



# HURRICANE CITY UTAH

**Mayor**

Clark Fawcett

**City Manager**

Kaden DeMille

## City Council

*Drew Ellerman*

*Joseph Prete*

*Dave Imlay*

*Lynn Excell*

*Amy Werrett*

## Hurricane City Council Meeting Agenda

March 5, 2026

5:00 PM

City Council Chambers 147 N 870 W, Hurricane

Notice is hereby given that the City Council will hold a Regular Meeting in the City Council Chambers 147 N 870 W, Hurricane, UT. [Meeting Link on Webex](#) Meeting number: 2630 456 5376 Meeting password: HCcouncil Join from a video or application Dial 26304565376@cityofhurricane.webex.com. You can also dial 173.243.2.68 and enter your meeting number. Join by phone +1-415-655-0001 US Toll Access code:26304565376. A silent roll call will be taken, followed by the Pledge of Allegiance and prayer by invitation. **THOSE WISHING TO SPEAK DURING PUBLIC FORUM MUST SIGN IN WITH THE RECORDER BY 6:00 P.M.**

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### **5:00 p.m. Pre-meeting**

1. Agenda Summary

### **6:00 p.m. - Call to Order**

Prayer

Thought

Pledge of Allegiance

Declaration of any conflicts of interest

Minutes of the Regular City Council Meeting for February 19, 2026

Swearing in of Officer Ethan Rowell

Introduction of the 2026 Hurricane City Royalty and presentation of the 2025 scholarships - Dena Humphries

Presentation and update on the SR-9 Zion Canyon Technology project

### **Public Forum – Comments from Public**

Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Cindy Beteag in writing before 12:00 p.m. the Tuesday one week before the Council meeting.

### **NEW BUSINESS**

1. Consideration and possible approval of **Resolution 2026-15 Approving an increase in Water Rates** - Kory Wright
2. Consideration and possible approval of **awarding the consultant selection** for the Transportation Master Plan Update - Arthur LeBaron
3. Mayor, Council, and staff reports
4. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request

### **Adjournment**

The undersigned City Recorder does hereby certify that the agenda was posted to the city website, posted to the state public notice website, and at the following locations: the City office, the post office, and the library on March 4, 2026. Cindy Beteag, City Recorder

REASONABLE ACCOMMODATION: Hurricane City will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs, please contact the City Recorder, 435-635-2811 x 106, at least 24 hours in advance if you have special needs.

## **Agenda Summary for Hurricane City Council March 5, 2026**

### **5:00 p.m. Pre-Meeting**

### **6:00 p.m. Call to Order**

Minutes for February 19, 2026.

Swearing in of Officer Ethan Rowell

Introduction of the 2026 Hurricane City Royalty and presentation of the 2025 scholarships.

Presentation and update on the SR-9 Zion Cayon Technology project.

### **New Business**

1. The Washington County Conservancy District is increasing its wholesale water rate by \$0.11 per thousand gallons. Hurricane City buys a portion of the water it supplies to its residents from the District at the wholesale rate. This agenda item is to consider increasing Hurricane City's retail rate by \$0.11 per thousand gallons to match the increase by the District. The Water Board discussed this item on February 24, 2026, and unanimously recommended that the City Council increase the City's water rates by \$0.11 per thousand gallons. However, the Board recommended to deny the current 2% annual increase that has been built into the water rate for several years. The Board would like staff to determine what the increase should be and just do one increase rather than just increasing it each year. -Kory Wright
2. The current Transportation Master Plan was adopted in 2019. Hurricane City has budgeted funds to perform an update. An advertisement has been posted for consultant groups to submit statements of qualifications for this work. The scope of work that is contemplated is as follows:

Update the road network

Update active transportation network

Update the pavement management plan

Evaluate pavement management revenues and costs

Update Capital Facilities Plan

Update Impact Fee Facilities Plan

Provide for 2025 S.B. 195 Transportation Amendments compliance

The City has received a \$30,000 grant from the Dixie MPO and an additional grant application has been submitted to UDOT's Technical Planning Assistance program, which has a high likelihood of being awarded. This project will straddle two budget periods, so additional funds may be requested from impact fees if necessary to complete the scope of work.

As of this report the advertising period is still open. It is anticipated that the City will receive 5 or 6 submittals which will be evaluated by a selection committee consisting of

staff and council members, and a recommendation will be given prior to the March 5th council meeting. Once the selection has been made we will work with the selected consultant to present a cost proposal for the work to the council for final approval and execute a contract. -Arthur LeBaron

3. Mayor, Council, and staff reports.
4. Closed meeting if necessary.

1 Minutes of the Hurricane City Council meeting held on February 19, 2026, in the Council  
2 Chambers at 147 North 870 West, Hurricane, Utah at 5 p.m.

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

5  
6 **Also Present:** City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Kurt Yates,  
7 Assistant Public Works Director Weston Walker, Streets Superintendent Hayden Roberts, City  
8 Planner Gary Cupp, Assistant Planner Fred Resch III, Power Director Mike Johns, Recreation  
9 Director Tiffani Wright, City Engineer Arthur LeBaron, Building Official Larry Palmer, HR Director  
10 Sel Lovell, Finance Manager Paige Chapman, Water Superintendent Kory Wright, and City  
11 Recorder Cindy Beteag.

12  
13 **AGENDA**

14 **5:00 p.m. Pre-meeting** - Discussion of Agenda Items, Department Reports

15 Larry Palmer reported that since the last meeting fifteen single family and eight townhome  
16 permits have been submitted. Mayor Fawcett asked if he could review the year-end report at  
17 the next meeting.

18 Chief Yates stated they had a busy holiday weekend. Officers dealt with a road rage incident  
19 where an individual brandished a gun. They were able to locate the individual and arrest him.  
20 The suspect in the arson case in Confluence Park pled guilty last week. Officer Marshall has  
21 been busy with K9 deployments leading to thirteen drug arrests. Proactive police work by  
22 Officers Crow, Kern, and Roberts have been pivotal in getting drugs off the street. Detectives  
23 arrested a male for felony stalking at the high school and middle school. He reminded the  
24 Council that the Animal Shelter was at full capacity, but Miranda did a great job coordinating  
25 with rescues to find them homes. They went from full to three dogs at the shelter. He  
26 mentioned their awning was destroyed in the last windstorm. Councilman Imlay confirmed the  
27 jail is full and that is why drug offenses are just being cited and released.

28 Paige Chapman mentioned budget meetings will be coming up where each department will  
29 prepare their budget presentation. A work meeting was scheduled for March 30<sup>th</sup> at 4 p.m. at  
30 the four-court gym.

31 Kory Wright explained that the State does an audit every year to determine water loss. In 2024  
32 they measured a 20.85 percent loss but this year we were down to 14.83 percent. He stated we  
33 have never been that low and he thanked his crew for working so hard. This really is a credit to  
34 them. He mentioned Ken Richins officially retired as of last Friday. Due to that, they have had  
35 some change in rank. Austin Kimber moved to Mr. Wright's previous spot; Taylor Davis moved  
36 to Austin's spot and Trevor Shamo moved up to crew foreman. He stated these are great guys  
37 that are invested in the City. He is excited for them all to have this opportunity. He stated the  
38 Sky Ranch Well should commence drilling next week. The Dixie Springs Well is fully functioning  
39 and doing well. The Irrigation Efficiency project is going well. They are working on 650 South,

40 just over Thrill Hill. They are currently pouring the sides on the ponds which include eighty  
41 sections. They pour two squares two times a week. Councilman Imlay asked how they measure  
42 the water loss. Mr. Wright explained that the total water usage of the City's end users is  
43 compared to the volume of water measured at the source.

44 Tiffani Wright stated spring sports will start this weekend with soccer. There will be a ribbon  
45 cutting March 5<sup>th</sup> @ 3 p.m. for the four-court gym followed by some programs being held in the  
46 gym after. Mayor Fawcett asked Mrs. Wright to invite all the mayors in the county and the  
47 County Commissioners to the ribbon cutting. He will also invite Nanette Billings and give her  
48 time to speak. Mrs. Wright reported the pool is pretty much demolished. They are going to  
49 remove the wall between the neighbors and the pool and then once it is all cleaned up, they  
50 will plan a groundbreaking. The Easter Egg Hunt will be at Three Falls Parks on April 4<sup>th</sup> @ 9 a.m.  
51 That day is also the Easter Car Show. Friday, the night before, will be the opening day for Mama  
52 Mia. Frozen will be the next show. She has a night position open at the gym if anyone knows of  
53 someone looking for a part-time job.

54 Sel Lovell reported that we have hired Alex Farnsworth as the new electrical engineer. There  
55 are positions open for recreation, two parks maintenance part time, golf maintenance part  
56 time, and a court clerk. They are working on digitizing all records and time keeping. Staff is  
57 almost done completing the master list for OSHA. They are also working on getting the website  
58 ADA complaint.

59 Mike Johns confirmed they hired a new engineer who graduated from Dixie a few years ago. He  
60 has been working as an engineer for three years, but it takes four years to finish his PE. They  
61 will have to do a small remodel at the shop to make a spot for him. The Sky Mountain  
62 Substation will be starting soon as well as a contractor for tree trimming, and the distribution  
63 line along Old Hwy 91.

64 Weston Walker reported they held two preconstruction meetings today for Black Ridge Phase 2  
65 and Red Sands Ph 1B by Dixie Springs. They will have Fire Rock Phase 5 next week. He stated  
66 they attended the Southwest Storm Water Coalition meeting this week. There will be a training  
67 on June 30<sup>th</sup> which will be required annually. There will be a MOU coming to the Council soon  
68 that will make the City part of that coalition. The coalition has updated their forms to include  
69 our City information. He explained we do have an ordinance in place, but we won't be taking  
70 over inspections until 2027. Councilman Prete asked if something could be enforced for the  
71 enormous potholes in the plaza off 700 West near State Street. He stated it is becoming a  
72 safety issue because everyone is swerving around them. Mr. Walker stated that it is difficult  
73 because it is on private property. Councilman Prete asked if there are minimum standards that  
74 must be met. Fred Resch III stated the code states parking lots have to be paved or covered in  
75 all weather service, but it doesn't have any requirements for maintenance. He explained he  
76 hasn't found anything that he can force maintenance. Mr. Walker pointed out that any new  
77 parking lots will have to have parking lot agreements for MS4. Councilman Ellerman asked if we  
78 could enforce it on an existing business even if the code changes. Dayton Hall explained that  
79 when there is a non-confirming use due to a code change, you can't penalize them for

80 continuing the non-confirming use. However, there are exceptions to that for matters involving  
81 public health and safety, etc. where you can retroactively enforce against a non-confirming  
82 use. He stated the gas station parking lot was fixed but now the hotel parking lot is in need of  
83 repair. He asked if anyone had talked to the owner. Mayor Fawcett stated he doesn't think it is  
84 just the hotel because this entrance can access all the businesses in that plaza. He questioned if  
85 there was a joint agreement between the property owners. Councilman Ellerman asked staff to  
86 bring the code back to be updated. Kaden DeMille stated it might be helpful for City to send a  
87 letter explaining the problems and ask them to get it fixed. Mayor Fawcett stated he would talk  
88 to the owner in person.

89 Hayden Roberts stated the crack seal is going slower due to the weather. They will be done  
90 with Old Hwy 91 and Sky Ridge next week. They have filled the streets operator position, and  
91 they will start next week. On March 14<sup>th</sup> Wasatch Trailers will be having their grand opening,  
92 and the road will be closed during the event. Councilman Prete stated there is a lot of  
93 construction activity on the roads around 3000 S and 1500 West. He asked when it would be  
94 done. Mr. Roberts stated he will check to see when it will be completed. Mayor Fawcett asked  
95 for a list of projects that will be done with the chip and slurry seal project. Arthur LeBaron  
96 explained the map is in the packet, but they will schedule the roads after the bids have been  
97 awarded. He will get it out to the Council once it is in place.

98 Arthur LeBaron stated he received a lot of comments regarding the traffic pattern change by  
99 the airport. Due to those comments, those signs have been changed to Yield instead of Stop to  
100 create a better traffic flow. He stated the 100 South project is high profile, so they want to do a  
101 presentation to Planning Commission and Council next Thursday at 5 p.m. before the Planning  
102 Commission meeting. After this presentation, they will make the recommended changes and  
103 then there will be an open house for the public on March 25<sup>th</sup> from 5-7 p.m. at the Community  
104 Center. He stated the pickle ball courts should be mostly done by the Easter Car Show.  
105 Councilman Excell recommended including a schedule with the bids for the 100 South to ensure  
106 it is done in time. Mr. LeBaron pointed out the Council can include penalties if they choose.  
107 However, they have found that they get better bids if they let the contractor propose the  
108 timeline. He stated all the design projects are progressing well. There was a Transportation  
109 Expo was Tuesday that went well. He mentioned Washington City's Mayor Staheli has been  
110 receiving a lot of complaints to an area in their city so he thinks the Purgatory Road project will  
111 help the problem. He stated Mayor Stahli has asked him to come present to their council to try  
112 to move it along. The Transportation Master Plan project has been advertised, and proposals  
113 are due back by February 27<sup>th</sup>. They have also advertised the design of the City Campus project.  
114 He stated UDOT has developed a 101 class for government officials, and they want Hurricane to  
115 host a session of it. He reported that the City was awarded 1.8 million dollars for corridor  
116 preservation on 2800 West to the river.

117 **6:00 p.m. - Call to Order –**

118 Mayor Fawcett welcomed everyone and called the meeting to order.

119 Prayer: Pastor Dustin Whitson

120 Pledge: Mike Johns

121 Declaration of any conflicts of interest

122 None declared.

123

124 Minutes of the regular City Council Meeting for January 15, 2026, and February 5, 2026, and  
125 special meetings January 5, 2026, and January 29, 2026

126 Councilman Prete confirmed the minutes are reviewed by legal before they are brought to the  
127 Council and that there are no concerns with how they are drafted. Councilwoman Werrett  
128 asked why her explanation of her vote made during the vote was not included in the motion.  
129 Dayton Hall explained that the minutes are not intended to be a transcript of the meeting, but  
130 are intended to capture the essential parts of the meeting. The Council members' views on the  
131 agenda item were discussed during the item, but the Council can update the draft minutes if it  
132 would like more details included.

133 Amy Werrett motioned to approve the January 5, 2026, January 15, 2026, January 29, 2026,  
134 and February 5, 2026, minutes as written. Seconded by Joseph Prete. Motion carried  
135 unanimously.

136 Presentation by the HHS Robotics Team

137 Members of the HHS Robotics Team introduced themselves and described their participation in  
138 a global competitive robotics program. As the only team representing Southern Utah, they have  
139 attended competitions across multiple states. The team highlighted its commitment to  
140 community outreach, including hosting events, presenting at local schools, and encouraging  
141 students to explore STEM opportunities. They noted that their mission extends beyond building  
142 robots to developing leadership, teamwork, and personal growth. The team thanked the  
143 Council for its continued support and requested consideration for future assistance.

144 Mayor Fawcett outlined the City's budget process and invited the team to submit a proposal for  
145 review during next year's budget cycle. Kaden DeMille confirmed that funds are allocated for  
146 the team in the current year's budget and requested a meeting to discuss details related to  
147 their future funding request.

148 **Public Forum – Comments From Public**

149 None.

150 **OLD BUSINESS**

151 1. Consideration and possible approval of Zone Change Amendment Ordinance No. ZC25-  
152 16, a proposed zone change located at approximately 2241 S 5400 W from Agricultural  
153 A-5 to Single Family Residential R1-6 and R1-8; Parcel number H-4138-J; Andrew Hall,  
154 Applicant; Ryan Lay, Agent

155

156 Bob Hermandson explained that the Council had previously directed the applicants to work  
157 with staff on addressing the second access. Following those discussions, an agreement was

158 drafted requiring dedication of the necessary land to the City to obtain the right-of-way. He  
159 outlined the process set out in the agreement: Once the City acquires the right-of-way, the  
160 preliminary plat may proceed to the Planning Commission. After preliminary plat approval, road  
161 and subdivision construction drawings can be submitted for review. Upon approval of the road  
162 plans, a cost estimate can be prepared and bonded. Subdivision drawings cannot receive final  
163 approval until the required bonds are in place. Road and subdivision construction may occur  
164 concurrently; however, no lots may be sold until the road is completed and dedicated. He  
165 noted that while there is some overlap in the process, safeguards ensure completion of  
166 required improvements. Mr. Hermandson also clarified that if the plat is not completed by the  
167 deadline in the agreement, the agreement becomes void.

168 Dayton Hall added that zoning had been discussed at the prior meeting, but no consensus was  
169 reached, so a decision is needed. He confirmed the agreement requires the second access to be  
170 constructed before any lots can be sold. Mayor Fawcett recalled earlier concerns regarding R1-6  
171 zoning adjacent to agricultural land. Mr. Hall explained that the eastern portion of the project is  
172 proposed as R1-6 and the western portion as R1-8, with an overall unit cap for the  
173 development. Councilman Ellerman expressed support for the language providing larger lots  
174 along the project perimeter. Councilwoman Werrett asked whether the proposal would result  
175 in the loss of agricultural land. Gary Cupp responded that the General Plan supports the request  
176 and noted the property is not currently used for agriculture beyond occasional grazing.

177  
178 Councilman Prete expressed concern that the proposal represents a large-scale development  
179 that would increase future demands on City services, including police, fire, schools, and parks.  
180 Mayor Fawcett agreed that larger developments should incorporate park amenities.

181 Councilman Imlay noted that the site is currently accessed by a dirt road and he thinks it would  
182 be leapfrogging of development. It could also add maintenance responsibilities for City crews.  
183 He stated that neighboring residents have voiced opposition and questioned the suitability of  
184 development in this location. Mr. Hermandson explained that the development plan  
185 anticipates access connections from the east and includes improvements to portions of Turf  
186 Sod Road as the west side builds out. In response to questions about community feedback,  
187 Gary Cupp stated that comments had been received indicating concerns about compatibility  
188 with surrounding agricultural uses. Councilwoman Werrett asked whether drainage issues exist  
189 in the area. Councilman Ellerman observed that development often improves drainage  
190 conditions, and Mr. Cupp added that drainage would be fully evaluated during the plat review  
191 process. Weston Walker confirmed the presence of a historical drainage channel and noted  
192 that a significant storm drain was installed in Pecan Valley, which should help; however, any  
193 remaining drainage concerns would need to be addressed if the project moves forward.

194 Councilman Prete asked whether a lower-density zoning option had been considered. Mr.  
195 Hermandson replied that the applicants prefer to proceed with the requested zoning, noting  
196 that lot sizes would be “feathered,” with larger lots along the perimeter. Councilman Ellerman  
197 pointed out that with approximately forty acres and a cap of 160 units, the effective density  
198 aligns with R1-10 standards. Mr. Hermandson added that the lots would be larger on average.  
199 Mayor Fawcett inquired about setting aside acreage for a park. Mr. Hermandson responded

200 that a large detention basin is planned in the north corner and could potentially be designed to  
201 allow usable space. A master-planned park was identified near the development. Councilman  
202 Ellerman noted that ongoing growth in the surrounding area is expected to create future  
203 connections. Councilman Prete confirmed that the primary outstanding concern had been the  
204 requirement for a second access and acknowledged that utilities, including power and water,  
205 are available. Councilman Ellerman confirmed that construction would begin adjacent to  
206 existing development.

207  
208 Drew Ellerman motioned to approve the Zone Change Amendment Ordinance No. ZC25-16, a  
209 proposed zone change located at approximately 2241 S 5400 W from Agricultural A-5 to Single  
210 Family Residential R1-6 and R1-8 subject to a clean version of the proposed agreement with the  
211 question mark removed leaving the zoning at R1-6 and R1-8. Seconded by Lynn Excell. Motion  
212 carried with Drew Ellerman, Lynn Excell, and Amy Werrett voting aye. Joseph Prete and Dave  
213 Imlay voted nay.

214  
215 2. Consideration and possible approval of a request for amendments to the Sky Rim  
216 Development Agreement entered into on December 2, 2022; File No. GA26-01;  
217 Steward Land Company, Applicant; Clark Conway, Agent.

218  
219 Dayton Hall reminded the Council that three amendments to the existing development  
220 agreement had been requested. The Council previously indicated it was not supportive of two  
221 of the changes but agreed to allow R1-4 setbacks for the single-family homes. That revision was  
222 incorporated into the amended development agreement included in the packet, permitting  
223 alternating side setbacks of five and ten feet. Mr. Hall noted this differs from the applicant's  
224 original request, which sought a reduced front setback; however, the Council directed staff to  
225 retain the standard R1-4 front setback, the smallest single family setbacks permitted under City  
226 code. Councilman Ellerman observed that subsection (i) of the agreement lists a twelve-foot  
227 front setback for townhomes. Gary Cupp clarified that this setback is consistent with planned  
228 commercial standards, which had already been approved. Jeremy Cross stated the applicant  
229 would prefer a smaller front setback to allow for larger rear yard space. Mr. Hall confirmed that  
230 subsection (i) reflects the standard planned commercial setbacks and was intentionally included  
231 for clarity. Mr. Cross asked whether the Council would consider a twenty-foot front setback.  
232 Councilman Ellerman responded that the request had been discussed previously. While he  
233 understood the applicant's preference, he supported maintaining the twenty-five-foot front  
234 setback to prevent vehicles from obstructing sidewalks. Councilman Excell concurred, noting  
235 that blocked sidewalks create safety and accessibility concerns.

236  
237 Joseph Prete motioned to approve the amendments to the Sky Rim Development Agreement  
238 entered into on December 2, 2022, as drafted in the packet. Seconded by Drew Ellerman.  
239 Motion carried unanimously.

240 **NEW BUSINESS**

241           **1. Consideration and possible approval of an appeal of the business license denial for**  
242           **Rizerin LLC - Samuel Elam**

243           Cindy Beteag explained that the business owner had maintained a Hurricane City business  
244           license since 2020 with no complaints or issues. In 2025, the license was not renewed, requiring  
245           the owner to reapply. She noted that City code requires a background check for applicants who  
246           will enter residents' homes; however, individuals holding a State DOPL license are exempt  
247           because the State conducts its own background check. Although the owner held a DOPL R101  
248           license, staff did not identify the exemption during the reapplication process and proceeded  
249           with a background check. The check revealed a felony charge, which under the current  
250           ordinance required staff to deny the license. The owner subsequently filed an appeal to the  
251           Council. Mayor Fawcett asked which DOPL license the owner held. Mrs. Beteag clarified that  
252           the owner applied for a handyman license but holds an R101 license with the State. Samuel  
253           Elam addressed the Council, stating he has operated in the community for over five years,  
254           completed numerous projects, and received no complaints or negative reviews. He explained  
255           that he has performed handyman services, recently expanded into home remodeling, and  
256           serves as superintendent for Diamond Rock Builders. He requested the opportunity to continue  
257           working in the community. Councilman Imlay commented that the applicant had demonstrated  
258           good standing and had no complaints. Dayton Hall explained that staff are obligated to deny  
259           applications that do not meet all ordinance requirements, but an appeal allows the Council  
260           discretion to review the circumstances. Mrs. Beteag added that neither staff nor the police  
261           department had concerns regarding approval of the appeal.

262           Amy Werrett motioned to approve the appeal of the business license denial for Rizerin LLC and  
263           grant the license. Seconded by Dave Imlay. Motion carried unanimously.

264           **2. Consideration and possible approval of Ordinance 2026-02 Amending Title 3, Chapter 1**  
265           **regarding background checks - Cindy Beteag**

266           Cindy Beteag reminded the Council that this topic was initially discussed in January, during  
267           which the Council expressed support for a ten-year look-back period. Based on that guidance,  
268           staff drafted an ordinance applying to individuals who enter residents' homes, work with minor  
269           children, operate as tattoo artists, or massage therapists. She added that, following discussion  
270           at the previous meeting and the Police Chief's recommendation, massage therapists were  
271           included in the ordinance and will be required to undergo an annual background check.

272           Lynn Excell motioned to approve Ordinance 2026-02 Amending Title 3, Chapter 1 regarding  
273           background checks. Seconded by Amy Werrett. Councilman Prete confirmed the process for an  
274           appeal if it is denied is the same. Motion carried unanimously.

275           **3. Consideration and possible approval of a Supplemental Watershed Plan Agreement #10**  
276           **with NRCS - Arthur LeBaron**

277           Arthur LeBaron mentioned his staff report detailing what is being proposed. He noted that  
278           while some concerns had been raised, these issues already exist in the current agreement, and

279 the amendment does not alter them—except for the addition of a financial table referencing  
280 the City’s potential obligation for the Gould’s Wash project, estimated at five million dollars.

281 Mayor Fawcett acknowledged that one concern is the possibility of the dam being destroyed,  
282 which could create a financial obligation for the City that does not currently exist. He clarified  
283 that approving this amendment does not commit the City to funding the project. Mr. LeBaron  
284 explained that the next step is completing the design, which is funded by the NRCS. Once the  
285 design is finalized, more precise cost estimates will be available, allowing the project to proceed  
286 further. He emphasized that approval would benefit the City by reducing the flood hazard area,  
287 ultimately helping residents comply with flood-related requirements.

288 Councilman Ellerman asked whether additional funding sources might be available to help  
289 support the project. Mr. LeBaron responded that some brainstorming would be required but  
290 noted that Utah Dam Safety has assisted with other similar projects. Councilman Prete raised  
291 two questions: first, regarding the City’s obligations to acquire land, perform land treatments,  
292 and honor agreements with landowners—what happens if the City makes a good-faith effort  
293 but cannot fully meet these commitments; second, how future problems requiring corrective  
294 action would affect State and Federal funding. Mr. LeBaron explained that the City recently  
295 navigated a similar process with the Frog Hollow Dam, securing outside funding that minimized  
296 local contributions, and noted that once the NRCS is involved, they do not abandon a project.  
297 Regarding the first question, he noted the project has been ongoing for many years without  
298 significant issues. Councilman Prete expressed caution, describing the situation as “untested  
299 waters” since the City has not yet attempted property acquisition. Dayton Hall stated that the  
300 agreement stipulates construction cannot begin without 50% landowner approval. Councilman  
301 Excell asked if any major obstacles were anticipated. Mr. LeBaron indicated that none were  
302 expected, and that as the project gains momentum, funding strategies can be addressed. Kaden  
303 DeMille noted that he has not yet reviewed funding for the project. Mayor Fawcett added that  
304 upcoming MS4 regulations will require adoption of an impact fee and an increase in the  
305 drainage fee. Councilman Excell stated that these changes are intended to protect public safety.  
306 Councilman Prete asked about the City’s ability to influence or modify the agreement. Mr.  
307 LeBaron stated that modifications are unlikely, but highlighted that the NRCS is allocating over  
308 sixty million dollars for the project, which will provide significant benefits to the City.

309 Lynn Excell motioned to approve the Supplemental Watershed Plan Agreement #10 with NRCS.  
310 Seconded by Dave Imlay. Motion carried unanimously.

- 311 **4.** Consideration and possible approval of a request for a General Plan Amendment from  
312 "Single Family" to "Multifamily" for a property located at 1015 N 200 W; File No. GPA26-  
313 01; Parcel number H-3-1-27-2106; Adam Nielson, Applicant; Karl Rasmussen, Agent

314 Karl Rasmussen explained that Adam Nielson is seeking to build a duplex to provide housing for  
315 his children or friends, as part of an affordable housing effort. Initially, neighbors opposed the  
316 request because they believed multiple six-plexes with up to thirty-six units were planned. After  
317 clarification, neighbor concerns were alleviated. Mr. Nielson shared that one neighbor even

318 apologized for rallying opposition once she understood his actual plans. Councilman Ellerman  
319 suggested that applicants personally visit neighbors when notices are sent for zone change  
320 requests to explain their proposals. He noted that he is generally opposed to spot zoning.  
321 Drawing on his previous experience with R1-2 zoning, which allowed two units per acre to  
322 encourage infill development, he indicated that the Council could place limitations on that  
323 zoning including spacing requirements, minimum lot sizes, and parking considerations.  
324 Councilman Prete asked how a duplex differs from a home with an accessory dwelling unit  
325 (ADU). Councilman Ellerman clarified that an ADU requires the property owner to reside on-  
326 site, whereas a duplex does not.

327 Mr. Nielson stated that he supports the concept of R1-2 zoning to limit development to a  
328 duplex, highlighting the need for affordable housing. He explained that sewer service would  
329 need to be extended to the property, though it could continue on existing septic if necessary.  
330 Connecting to the sewer is preferred, but he noted that more than one unit is required to make  
331 the project financially feasible. He also indicated a desire for separate utility meters for each  
332 unit, which is not possible if the property remains a single lot. Councilman Prete asked whether  
333 the property could be divided into two lots. Mr. Rasmussen responded that the lot does not  
334 have sufficient frontage, and Prete confirmed that a flag lot would not be allowed due to a  
335 nearby power line. He inquired whether a PDO (Planned Development Overlay) could be  
336 considered; Gary Cupp noted that requires a minimum of five acres. Councilman Ellerman  
337 suggested that adjusting the minimum lot width might be the simplest solution. Councilman  
338 Prete proposed maintaining the current eighty-foot minimum for R1-10 but allowing the  
339 Council to consider appeals for narrower lots. Councilman Imlay expressed concern that these  
340 adjustments are an attempt to circumvent spot zoning, noting that the Planning Commission  
341 and staff recommended denial. He stated that a single-family home with an ADU is likely the  
342 most practical option. Councilman Excell agreed. Mr. Nielson stressed the city's need for  
343 affordable housing and reiterated his support for R1-2 zoning, urging the Council to consider  
344 long-term solutions. Councilman Excell stated that while he would be open to revisiting R1-2  
345 zoning in the future, the current proposal as presented cannot be approved.

346 Mayor Fawcett highlighted the importance of protecting residential neighborhoods and  
347 maintaining a balanced mix of housing types, expressing his opposition to spot zoning. Mr.  
348 Rasmussen asked whether the applicant could seek a variance for smaller lot frontage through  
349 the Appeals Board. Mr. Cupp explained that while this is technically possible, approval is  
350 unlikely because the variance cannot be self-imposed; the applicant would need to  
351 demonstrate a hardship specific to the property. Councilman Prete stated he is not in favor of  
352 multifamily development in this location but is more flexible regarding spot zoning and is open  
353 to considering slightly smaller lots. Councilman Ellerman noted that adjusting lot width would  
354 likely not lead to many requests due to the lot configuration. Councilman Prete added that spot  
355 zoning is somewhat outdated, and modern planning trends encourage integrating multiple uses  
356 within neighborhoods. Mayor Fawcett commented that he has no objection to R1-8 zoning  
357 adjacent to R1-10. Mr. Nielson noted that there are self-help lots across the street.

358 Councilwoman Werrett stated that changing from R1-10 to R1-8 is not a significant alteration  
359 and expressed a preference for the ADU option as the simplest solution. Councilman Ellerman  
360 clarified that an ADU would require the units to be on the same meter and under the same  
361 ownership.

362 Joseph Prete motioned to deny the request for a General Plan Amendment from "Single Family"  
363 to "Multifamily" for a property located at 1015 N 200 W. Seconded by Amy Werrett. Motion  
364 carried unanimously.

365       **5.** Consideration and possible approval of Zone Change Amendment Ordinance No. ZC26-  
366       01 to rezone a property located at 1015 N 200 W from Single Family Residential R1-10 to  
367       Multiple Family Residential RM-1; File No. ZC26-01; Parcel No. H-3-1-27-2106; Adam  
368       Nielson, applicant; Karl Rasmussen, agent

369 Dayton Hall explained a zone change request that didn't comply with the General Plan could be  
370 approved if the Council stated why they are deviating from the plan.

371 Joseph Prete motioned to approve the Zone Change Amendment Ordinance No. ZC26-01 to  
372 rezone a property located at 1015 N 200 W from Single Family Residential R1-10 to Single  
373 Family Residential R1-8. Seconded by Dave Imlay. Dayton Hall asked if the applicant was  
374 agreeable to the proposed change since it is different than what was applied for, and Mr.  
375 Nielson confirmed that a Single Family R1-8 zone was acceptable. Motion carried with Joseph  
376 Prete, Dave Imlay, Lynn Excell, and Amy Werrett voting aye. Drew Ellerman voted nay.

377       **6.** Consideration and possible approval of Ordinance 2026-03, a Land Use Code  
378       Amendment to Title 10 Chapter 7 regarding conditional use permits for metal buildings;  
379       File No. LUCA26-01; Hurricane City, Applicant. -Gary Cupp

380 Gary Cupp explained that metal buildings currently require a conditional use permit in both  
381 residential and commercial zones. The Planning Commission expressed a desire to stop  
382 reviewing these applications. As a result, the proposal is to remove the conditional use  
383 requirement and allow staff to review them instead. Mark Sampson added that these  
384 applications were routinely placed on every Planning Commission agenda and had to be  
385 approved if all conditions were met. Since staff already ensures that all code requirements are  
386 satisfied, it is more efficient for approval to occur at the staff level rather than through the  
387 Commission.

388 Lynn Excell motioned to approve Ordinance 2026-03, a Land Use Code Amendment to Title 10  
389 Chapter 7 regarding conditional use permits for metal buildings. Seconded by Joseph Prete.  
390 Councilman Ellerman confirmed there are architectural requirements in place. Motion carried  
391 unanimously.

392       **7.** Consideration and possible approval of the Municipal Advisor Agreement with Zions  
393       Public Finance - Kaden DeMille

394 Kaden DeMille explained that the City’s contract with Zions Bank for financial services is set to  
395 expire next week and requires renewal. The City is currently finalizing financing for the pool and  
396 city campus projects. He recommended continuing the relationship with Zions Bank, noting that  
397 the new contract maintains the same rates as the previous five years.

398 Dave Imlay motioned to approve the Municipal Advisor Agreement with Zions Public Finance.  
399 Seconded by Joseph Prete. Motion carried unanimously.

400 **8.** Consideration and possible approval of awarding the bid for the chip seal project -  
401 Arthur LeBaron

402 Arthur LeBaron stated the numbers are within budget and below the cost estimate.

403 Dave Imlay motioned to award the bid for the chip seal project to Holbrook Asphalt in the  
404 amount of \$543,593.10. Seconded by Lynn Excell. Motion carried unanimously by roll call vote.

405 **9.** Consideration and possible approval of awarding the bid for the slurry seal project -  
406 Arthur LeBaron

407 Councilman Prete confirmed the recommendation is the lowest bidder and there are no  
408 concerns with the qualifications.

409 Joseph Prete motioned to award the bid for the slurry seal project to American Pavement in the  
410 amount of \$530,225.23. Seconded by Amy Werrett. Motion carried unanimously by a roll call  
411 vote.

412 **10.** Discussion regarding creating an Affordable Housing Committee - Mayor Fawcett

413 Mayor Fawcett explained his plan to form a committee to address affordable housing,  
414 consisting of a builder, developer, realtor, mortgage broker, Planning Commission member, and  
415 a Council member. The committee’s first task would be to define “affordable housing.” He  
416 proposed meeting with each stakeholder group to hear their concerns and then having the  
417 committee brainstorm solutions to address those issues. Mark Sampson suggested that some of  
418 the challenges may stem from the City’s internal processes. Mayor Fawcett acknowledged both  
419 perspectives but noted the importance of giving all parties a chance to share their views. He  
420 asked Mr. Sampson to represent the Planning Commission on the committee. Councilman  
421 Ellerman volunteered to serve as the Council representative. Councilwoman Werrett noted that  
422 public perception is a key factor and stressed the Council’s role in demonstrating that  
423 affordable housing can be achieved without compromising neighborhood character. Mayor  
424 Fawcett added that new developments should not simply increase density in areas people still  
425 cannot afford. He stated that clear definitions are essential and noted that affordable housing  
426 should be distributed throughout the community.

427 Councilman Prete noted that while the Water District faces water supply challenges, they have  
428 invested in strong marketing materials. He expressed support for Mayor Fawcett’s suggestions  
429 but acknowledged that some constraints are non-negotiable. He noted the importance of  
430 identifying viable solutions that can then be promoted. Mayor Fawcett pointed out that impact  
431 fees are likely to be a frequent topic and stressed the need to educate the public about how

432 these fees are used. Councilman Prete asked whether reduced impact fees for affordable  
433 housing could be incorporated into the City’s impact fee study and offset by other types of  
434 development. Dayton Hall explained that the City cannot charge any applicant more than their  
435 proportionate share, but noted that a mechanism already exists in the City Code to lower  
436 impact fees for affordable developments if certain criteria are met. Mayor Fawcett added that  
437 he hopes to coordinate with other agencies to encourage similar reductions for their impact  
438 fees. Councilman Ellerman remarked that controlling land costs is the starting point, but  
439 affordability solutions must continue through the entire development process to be effective.  
440 Councilman Prete pointed out that affordable housing is about providing a roof over one’s  
441 head, not necessarily homeownership. Mayor Fawcett suggested appointing Kevin Thomas to  
442 the committee, citing his valuable insights from prior Council service. He also encouraged  
443 exploring additional funding sources. Councilman Ellerman recommended bulk purchasing as a  
444 way to reduce costs, while Councilman Prete suggested seeking donations from wealthy  
445 residents interested in supporting affordable housing. Mayor Fawcett welcomed all ideas to  
446 advance the initiative and asked the Council to provide any recommendations for committee  
447 appointments as he reviews potential members.

448 **11. Mayor, Council, and staff reports**

449 Gary Cupp mentioned Bob Peterson has requested to be removed from the Appeals Board.

450 Fred Resch III stated he has been responding to a few items on code violations. He did send out  
451 two citations on unlicensed short-term rentals. The Planning Commission had a short agenda  
452 where they approved a preliminary plat for a recreational resort by Sand Hollow and final site  
453 plans for a pool building and the Sky Rim Townhomes.

454 Dayton Hall explained there was a potential revocation hearing for Brian Sanderson’s  
455 residential hosting license on a previous agenda. He has been working with the owner’s  
456 attorney on a resolution of the violations and he is hoping to have a settlement agreement  
457 soon. He has two litigation updates for a closed session.

458 Kaden DeMille explained that the City had two options for financing the pool: direct placement  
459 with a financial institution or accessing the open market. The City chose the open market to  
460 secure a more favorable interest rate. As part of this process, a bond rating was required. The  
461 City received an AA rating—the highest achievable given the City’s location and economic  
462 factors—demonstrating financial stability and positioning the City to obtain the best bond  
463 terms. He noted that final numbers are expected on February 25<sup>th</sup>.

464 Councilman Prete mentioned he attended a Solid Waste meeting and if anyone wants a tour of  
465 their facilities to let him know. They raised an issue about batteries because they get run over  
466 and start fires. They are encouraging communities to have a battery collection area for  
467 residents to dispose of them.

468 Mayor Fawcett stated that he has requested a meeting with staff to address issues related to  
469 vacation rentals, particularly regarding renewal processes. He acknowledged staff frustration  
470 when they followed established procedures but the Council subsequently approved an appeal.

471 His goal is to bring a proposal back to the Council to provide clear direction so staff understands  
472 the Council's expectations moving forward.

473 Councilman Ellerman stated there is an Ash Creek Board meeting next week, but he will be out  
474 of town. Mayor Fawcett stated he will be there.

475 Councilman Excell reported that he attended the Planning Commission meeting and the  
476 Mosquito Abatement Board electronically, though he has not yet had a chance to meet with  
477 planning staff in person. He expressed appreciation for the work of the Commissioners. He also  
478 met with Streets Superintendent Hayden Roberts and was impressed with his leadership style.  
479 He stressed the importance of being prepared for storms and praised the Streets Department  
480 for effectively identifying and addressing problems during recent events. He commended Mr.  
481 Roberts and his crews for their diligent work on potholes. He also noted that the new traffic  
482 pattern on 600 North by Gould's Wash is problematic but acknowledged that plans are already  
483 in place to improve it. Councilman Ellerman raised a concern about a recently constructed block  
484 wall on 700 West, noting that visibility for left turns is obstructed. Arthur LeBaron explained  
485 that the City no longer requires permits for block walls, though he agreed that this particular  
486 wall does not meet standards and suggested the ordinance may need revision. Councilman  
487 Ellerman recommended marking the corners as unbuildable areas on the plat. Mr. LeBaron  
488 added that a punch list has been requested and that the necessary fixes will be completed  
489 before plat approval.

490 Councilwoman Werrett reported that Lee Beatty informed her of a trailhead near Confluence  
491 Park with a monument on the property, which they are interested in deeding to the City. She  
492 also noted that Wells Fargo is requesting liability indemnification for the historic home located  
493 on their property. Additionally, she mentioned that someone had asked why the City does not  
494 display the old state flag. Councilman Excell explained that state law requires all government  
495 locations to fly the current state flag.

496 Cindy Beteag asked for the Council's input on the Civic Clerk software. She explained the  
497 Council is the only board that is utilizing it so staff is trying to determine if something else could  
498 be used that is more cost efficient. Council stated they are utilizing Civic Clerk, and they find it  
499 helpful to have it in front of them during the meetings. They are open to exploring other  
500 options if Civic can't offer a better deal.

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

502 Joseph Prete motioned to go into a closed meeting at 9:28 p.m. to discuss pending litigation.  
503 Seconded by Amy Werrett. Motion carried unanimously.

504 **Adjournment:** Joseph Prete motioned to go out of closed session and adjourn at 9:38 p.m.  
505 Seconded by Drew Ellerman seconded. Motion carried unanimously.



## STAFF COMMENTS

**Item:** Consideration and possible approval of Resolution 2026-15 Approving an increase in Water Rates.

**Discussion:** The Washington County Conservancy District is increasing its wholesale water rate by \$0.11 per thousand gallons. Hurricane City buys a portion of the water it supplies to its residents from the District at the wholesale rate. This agenda item is to consider increasing Hurricane City's retail rate by \$0.11 per thousand gallons to match the increase by the District. The Water Board discussed this item on February 24, 2026, and unanimously recommended that the City Council increase the City's water rates by \$0.11 per thousand gallons. However, the Board recommended to deny the current 2% annual increase that has been built into the water rate for several years. The Board would like staff to determine what the increase should be and just do one increase rather than just increasing it each year. -Kory Wright

**Findings:**

**Recommendation:**

**A RESOLUTION OF THE CITY COUNCIL OF HURRICANE, UTAH, APPROVING  
AN INCREASE IN BILLING RATES FOR WATER USAGE IN THE CITY OF  
HURRICANE**

*WHEREAS* the Washington County Water Conservancy District has imposed an annual rate increase on the cost of wholesale water in the amount of \$0.11 per thousand gallons; and

*WHEREAS* the Hurricane City Water Board has recommended a corresponding increase in Hurricane City's billing rates for usage of water; and

*WHEREAS* the Hurricane City Council finds that an increase in the City's billing rates is necessary to account for the increase in the wholesale water rate, to pay for costs of water development, to pay to replace failing infrastructure, and to stabilize revenue for the Hurricane City Water Department; and

*WHEREAS* the Hurricane City Council finds that it is necessary and desirable for the preservation and protection of the health, safety, and welfare of the residents of Hurricane,

**BE IT HEREBY RESOLVED** by the City Council of Hurricane, Utah as follows:

1. At such time that the Washington County Water Conservancy District imposes its annual increase of \$0.11 per thousand gallons for the cost of wholesale water, the Hurricane City water rates shall also be increased by the following amounts:

- a. an increase of \$0.11 per thousand gallons of water;
- b. unless otherwise amended by the Hurricane City Council, this annual increase in water rates to match the WCWCD annual increase shall continue each year for five years, after which it shall be reviewed by the Hurricane City Water Board and updated by the Hurricane City Council;

~~2. Unless otherwise amended by the Hurricane City Council, each year for five years, there shall be a 2% increase in Hurricane City's general base rate and per thousand-gallon rate for water to stabilize revenue for the Hurricane City Water Department, after which it shall be reviewed by the Hurricane City Water Board and updated by the Hurricane City Council;~~

BE IT FURTHER RESOLVED that this Resolution shall take effect at the earliest date allowed by law.

PASSED AND APPROVED this 5<sup>th</sup> day of March 2026.

\_\_\_\_\_  
Clark Fawcett, Mayor

Attest:

\_\_\_\_\_  
Cindy Beteag, Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 5<sup>th</sup> day of March 2026. Whereupon a motion to adopt and approve said Resolution was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Drew Ellerman	___	___	___	___
Joseph Prete	___	___	___	___
Dave Imlay	___	___	___	___
Lynn Excell	___	___	___	___
Amy Werrett	___	___	___	___

\_\_\_\_\_  
Cindy Beteag



## STAFF COMMENTS

**Item:** Consideration and possible approval of awarding the consultant selection for the Transportation Master Plan Update.

**Discussion:** The current Transportation Master Plan was adopted in 2019. Hurricane City has budgeted funds to perform an update. An advertisement has been posted for consultant groups to submit statements of qualifications for this work. The scope of work that is contemplated is as follows:

Update the road network

Update active transportation network

Update the pavement management plan

Evaluate pavement management revenues and costs

Update Capital Facilities Plan

Update Impact Fee Facilities Plan

Provide for 2025 S.B. 195 Transportation Amendments compliance

The City has received a \$30,000 grant from the Dixie MPO and an additional grant application has been submitted to UDOT's Technical Planning Assistance program, which has a high likelihood of being awarded. This project will straddle two budget periods, so additional funds may be requested from impact fees if necessary to complete the scope of work.

As of this report the advertising period is still open. It is anticipated that the City will receive 5 or 6 submittals which will be evaluated by a selection committee consisting of staff and council members, and a recommendation will be given prior to the March 5th council meeting. Once the selection has been made we will work with the selected consultant to present a cost proposal for the work to the council for final approval and execute a contract. -Arthur LeBaron

**Findings:**

**Recommendation:**