

Minutes of the Hurricane City Council meeting held on February 5, 2026, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 5 p.m.

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

Also Present: City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Kurt Yates, Public Works Director Mike Vercimak, Streets Superintendent Hayden Roberts, City Planner Gary Cupp, Power Director Mike Johns, Water Supervisor Kory Wright, Parks Superintendent Darren Barney, City Engineer Arthur LeBaron, Building Official Larry Palmer, HR Director Sel Lovell, and City Recorder Cindy Beteag.

AGENDA

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

Arthur LeBaron explained he received a request for the Easter Car Show to use the south parking lot at the Community Center for handicap parking, similar to Peach Days. Council indicated they are comfortable with this as long as it is coordinated with the Recreation Director. Mr. LeBaron also reported that staff are managing multiple reviews, projects, and development applications. The 100 South project will begin shortly after Peach Days, and the City is close to hiring a contractor to assist the design team on the City campus development through the CMGC process. He added that concerns about the upcoming Parade of Homes were addressed after coordinating with the organizer to finalize the route to the homes.

Hayden Roberts reported that crack sealing was completed in Sky Mountain and Hurricane Garden Homes. Paradine will begin work on Old Highway 91 next week. He also noted that the wash was cleaned up to SR-9 near Ace.

Mike Johns stated the tree trimming contractor will begin work on Monday. He reported that the contractor will start on the distribution line on Old Highway 91 next week. He added that he hopes the Power Board will finalize the cost of service agreement and will speak with the Mayor to determine if a work meeting is needed.

Mike Vercimak stated that since the last meeting, the JUC approved nine sets of construction plans, issued six preliminary acceptances, and two notices to proceed. Mayor Fawcett requested a status update on the hotel at 1760 West. Mr. Vercimak stated that utility installation for the project is complete. Larry Palmer explained they are still working on the building permit.

Sel Lovell reported that the annual injury report has been completed, noting a 5% increase in injuries. He also stated that the City currently has open positions for golf maintenance, senior electrical engineer, court clerk, and street operator. He added that staff are working to make the City website ADA compliant to meet federal requirements.

Chief Yates reported that there have been several construction burglaries. Stolen property was identified being sold on Facebook, which led to the identification of a suspect located in Las Vegas. A bulletin was issued, and St. George Police stopped the suspect and impounded his vehicle. Hurricane officers were able to search the vehicle and recover additional stolen items. He also reported that Sand Hollow Golf Course sustained more than \$57,000 in damage to its greens, which is still under investigation. He noted that crime scene technicians are attending training this week. Animal Control has been extremely busy, with the shelter currently full and an increase in cases involving abandoned dogs. He added that traffic has been very heavy lately and gave recognition to traffic car Officer Pike for being proactive in enforcing traffic laws. Chief Yates explained that officers have been focusing on equipment violations that are no longer being caught since inspections are no longer required. Councilman Excell asked about traffic backing up onto State Street and nearby roads during pickup times at Valley Academy. Chief Yates stated he would look into the issue.

Kory Wright announced that water is now flowing to the Dixie Springs tank, marking the completion of a four-year process and the City's ability to provide City-sourced water to the region. He also reported that work on the Sky Ranch tank is progressing and that he hopes to provide a slideshow with updates soon. He added that work on 650 South has been completed and paving is expected soon. He then introduced Elijah Mareko as the department's newest employee, noting that he has already been a great asset and is hoped to be with the City for a long time.

Mike Chandler expressed appreciation to those who attended the ribbon cutting on Monday. He reported that staff will be running cameras through the systems and continuing cleaning operations throughout the city.

Larry Palmer reported that since the last meeting, staff issued permits for thirty single-family homes, two industrial buildings, a new commercial building on Sand Hollow Road, a tenant improvement for a pet hospital near Walmart, one duplex, and two twin-home buildings. He also provided a year-to-year comparison. In 2025, the City issued permits for 345 single-family homes compared to 289 in 2024; 125 townhomes compared to 142; 54 condos compared to 70; 31 commercial buildings compared to 56; 16 apartment buildings compared to 32; and 36 ADUs compared to 56. The total valuation for 2025 was just over \$131 million, compared to \$132 million in 2024.

Darren Barney stated that the pickleball reconstruction project is progressing on schedule, with electrical work expected to begin next week. He also reported an incident of vandalism at the cemetery, where a headstone was damaged. The police have been notified, but the family has not yet been contacted. Additionally, staff, in coordination with the Sheriff's Department, successfully exhumed a body from the 1970s after a previous attempt was unsuccessful. This allows the family to have closure, and they hope to gain leads on the circumstances. He added that staff will soon begin fertilizing and reactivating the irrigation systems.

Councilman Ellerman asked about Ernie's and whether it would be rebuilt. Mr. Palmer explained that the permit has been submitted and the building will be rebuilt soon, slightly larger and with a walk-up window. Councilman Excell asked about the old Ace building. Mr. Palmer stated that plans have been submitted, and although demolition was originally planned for last October, they are still working with the State on the permit.

Tiffani Wright reported that demolition of the pool has begun. She added that staff will do the initial walk-through with the contractor for the four-court gym tomorrow to review the checklist. She also noted that baseball tournaments are scheduled every weekend until the recreation department season begins. The City has hired American Frontier to replace the Community Center roof, with work starting in April, and the concessions for the baseball season have been leased out.

Cindy Beteag mentioned an email from the Water District about a reuse water tour in San Diego. Council members interested in attending need to sign up by tomorrow. Councilman Imlay and Austin Kimber confirmed they plan to go. She noted there are additional tours of local water treatment plants available for the Council. Mrs. Beteag also stated that the resolution for Planning Commission appointments was not included in the packet but is available on the podium for review. Mayor Fawcett explained that he has asked Ralph Ballard and Kelby Iverson to be reappointed, and Scott Hughes to replace Amy Werrett. Lastly, the County is requesting approval for beer and wine at the fair, rather than just a beer garden. Councilman Ellerman asked about the terms for Planning Commissioners; Mrs. Beteag clarified that the resolution would reappoint the two members for an additional four years. Mayor Fawcett added that the Council can discuss changes to the number of commissioners in the future if desired.

Kaden DeMille announced that a ribbon cutting for the four-court gym will be held, though a date has not yet been set. A groundbreaking ceremony for the pool is also planned once the building is removed. He added that cost proposals for the police buildings have been received and expects the team to be ready to begin construction drawings soon.

Councilman Imlay stated he is pleased to see the Community Center roof being repaired. He noted that the legislature is in session and is proposing a \$1 per square foot fee for disposing of solar panels. He added that they are researching alternatives for handling panels at the end of their life, since they cannot be sent to the landfill.

Councilman Ellerman reported that there was no Fire District meeting due to a lack of quorum.

Mayor Fawcett recommended that the Council participate in the Water District tours of the local reuse plants. He also discussed a property on Old Highway 91 located between Hurricane City and Leeds but outside either city's limits. He stated that they approached the Water District for approval. During the District meeting, he expressed concern about providing services outside the city limits and asked whether the Council would consider annexation. The owners prefer not to go through Leeds. The property is served by Rocky Mountain Power, and the District has a water line nearby. Councilman Prete said he is open to annexation after a

careful cost analysis. Councilman Imlay noted that an agreement with Rocky Mountain Power would be required to provide city services. Councilman Ellerman asked if it would strain emergency services, and it was noted that another property owner would need to join to meet annexation qualifications. Mayor Fawcett also mentioned an email regarding property owned by the Shivwits near Maverik, noting there is a 30-day period for comments on the Tribe's fee-to-trust application. If there are any concerns they should be addressed now. Dayton Hall explained that the City has an agreement with the tribe for a contribution to offset impacts, increasing 3% annually, with emergency services left for future discussion. The tribe also agreed to comply with City zoning. He added that the City's consent is not required for approval of the Tribe's fee-to-trust application, though it is considered. The agreement only goes into effect if the application is granted and the property is retitled to be part of the reservation, and the agreement addresses building inspections and regulations.

6:00 p.m. - Call to Order –

Mayor Fawcett welcomed everyone and called the meeting to order.

Prayer: Arthur LeBaron

Pledge: Councilman Ellerman

Declaration of any conflicts of interest

None

Public Forum – Comments From Public

CONSENT AGENDA

1. Consideration and possible approval of Resolution 2026-08 appointing Dave Imlay to the Hurricane Valley Fire District Board
2. Consideration and possible approval of Resolution 2026-09 Appointing members to the Planning Commission
3. Consideration and possible approval of Resolution 2026-10 Appointing members to the Power Board
4. Consideration and possible approval of Resolution 2026-11 Appointing members to the Water Board
5. Consideration and possible approval of Resolution 2026-12 Appointing members to the Appeals Board
6. Consideration and possible approval of Resolution 2026-13 Appointing members to the Beautification Committee
7. Consideration and possible approval of Resolution 2026-14 Appointing members to the Airport Board
8. Consideration and possible approval of local consent for a beer and wine garden at the Washington County Fair - Susi Lafaele
9. Consideration and approval of the assignment of hanger 8S 2E from James Rosser to Grant and Josefina Ingram

10. Consideration and possible approval of the minutes of the Regular City Council Meeting for December 18, 2025

Mayor Fawcett explained that the Washington County Fair is requesting local consent to allow a beer and wine garden, rather than just beer. He also stated that all current board members are being recommended for reappointment, with Scott Hughes replacing Amy Werrett on the Planning Commission and Angie Erickson replacing Dave Imlay on the Power Board. He noted that he believes Mac Hall may need to be reappointed to the Power Board and asked staff to confirm.

Drew Ellerman motioned to approve consent agenda. Seconded by Amy Werrett. Motion carried unanimously by a roll call.

OLD BUSINESS

1. Consideration and possible approval of Ordinance 2025-17 amending Title 10, Chapters 3, 12-17, & 37 regarding accessory buildings in front yards; LUCA25-06; Hurricane City, applicant -Gary Cupp

Gary Cupp explained that this item was continued in December after the Council requested provisions allowing accessory buildings in the front yard for larger lots. The original purpose of the update was to clarify definitions, delete the casita and guest house definitions, and ensure all structures still meet setbacks. Councilman Ellerman stated he is not in favor of front-yard accessory buildings but recalled the Council had agreed on a one-acre minimum. Councilman Prete suggested that one acre is too small and five acres too large, proposing a two-acre minimum. Councilman Ellerman noted that the requirement for buildings to be 100 feet back should be removed; Dayton Hall clarified that the 100-foot requirement was carried over in the staff report but is not in the draft ordinance. Councilman Prete expressed concern about allowing two separate ADUs in addition to the home and suggested limiting it to one separate structure, with any second ADU being attached or internal. Mr. Hall explained that previous Council action allowed two additional ADUs on lots of 0.8 acres or larger, either attached or detached, and that the initial purpose of the proposed code update was to clarify the definition of front yard. He added that this chapter was opened because the City was challenged legally on is the definition of front yards. Councilman Prete stated he preferred continuing the item to address all issues at once. Councilman Ellerman stated he has no objection if the ADU is attached to the home. Councilman Imlay agreed and recommended continuing the item to discuss it further, noting he does not support ADUs in front yards. Mr. Hall stated that the additional revisions now being contemplated by the Council would need to be noticed first and go back to the Planning Commission after a public hearing for a recommendation. He recommended approving the draft ordinance without the one-acre exception and then directing staff on any additional changes, including size and number of ADUs and the conditional use permit section. Councilman Ellerman added that ADU height and size should also be restricted.

Joseph Prete motioned to approve Ordinance 2025-17 amending Title 10, Chapters 3, 12-17, & 37 regarding accessory buildings in front yards without the one-acre exception. Seconded by Drew Ellerman. Motion carried unanimously by a roll call.

Mr. Hall stated that staff need direction on what the Council wants brought back. He noted that Councilman Ellerman wants size restrictions on detached ADUs. He explained that under current code, lots of 0.8 acres or larger can have a second ADU with a conditional use permit, with no limits on size or whether it is attached or detached, though only one can be used for short-term rentals. He asked if the Council wants to address second ADUs on properties. Councilman Prete suggested limiting it to one separate structure, imposing height and size restrictions, and only allowing front-yard ADUs on lots of two acres or larger. He does not support allowing two ADUs on 0.8-acre lots but would be comfortable with two ADUs on lots of two acres or larger. Councilman Imlay recommended limiting ADUs to 1,000 square feet or smaller, while Councilman Prete preferred using a percentage of the main house's size rather than a fixed square footage. Councilman Excell expressed concern that allowing multiple ADUs could create a second dwelling without subdividing. Councilman Imlay agreed, noting potential water and power issues. Councilman Ellerman suggested staff present both options for limiting the size of ADUs for Council consideration, with one option being a set square footage limitation and the other being a limit as a percentage of the primary home. Mr. Hall added that some lots already have the equivalent of three separate houses, which creates infrastructure challenges.

Mayor Fawcett confirmed that Mac Hall also needs to be reappointed to the Power Board, in addition to the other appointments listed on the consent agenda. Joseph Prete made a supplemental motion to the consent agenda to appoint Mac Hall to Power Board. Seconded by Lynn Excell. Motion carried unanimously by a roll call.

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

Brandon Ipson explained that a survey conducted two years ago showed where attendees were coming from for the fair, which had over 60,000 visitors and an estimated \$5.8 million economic impact on the community. He thanked the Council for their past participation and noted that a community resource area will allow each city to showcase itself with a booth. He provided Ruffin Judd as the contact for the booths. Mayor Fawcett expressed frustration that the seed displays were removed. He would like to bring them back. He will work on securing someone for the booth. Mr. Ipson asked for ideas to encourage community participation and recognize the City. Councilwoman Werrett suggested inviting elementary school choirs to perform and high school executive staff to compete, while Mayor Fawcett proposed an eating competition. Mr. Ipson noted that the Commissioners waived the entrance fee this year in honor of the 250th anniversary. Councilman Imlay suggested a culinary arts competition between high schools, and Mr. Ipson added that a robotics team competition would also be a good addition. Councilwoman Werrett recommended advertising on Instagram rather than Facebook.

NEW BUSINESS

1. Presentation and discussion regarding the design and funding of a proposed skate park
- Dave Duffin

Dave Duffin, owner of Omega Ramps, presented the location for the future bike park. He explained that he was given the master plan for the area to design a skate park within the designated space. He shared two proposed plans, noting that both include the same skate park, while the second plan adds a rest area with shade structures. Mr. Duffin presented the estimated project cost of \$515,000 and a list of businesses that have verbally pledged donations totaling \$152,135, including contributions from the high school welding program for some structures. They are applying for a grant to cover 50% of the project and will seek additional donations. The City is being asked to contribute up to 27% of the total cost, not exceeding \$132,000.

Mayor Fawcett thanked Mr. Duffin for his work and explained that the City's budget runs July–June, so funds would need to be allocated in the current budget year. He noted that much of the recreation budget is already committed and asked if additional funding could be found. Kaden DeMille also commended Mr. Duffin and questioned whether the \$40,000 engineering estimate was for the skate park only. He noted that the site has significant elevation changes, requiring engineering for the entire area to ensure it is done correctly. He recommended adding a fence, which was not included in the cost estimate, and mentioned the potential need for security cameras and bathrooms. He agreed with Mayor Fawcett that impact fee funds are earmarked for the pool, but said if the Council supports the proposal, he could explore financing while ensuring the engineering covers the full property. Darren Barney agreed on fencing, citing past issues with bullying and vandalism at City skate parks, and noted the importance of fitting the park into the overall master plan. Arthur LeBaron added that a comprehensive grading plan is needed to ensure the project works as proposed. He noted that St. George skate parks do not have fencing and suggested consulting other communities about potential issues. He also recommended including a larger contingency in the predesign cost estimates.

Councilman Imlay asked whether the park would be daylight-only or if conduit could be installed for future lighting. Mr. Duffin stated they had considered lights but were trying to keep costs down, noting that many skate parks are moving away from fences and using lights to help regulate use. Mr. Barney added that the lights from the refurbished pickleball courts, currently in storage, could be repurposed for this park. Councilman Ellerman noted that no estimate exists for when improvements would begin but said Mr. Duffin's proposed cost is reasonable compared to other parks. He asked about the preferred start timeline. Mr. Duffin stated the grant decision would come around May; if the City secures funding now, construction could begin once the grant is awarded, or they could wait until the next budget year, or do a hybrid approach. Mr. DeMille asked when funds would be available if the grant is approved. Mayor Fawcett noted there is typically a delay between approval and funding. Councilman Excell asked how long the grant money could be spent. Mr. Duffin said usually one to one-and-a-half years

but his construction timeline would be just under three months. Councilman Excell confirmed he would obtain letters from businesses documenting their in-kind contributions. Councilman Ellerman asked about the likelihood of receiving the grant, and Tiffani Wright explained that while the grant is competitive, applicants are encouraged to apply.

Councilman Prete stated he supports providing wholesome places for kids to play and have fun, noting that past skate parks in Hurricane have not met that standard. He asked how to prevent problems at the new park. Mr. Duffin replied that placing the park in front of houses and surrounding it with other amenities, where people are always present, helps reduce issues. He added that the park is designed with different zones for varying skill levels, attracting all ages and parents with younger children. Councilman Prete asked about loitering laws and enforcement. Chief Yates explained that parks are closed after dark, though kids often want to skate in summer evenings. He stated that giving kids a designated place to go can help reduce problems. He mentioned he has not discussed issues with St. George. He thinks that it's beneficial to get kids active. Mayor Fawcett noted that the item is not on the agenda for a decision and stated that the Council should first determine if funding is feasible if they are interested in moving forward.

Councilman Imlay stated with all the money that has gone into recreation, the project not being in the budget, and roads that need repaired, he was initially inclined not to approve it. However, considering the planning, volunteer efforts, and donations, he has changed his mind. Mayor Fawcett noted that approval depends on the funding source, as certain funds are restricted to designated projects. Councilman Ellerman asked if the City had received higher-than-expected RAP tax revenue. Mr. DeMille explained that revenues are roughly as projected, noting they have been conservative in their estimates. He mentioned that the RAP tax is being used for the pool bond payments over the next twenty years and that sales tax last month was 8% lower than last year, though this month is showing improvement. He noted the need to ensure sufficient funds for engineering across the property and believes the requested amount could be covered using impact fees. Mr. LeBaron added that he has applied for many grants in the past and sometimes did not know where matching funds would come from. He suggested writing a letter of support so Mr. Duffin can apply for the grant. Mayor Fawcett stated that if the Council supports the project, he would recommend proceeding with the grant application and reviewing the City's ability to commit funding in the coming week.

Councilman Prete stated he supports the project but noted safety as his top concern. He suggested installing conduit for future lighting. He acknowledged the cost may exceed the numbers presented but believes the project is important. Mr. DeMille asked about park access, as the surrounding area is not yet developed. Mr. Duffin explained that the materials around the skate park are as important as the park itself. He budgeted a perimeter sidewalk and noted that donated rock will be placed around it. Councilman Excell added that if families are expected, the sitting area at the top should be completed and cautioned about light placement to avoid late-night use that could impact neighboring properties. He asked Mr. Duffin to obtain pricing for the shade structures. Mayor Fawcett directed Mr. Duffin to proceed with the grant application and stated he would provide a letter of recommendation.

2. Consideration and possible approval of a request for amendments to the Sky Rim Development Agreement entered into on December 2, 2022; File No. GA26-01; Steward Land Company, Applicant; Clark Conway, Agent.

Brad Brown explained that in 2022 they worked with the City in setting a vision for the Sky Rim area. The parties signed a development agreement at that time. However, it is a different world today compared to when it was approved. Costs have gone up. Formerly viable affordable projects no longer prevail. There are three things in the agreement they want to discuss. They are asking to reduce the density from 519 residential units to 467 in exchange for removing the affordable housing requirements, increase the maximum height allowance, and modify the setbacks. He explained they partnered with an experienced LIHTC developer and submitted their project, but it was not awarded. He stated in today's environment LIHTC on this site is highly unlikely without major changes to the development agreement. They are hoping they can still provide that same intent. He presented numbers showing that his projected housing costs would only be slightly higher than the original LIHTC project. Second, they request allowing four-story apartments instead of three. This would not increase total units but would improve construction efficiency and cost. He noted that the location is not a view corridor and has no sensitive edge impacts. Third, they request a side setback variance of five feet on each side for fifteen single-family lots, not the entire development. Previous assumptions made the lots unbuildable, and the variance would allow better floor plans and more attainable pricing. Councilman Excell asked about parking for recreational vehicles, and Mr. Brown stated there are no plans for that yet. Mr. Brown concluded by stating they have made a good-faith effort and want to achieve what is best for the City.

Mr. Cupp stated that the Planning Commission did not support allowing four-story buildings or removing the affordable housing component. Councilwoman Werrett said she has no issue with the proposed setbacks but noted that the Commissioners were unanimously opposed to increasing building height. Regarding the affordable housing, she acknowledged the developer's dilemma but noted that the Planning Commission felt it was part of the original agreement and should be upheld. Councilman Ellerman pointed out that affordability was already challenging in 2022 and is even worse now. He suggested setting a maximum height instead of limiting the number of stories. Mr. Cupp explained that under the Code at the time the zoning was changed, the developer would have been entitled to heights of 55 feet, but the Council had included the three-story height restriction provision in the development agreement to limit the height. Councilman Ellerman stated that four stories could fit under 55 feet. Dayton Hall explained that under the current Code, the height in planned commercial zones is limited to 35 feet. Councilman Ellerman noted that Washington City raised limits to 45 feet, which proved beneficial. Councilman Prete confirmed that an elevator would not be required for a four-story building. Mayor Fawcett said he would need evidence that a four-story option would result in more affordable units than three stories before he could support it. He noted that affordability is often promised but rarely achieved and that he does not want taller buildings unless they genuinely provide affordable units. Mr. Brown explained that there is no single solution; the market is difficult to shift, and more supply is needed. Mayor Fawcett added that even with the

current number of units, affordability is still an issue, and everyone must collaborate to find a solution. Mr. Hall explained that no formal agreement has been drafted yet and that if the Council wants to move forward, the Council needs to give staff direction so draft changes to the development agreement can be made and brought back for approval.

Dave Imlay stated he agreed with the Planning Commission recommendations and staff comments. Councilman Imlay motioned to approve R1-4 setback standards for the single-family lots but deny any changes to the affordable housing component or increasing the height to four stories. Councilwoman Werrett confirmed the reason Councilman Imlay didn't grant the five-foot setbacks is because of parking concerns. Seconded by Joseph Prete. Motion carried with Joseph Prete, Dave Imlay, and Lynn Excell voting aye. Drew Ellerman and Amy Werrett voted nay. Dayton Hall stated staff will make the approved changes in the agreement and bring it back in two weeks for approval.

3. Consideration and possible approval of awarding the bid for the secondary irrigation water meter project phase II - Ken Richins

Kory Wright explained that in 2024, the City received funding from the State to install secondary meters. The first phase, completed that year, included 1,486 meters. Afterward, a review revealed 198 additional meters that had not been accounted for. They met with the Division of Water Resources and confirmed funding, including \$255,000 in escrow and \$441,000 from the ARPA grant. Bids were solicited for the project, with Feller Enterprises, who completed the first phase, submitting the low bid again. The City will supply the meters, costing approximately \$42,000. He confirmed that sufficient funds exist to complete the project and that the Water Board has recommended approval.

Lynn Excell motioned to award the bid for the secondary irrigation water meter project phase II to Feller Enterprise in the amount of \$287,094. Seconded by Amy Werrett. Motion carried unanimously by roll call vote.

4. Open and Public Meeting Act Training

Training provided by the Utah State Auditor was shown regarding the rules for open and public meetings.

5. Mayor, Council, and staff reports

Mayor Fawcett explained that the Water District has ultra water-efficient standards. While not required, developments that meet them would pay a lower impact fee. The challenge isn't billing but determining how to enforce and manage these standards. The District will leave that decision to the City. Dayton Hall clarified that participation would be discretionary. Builders would need to commit to meeting the standard, constructing homes that use no more than 8,000 gallons of water per month. This would require restrictions on pools and minimal outdoor landscaping, and the City would be responsible for enforcement. He noted that the development approval process would need to be amended to include these standards in plat approvals, as well as ongoing monitoring. He stated another thing to consider is that the City

just passed its secondary water impact fee, we are assuming most of the city will have secondary water, and there are two service areas where the City has committed to buying the water for secondary irrigation. He mentioned it was discussed that it could be done on a case-by-case basis, but he has concerns with that approach. Another option would be to only permit these ultra-efficient developments outside the area where we have committed to buying the water, but we would still require them to put irrigation lines in the street to connect to the next property. Also, if they have a park or common area then they need to run irrigation to those areas. He stated the District wants to know if the City wants to participate and if we do then we need to start implementing it into our code. Mayor Fawcett noted that once a property commits to ultra-efficient standards, it shouldn't be altered later, such as by adding a pool, which would undermine the lower impact fee. Councilman Imlay supported the idea but suggested stronger penalties for noncompliance. Councilman Ellerman noted that many above-ground pools don't require permits, which would complicate enforcement, though he liked the fee incentive. Mayor Fawcett stated a decision is not required tonight--he is just seeking feedback. Councilman Prete called it a creative concept but expressed concern about limiting future homeowner rights. Councilman Ellerman noted that many residents already use less than 8,000 gallons per month. Mr. Hall recommended that standards be established before developers begin requesting approval of ultra water efficient developments.

Councilman Excell reported that seven youth attended Legislators' Day at the Capitol. He praised Brad Last for providing a fantastic tour and said it was a valuable experience for the participants.

Councilman Prete announced that he received a flyer inviting the Council to the grand reopening of My Place Hotel on the 12th from 4 to 6 p.m.

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

A closed meeting was not held.

Adjournment: Joseph Prete motioned to adjourn at 8:37 p.m. Seconded by Dave Imlay. Motion carried unanimously.