickleball project at the Community Center has begun. Repairs to the storm drain at Three Falls Park, which settled several years ago, are planned to start next week as time allows. Darren introduced the newest hire, Jacki Kimber,

who previously worked with the school district. She has been with the City for just over two weeks and is already proving to be a great asset.

Paige Chapman stated that Squire will present the audit this evening. The City received a clean opinion with no findings. She also noted that staff will be starting the mid-year budget reviews soon.

Sel Lovell introduced Nicole Saunders as the new utility clerk and noted that she has been doing a great job. He also stated that several positions remain open, with a list included in the packet.

Chief Yates introduced Braylee Edmunds as the new animal shelter attendant and said the department is excited to have her on board. He reported a recent bank robbery in which the call came in at 11:07 a.m., and the suspect was arrested by 11:39 a.m. He acknowledged the Department of Public Safety, noting that a helicopter is now stationed in Southern Utah to assist with incidents like this. Also, the Violent Fugitive Team successfully located a repeat offender following a road rage incident. The Team also arrested an individual in a trailer park with an active warrant for crimes against children and made an arrest of an individual on federal hold who had assaulted one of the City's officers. He stated that officers have been handling a significant workload and expressed pride in their efforts. He also reported that the recent death of a young girl while hiking was determined to be an accident.

Mike Vercimak introduced Shane Stirley as the new utility locator and stated that they are happy to have him on board. He stated that the department continues to stay busy with development and thanked all departments that work closely with the Joint Utility Committee.

Mike Johns reported a power outage this afternoon caused by a failed lightning arrester, which affected the line serving the southern part of the City. The total outage lasted 45 minutes, with most customers restored within 25 minutes. He explained the line was set to non-reclosing due to nearby construction, so it did not automatically restore when it tripped. Crews have removed all Christmas lights and decorations. Conductor line installation has begun on 1100 West and is expected to be completed next week. The transmission line along SR-7 is currently in the design phase, with most property acquisitions completed. Two transformer units for needed substations are on order.

Hayden Roberts stated that work is being completed in Sky Mountain and will then move to Sky Ridge. Paradine is finishing at Sand Hollow Resort and will transition to Sand Hollow Parkway. Wash cleaning is scheduled to begin on Tuesday. He also noted that an Interstate Rock truck struck the guardrail at 700 West and 400 South. Councilman Prete asked about the timeline for the roundabout at that intersection.

Arthur LeBaron explained that a roundabout project has not yet been advertised, so there is no timeline available. He reported that the H Property grant has been submitted. Next week, he will begin work on the Active Transportation Master Plan. Several other design projects are currently underway. He recently met with stakeholders for the Sand Hollow second access project, which may be referred to as the Exit 19 project. Right-of-way acquisitions are still in progress for the 650 South and 1400 West projects, with designs expected to be completed by

summer. They plan to have the 100 South project fully designed so work can begin immediately after Peach Days and be finished before the event the next year.

Fred Resch III reported that significant progress has been made on the sign ordinance, and a work meeting is expected soon. The Planning Commission approved the final site plan for Ernie's Too, preliminary plats for a commercial subdivision at Dixie Springs Drive and Sand Hollow Road, and a final site plan for a gas station at 600 North and 700 West. Dumpster Days are scheduled for May 18–20 and October 19–21. The SR-9 cleanup will be April 21<sup>st</sup>, and the SR-7 cleanup is set for September 15<sup>th</sup>. The City is about one-third of the way toward reaching its bench goal for bag collection.

Kaden DeMille mentioned that work on bonding for the pool is ongoing. He also noted that a golf course renovation meeting was held this afternoon, and the drawings will be submitted to the Council soon.

Mayor Fawcett mentioned he has a Zoom call with State legislators on Monday at 9 a.m. He stated that Councilman Ellerman asked about reducing the Planning Commission from eight members to five. The Mayor wants to review all boards to ensure consistency. Applications for the vacant council position will be received until the 21<sup>st</sup>. A special Council meeting will be held on the 29<sup>th</sup> to interview candidates, with times scheduled for each interview. The Council will vote that same night. He asked Council members to submit any questions they want to ask the candidates.

Councilman Imlay stated that a Power Board meeting was held last night. He noted that staff have the ability to rebuild the generators, which is a valuable in-house asset.

Councilman Prete announced that Officer Ryan Erickson is retiring. A farewell party will be held on the 30<sup>th</sup> at noon, and everyone is invited.

Councilman Ellerman reported that the Fire District Board did not meet this month due to recent elections and the resulting lack of a quorum. He stated that five commissioners work better than eight for the Planning Commission and recommended staggering terms over a three-year period so new members are onboarded gradually rather than all at once.

Councilman Excell mentioned that he has been meeting with various departments to learn their processes. He and Mayor Fawcett will be visiting the State Capitol next week with the Youth City Council.

**6:00 p.m. - Call to Order –**

Mayor Fawcett welcomed everyone and called the meeting to order.

Prayer and Thought given by Paige Chapman.

Pledge: Councilman Imlay

Declaration of any conflicts of interest

Dave Imlay declared a conflict on the Western Mortgage item due to his cousin working for them.

Presentation of the 2024-2025 annual audit – Hinton Burdick

Chad Atkinson presented the 2024-2025 annual budget showing a clean report card with no findings. He showed the 5-year trend for each of the funds.

Victims Advocate Presentation

Chief Yates introduced Brittany Wright as the Victims Advocate, now serving as an in-house employee. He noted that some of the hardest calls involve family disputes, particularly when a spouse or partner musters the courage to leave an abusive relationship. Having a victim advocate involved is crucial in helping them safely navigate these situations. He praised Mrs. Wright for her work, noting that she is sympathetic, responsive, and excellent in her role. Mrs. Wright explained her responsibilities supporting victims and their families. She thanked Councilman Excell for the opportunity and presented six months of statistics on crisis intervention calls and court paperwork outcomes.

### **Public Forum – Comments From Public**

#### **Consent Agenda**

1. Consideration and possible approval of Resolution 2026-02 Appointing Joseph Prete to the Solid Waste District
2. Consideration and possible approval of Resolution 2026-03 Appointing Lynn Excell to the Mosquito Abatement Board
3. Consideration and possible approval of Resolution 2026-04 Appointing Clark Fawcett and Drew Ellerman to the Ash Creek Sewer District Board
4. Consideration and possible approval of Resolution 2026-05 Amending the administrative fee charged for billing, collecting, and remitting solid waste fees on behalf of the Washington County Solid Waste District
5. Consideration and possible approval of the minutes of the Regular City Council Meeting for December 4, 2025

Lynn Excell motioned to approve the consent agenda. Seconded by Drew Ellerman. Motion carried unanimously by a roll call vote.

#### **OLD BUSINESS**

1. Consideration and possible approval of Zone Change Amendment Ordinance No. ZC25-21, a proposed zone change on 7.27 acres located at 2300 S and 1100 W from Residential Agricultural RA-0.5 to Light Industrial M-1; Parcel number H-3-2-10-3391; Scott Stratton, Applicant. Karl Rasmussen, Agent

Scott Stratton explained that the Council requested a conceptual plan for his property. He initially presented a concept with a shop building, but he has now been approached about adding warehouses while still using the site for his storage yard. Councilman Imlay asked why a

portion of the road had not been deeded to the City. Mr. Stratton explained that the dedication was drawn up years ago but never completed. Mayor Fawcett asked if it could be done now, and Mr. Stratton said it could be discussed. Councilman Excell suggested adjusting equipment placement to improve the appearance of the main access to the southern community. Mr. Stratton agreed and said he plans to better organize the site and eventually add a wall. Mayor Fawcett also noted the need to clean it up to avoid it being an eyesore. Airport Manager Dave Zundel noted that one airport tenant is looking for warehouse space, and Mr. Zundel expressed a preference for fewer residential areas near the airport. Fred Resch III reviewed the allowed uses in the industrial zone. Councilman Ellerman asked about development standards, and Mr. Resch III confirmed that outdoor storage must be set back from residential buildings and screened from the street. Mr. Stratton added that he wants potential buyers to understand it is an industrial area, as some have backed out when they see the master-planned roads.

Councilman Ellerman stated that the highest and best use of the property should be considered. He does not believe houses should be located next to the airport and expressed concern about property upkeep, suggesting that light industrial use would be best. Councilman Prete noted that this area is the gateway to the south end of town and questioned whether an industrial entrance is ideal. He expressed concern that approving this could create a “snowball effect” with others requesting similar uses. Councilman Excell asked if Mr. Stratton would consider a development agreement to protect the corridor’s aesthetics. Mr. Stratton replied that future development along 1100 West is uncertain. Councilman Excell noted that protections should be established from the beginning to avoid a snowball effect. Applicant’s engineer Karl Rasmussen noted that once the road is built, this property would be a viable option. Councilman Prete raised questions about the land outside the airport fence and the fate of the old street, asking if it would remain blocked or reopened. Arthur LeBaron explained no decision has been made, but a utility corridor must remain. Mike Vercimak added that staff have petitioned the FAA to remove some property from airport control, but the FAA is reluctant due to the airport safety zone. The Council also discussed the roads in the area and potential impacts on future development.

Dave Imlay motioned to approve the Zone Change Amendment Ordinance No. ZC25-21, a proposed zone change on 7.27 acres located at 2300 S and 1100 W from Residential Agricultural RA-0.5 to Light Industrial M-1 subject to a development agreement that the Council approves at a future date. Seconded by Lynn Excell. Dayton Hall confirmed it will come back to the Council with the agreement for approval before the zone change is finalized. Motion carried unanimously. Council would like the agreement to include removing the junk on the property, the equipment being organized, roadway dedication, and property being screened from the public. Councilman Prete would also like the agreement to specify who is responsible for 1100 West construction and identify specific uses that would be allowed on the property once it zoned as light industrial.

2. Consideration and possible approval of Zone Change Amendment Ordinance No. ZC25-17, a proposed zone change located at 100 N and Black Rock Rd. from Mobile

Home/RV Park (MH/RV(PDO)) to General Commercial (GC); Parcels H-CRV-1-1 through H-CRV-1-18; Western Commercial Real Estate, Applicant; Joby Venuti, Agent

Mayor Fawcett stated the applicant asked for this item to be tabled.

Drew Ellerman motioned to table the Zone Change Amendment Ordinance No. ZC25-17, a proposed zone change located at 100 N and Black Rock Rd. from Mobile Home/RV Park (MH/RV(PDO)) to General Commercial (GC). Seconded by Dave Imlay. Motion carried unanimously.

## **NEW BUSINESS**

1. Discussion and possible direction regarding the City's involvement with the Washington County Fair - Ruffin Judd and Brandon Ipson

Representatives from the Washington County Fair were not present.

2. Consideration and possible approval of a Purchase and Reimbursement Agreement for Water Rights and Infrastructure with Western Mortgage & Realty Company and Gateway at Sand Hollow Public Infrastructure District -Dayton Hall

Dayton Hall explained that the water department has been working on this project for many years. The agreement involves the City, Western Mortgage, and the Gateway PID. Under the proposed structure, Western Mortgage will deed nearly 1,700 acre-feet of groundwater to the City. The PID would pay Western Mortgage the appraised value of the water and finance the infrastructure costs to use it. In return, the City would collect secondary impact fees from the service area and use 85% of the fees annually to pay down the PID bond. Councilman Ellerman confirmed that there will be no property tax assessment on future owners. Mr. Hall explained that paying the bondholder directly allows the bond to be paid off faster. Mayor Fawcett expressed concern about removing the tax from the property to prevent assessment. Mr. Hall noted that paying the bond directly would ultimately reduce or eliminate owner payments in the later years. Mayor Fawcett added that the City may not collect enough impact fees in the first year to pay down the bond, emphasizing that coordination with the County is necessary to make the plan work.

Gateway PID representative Brent Moser explained that property owner payments will not increase. Raising the bond amount extends the bond term, but the mill levy rate remains the same, so payments stay consistent, and the bond would simply be paid off sooner. He noted that bonds can run for 30 years, but collections can continue for 40 years. Mr. Moser stated that all PID payments have gone toward regional infrastructure, while interior improvements are funded by the developer through traditional development. He added that the secondary irrigation they installed makes this a good opportunity for the City. Mr. Hall noted that one condition of the agreement is that the City will not close until the PID has bonded and raised the necessary funds.

Drew Ellerman motioned to approve the Purchase and Reimbursement Agreement for Water Rights and Infrastructure with Western Mortgage & Realty Company and Gateway at Sand

Hollow Public Infrastructure District. Seconded by Lynn Excell. Councilman Prete confirmed the City Attorney is comfortable with the agreement. Motion carried unanimously.

**3. Consideration and possible approval of Resolution 2026-06 amending the Governing Documents of the Gateway PID. -Gateway PID**

Dayton Hall explained that the PID was formed in 2021, and its governing document outlines how it functions. The proposed amendment would make two changes: clarifying the legal separation between the City and the PID and adjusting the borrowing capacity. Currently, there were two independent limits on the PID's ability to borrow money: one limit is a mill levy cap and the other is a maximum cap across all three PIDs. The proposal is to remove the maximum cap. Gateway PID representative Brent Moser added that the timing of the PID formation and the original estimates were about a year apart, which affected costs. Additionally, several revisions were not included in the original estimate, and the new estimates are significantly higher. Councilman Prete asked how the mill levy and maximum cap relate. Mr. Moser explained that the mill levy is used to generate revenue from the tax base, with the bond feasibility study based on projected growth and property values. Interest rates also significantly affect the calculations.

Karl Rasmussen explained that the plan is to build trails on both sides of Sand Hollow Drive. The road width increased from 90 to 112 feet in 2019. The additional cost ensures that everyone has access to the amenities, including over 12 miles of trails and four parks. Mr. Moser agreed that the plans have expanded, and Mayor Fawcett confirmed that infrastructure to the hospital is included. Councilman Imlay asked for an estimate to complete the project, and Mr. Moser stated it is around \$140 million. Tyler King noted that if the cap is removed, the mill levy cap remains, which would prevent the need for further PID changes if the economy shifts. Councilman Prete asked about oversight of the mill levy. Mr. Moser explained that the County assesses property values based on the mill levy; payments remain the same, only the bond term changes. After 40 years, the investor loses if the bond is not fully repaid. Councilman Imlay suggested placing a cap on the project. Mr. Moser stated a cap of \$205 million could be applied. Councilman Prete expressed concern that the PID was originally meant to provide cheaper financing, not cover all infrastructure, but it appears to finance nearly everything. Mr. Moser clarified that the 4.5 mill levy would not cover all costs and that improvements are limited to regional infrastructure. Councilman Ellerman confirmed that the City Attorney and bond counsel approve of the proposed legal separation provisions and agreed that a cap of \$210 million accounts for inflation.

Drew Ellerman motioned to approve Resolution 2026-06 amending the Governing Documents of the Gateway PID with the addition of adding a \$210 million cap in a form approved by the City Attorney and the City's bond counsel. Seconded by Dave Imlay. Motion carried with Drew Ellerman, Dave Imlay and Lynn Excell voting aye. Joseph Prete voted nay.

**4. Consideration and possible approval of a Reimbursement and Purchase Agreement for Water Rights, Real Property, and Improvements -Dayton Hall**

Dayton Hall explained that groundwater from the Apple Valley aquifer can be accessed via wells along the Hurricane Fault. An owner has agreed to deed just under 80 acre-feet of this water to the City in exchange for secondary water impact fee vouchers. Additionally, the owner would sell 8.4 acre-feet of groundwater located in the southern part of the City, along with the wellhead and surrounding property, with payments made to the owner over three years. The City would also purchase 18 primary shares and 12 secondary shares of Hurricane Canal Co. water. Kaden DeMille noted that water is a limited resource and highlighted the value of the three-year payment plan, especially given the number of recent projects. Ken Richins stated that the water items on this agenda tonight are some of the biggest water deals of his career and expressed appreciation for everyone's work on the agreement, noting that it is a solid opportunity for the City.

Joseph Prete motioned to approve the Reimbursement and Purchase Agreement for Water Rights, Real Property, and Improvements. Seconded by Lynn Excell. Motion carried unanimously.

Joseph Prete motioned to go into a public hearing at 7:52 p.m. Seconded by Drew Ellerman. Motion carried unanimously.

5. Public Hearing to take comments on the following:
  - a. Adopting a Power Impact Fee Facilities Plan Amendment (IFFP), a Power Impact Fee Analysis (IFA), and modifying the current Power Impact Fee

No comments.

Joseph Prete motioned to go out of a public hearing 7:52 p.m. Seconded by Dave Imlay. Motion carried unanimously.

6. Consideration and possible approval of Ordinance 2026-01 Approving an amendment to the 2025 Power Impact Fee Facilities Plan, an amendment to the 2025 Power Impact Fee Analysis, and modifying the current Power Impact Fee

Mike Johns explained that the amendment adds two substations to the study: one at 3000 S. and 1100 West, and the other at SR-9 and SR-7. The impact fee would increase by only 1% citywide. He stated that the goal is to include the substations in the plan so that impact fees can be used to fund their construction.

Dave Imlay motioned to approve Ordinance 2026-01 Approving an amendment to the 2025 Power Impact Fee Facilities Plan, an amendment to the 2025 Power Impact Fee Analysis, and modifying the current Power Impact Fee. Seconded by Joseph Prete. Motion carried unanimously by a roll call vote.

7. Consideration and possible approval of Resolution 2026-07 Amending and Adopting fees related to municipal power services - Mike John

Mike Johns explained that the City maintains a list of approved contractors for underground distribution work, but some are no longer in business or have relocated. To keep the list current, the Power Department is recommending increasing the initial training fee from \$100 to

\$150 per business, plus \$100 per additional employee. The training is a five-hour course required the first time a contractor applies. They also propose an annual renewal class at \$50 per person. Councilman Excell confirmed the fee would cover staff time, and Councilman Imlay noted it would formalize the process and ensure proper training. Mr. Johns added that the Power Board recommended approval. Contractors who miss the training would need to wait until the next session the following year. Councilman Excell suggested posting a notice of the change, so contractors are aware. Karl Rasmussen suggested offering a crash course for civil engineers as well. Mr. Johns noted that the training is optional for anyone outside the contractors, who are responsible for ensuring their plans meet requirements.

Lynn Excell motioned to approve Resolution 2026-07 Amending and Adopting fees related to municipal power services. Seconded by Dave Imlay. Motion carried unanimously a roll call vote.

**8. Consideration and possible approval of awarding the bid for the civil portion of the Sky Mountain Substation - Mike Johns**

Mike Johns explained that the civil portion of the Sky Mountain Substation went out to bid, with six contractors submitting proposals. The bids were reviewed by ICPE to ensure all requirements were met. Two bids were disqualified for not meeting the requirements. The next lowest bids were from Diamond W and Interstate Rock. Based on price, qualifications, and bid compliance, ICPE recommended awarding the bid to Diamond W for \$801,470. The Power Board unanimously supported this recommendation. Councilman Ellerman asked if Diamond W had worked in the City before. Mr. Johns said they had not, but some of their employees had. Councilman Prete asked if there was a process to allow bidders to correct incomplete bids. Dayton Hall explained that the ordinance allows the City to reject incomplete bids, and sealed bids cannot be amended after submission. Councilman Imlay noted that some staff favored Interstate Rock due to prior experience in the City, but both contractors hold Hurricane business licenses, and the Power Board recommended the low bid. Councilman Prete asked if the Board believed the work would be comparable, and Mr. Johns confirmed that this was considered during the evaluation.

Drew Ellerman motioned to approve the bid to Diamond W in the amount of \$801,470.00. Dayton Hall noted that at the Power Board meeting, it was discussed that both of the lowest bids did not include a project schedule. He suggested requiring a schedule before moving forward. Councilman Ellerman accepted the amendment, adding the condition that Diamond W provide an acceptable project schedule. Seconded by Dave Imlay. Motion carried unanimously by a roll call vote.

**9. Discussion regarding the interpretation of the ordinance regarding background checks on business owners**

Cindy Beteag explained that background check requirements differ between the business license and liquor chapters. The business license chapter requires denial of a license if the owner has a felony, while the liquor chapter only looks back seven years. Staff would like the chapters to match but sought input from the Council. Councilman Prete questioned whether

limiting it to seven years could create liability for the City. He felt it might be sufficient but did not want to risk liability. Councilman Excell responded that the City likely wouldn't be liable if due diligence is followed. Dayton Hall asked if the Council wanted a specific look-back period for different types of licenses. In the discussion, Council members generally indicated that a ten-year period would be sufficient for businesses involving minor children or entering homes, but the liquor chapter should remain as currently written.

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

None.

Joseph Prete motioned to go into a closed session at 8:24 p.m. to discuss pending litigation. Seconded by Dave Imlay. Motion carried unanimously.

**Adjournment:** Joseph Prete motioned to adjourn at 8:38 p.m. Seconded by Drew Ellerman. Motion carried unanimously.