

Minutes of the Hurricane City Council meeting held on January 19, 2017 in the Council Chambers at 147 North 870 West, Hurricane, Utah at 5 p.m.

**Members Present:** Mayor John Bramall and **council members:** Pam Humphries, Darin Larson, Kevin Tervort and Kevin Thomas. Excused: Cheryl Reeve

**Also Present:** City Manager Clark Fawcett, Assistant City Manager/Recorder Kaden DeMille, City Attorney Fay Reber, Police Chief Lynn Excell, Power Superintendent Dave Imlay, Public Works Director Mike Vercimak, Planning Director Toni Foran, City Engineer Arthur LeBaron, GIS Specialist Joe Rhodes and Fire Department Inspector Kevin Gildea.

## **AGENDA**

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

Lynn-Citations are up almost 40% from a year ago. The Police Department bike squad has been used recently in several areas that have seen an increase in thefts including construction areas. Copper wire thefts have been increasing again.

Within the Police Department the school resource and community policing positions have changed. Starting February 1<sup>st</sup> Ken Thompson will be over community policing and Kraig Stowe will be the new SRO.

Animal control employee Debbie resigned the end of December but agreed to stay on until her position could be filled. They will be hiring next week. As an update, there was a water line valve that stuck at the Animal Shelter creating a sinkhole, settling a storage building and damaging a part of the parking lot. The damage to the parking lot is roughly \$6,500. The department will put a hold on the purchase of a generator and use those funds to fix the parking lot.

The Victim Services vehicle, a 6 year old Hyundai Sonata, is up on its 3 year lease and will be replaced by a Ford Fusion hybrid. The vehicle will be picked up by March and instead of leasing it through Hinck lease it will be leased through the city capital projects fund.

The civilian rescue vehicle is a tan military color. The Police Department would like to paint it a more neutral color so as to avoid having a "military connotation" with the vehicle. The cost to repaint would be roughly \$5,000.

Dave-After 6 years of paperwork on the IPP power plant to convert it to natural gas the paperwork was finalized Monday. This will take the plant post 2027 to 2077. The current contract will run until 2027 but the paperwork that was finalized allowed for the plant to be converted now. Current California law and regulations are requiring that the coal plant to be changed to something other than coal, which in this case will be natural gas.

Construction will begin shortly on their new building with the re-location of a power pole and fencing. Next week the construction will commence. Operations will be moving to the lower conference room during the construction.

Hurricane is one of only a few cities that have the ability to run off the normal grid system, in the event of a large scale outage, with Hurricane's resources. Though the city has the ability, doing so does cause two power outages but Hurricane does have the ability to provide power in the event of a large outage.

The next UAMPS member conference will be held in Squaw Valley at Lake Tahoe likely in August; Dave will get the dates to the council as soon as they are available.

Mike-Water department completed cleaning of the golf course irrigation pond this week. A number of employees participated in a safety training in Washington today. Public works has been watching the increase in ground water running over the sidewalk down in the storm drain at Sand Hollow on the north access road. It would appear that it is a water line break there is that much water flowing but it is not a water line. The WCWCD has been put on notice regarding the problem. This water will likely start draining into the Dixie Springs pond, once full it will surface drain through Dixie Springs and then fill up the Elim Valley pond. They are not sure what to do as there is no way to shut it off. It is understood that Sand Hollow reservoir is 90% full and rising which they figure is a cause of the water.

Toni-Fay will likely report on the latest Elim Valley lawsuits the city is involved in and the response that is required of the city. There are a couple of items on the agenda coming from planning commission. The Dutton zone change and the land use code accessory dwelling units. There are maps of the surplus properties in Dropbox for the council to refer to. This is the first step in the process of disposing the property, then appraisals, etc. Ms. Humphries asked whether Stan owned the house in the front or Kelly. Stan owns the house in the front and Kelly owns the property in the back, on which Stan would like to build. Ms. Humphries questioned whether there would be enough room to pass by the home. Ms. Foran explained that under the current ordinance there would not be enough room but he was approved for a flag lot back in 2007 which allowed it. On the accessory dwelling unit ordinance Ms. Foran explained that the kitchen and bathroom requirements are part of the ordinance with descriptions found under the definitions section.

Kevin Gildea-The Fire District tax increase was approved this week and they are moving forward with their 2017 budget (the tax increase will show up on the November 2017 tax notice). The board will be interviewing potential paramedics and EMTs on the 27<sup>th</sup>. There are 12 applicants. The fire engine in Las Vegas is getting closer to being finalized and is currently under budget on its major repairs. The Quint (a ladder and pump truck) that is on order is coming along. The body is painted and the chassis is currently under construction. The Fire District is hopeful to get the truck by March. The Fire District has an agreement for the new fire station and ground breaking on the 30<sup>th</sup> of January.

Arthur-If additional layout work on the fire station is needed Mr. LeBaron asked Mr. Gildea to let him know. Mr. LeBaron requested a closed session with the council for a property acquisition issue. The city is finalizing 400 South working with the land owners there. Mr. LeBaron is currently working with Mr. Reber on the Stirland property on 1400 W. It was requested that the city not stockpile anything on property until the road needs to be built.

Bryce-There was a water line break at the pool today, it is a 2" line in the pool building. The Recreation department ordered new lane lines from the RAP tax for the pool today. New banner displays for the Parade of Homes and other events are under development. There will be 5 popup displays and a background display. This will be the busiest spring with the most sports offered by the Rec department. Sports include adult and youth volleyball, karate, wrestling, baseball, softball, dance, track and tumbling.

The aquatic committee has a presentation for the council after researching costs at the Summit Athletic Club in St. George which has a year round uncovered swimming pool. Mr. King explained that the Hurricane pool's goal would be to maintain an 82 degree water temperature with the proposed pool covers. Summit maintains a pool temperature of 83-84 degrees in winter but doesn't have the depth variations like what the Hurricane pool has. The proposed pool covers have a warranty of 6 years with

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many of the pool covers lasting 10 + years. Using certified volunteers as lifeguards was discussed as a way to reduce costs and how using volunteers could potentially impact insurance rates. As long as certified volunteers were used it shouldn't impact insurance costs. Extending programs and offering additional programs may have to be played by ear to determine whether the costs outweigh the benefits. If the pool is opened up for 2-5 people for the day it probably wouldn't be worth it for the city to provide that service. Another unknown is whether a qualified swim coach would come here and whether the school district would be willing to pay for additional coaches. Bryce also suggested the "renting out" of swim space to other entities such as Fredonia or Kanab if they had swim teams.

Kaden DeMille – The Certification of Copper Rock Annexation involved two main components. One was to notify the different entities such as the school district, Water Conservancy District, etc., which they have done. The other was to certify a map that can be recorded with the county that shows the parcels. Fay had concerns regarding the legal description of the property that was submitted. There is a ten acre discrepancy. Fay also mentioned that the petition was filed under Copper Rock Properties, LC and the ownership entity on record at the Recorder's Office is Copper Rock Properties, LLC. Fay spoke with the Recorder's Office this afternoon and a change will be made to reflect the entity of ownership as Copper Rock Properties, LC. Once these two discrepancies are corrected then the petition will be ready to be certified.

Presentation of 10 year service award to Brian Anderson and Kyle Fenn. Dave Imlay presented Kyle with his 10 year service award as well as Brian Anderson. Both are a very valuable asset to the City.

Presentation of 20 year service award to Don Behunin – Dave Imlay presented Don Behunin with his 20 year service award.

Approval of Council minutes: 11/03/2016 - Pam Humphries made a motion to approve the 11/03/2016 meeting minutes. Seconded by Kevin Tervort. Motion unanimously approved with Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

**6:00 p.m. - Call to Order** – Local Scout lead the pledge of allegiance and Stan Dutton offered prayer.

**6:15 p.m. – Public Forum – Comments From Public**

None.

## **OLD BUSINESS**

**1. *Presentation from the Hurricane Aquatic Committee and possible decision regarding swimming pool cover-Jesse Kochel***

Jesse Kochel discussed his PowerPoint presentation with Council. Jesse went over evaporation numbers and stated there's an approximate 35-60% savings on water evaporation and chemicals when a tarp is used. Jesse gave an example of Summit Athletic Club in St. George. They have a 25 meter pool like ours and 195,000 gallon water pool and they are saving about 20% or \$1,000/per month by using a tarp. Summit only puts the tarp on the pool November – February. Bryce mentioned that he would like to do open swim through fall break. He added that September and October could potentially be a big market for the city.

Kevin Tervort motioned to approve the purchase of the cover with 1/3 out of RAP tax, which the Aquatic Committee will apply for, 1/3 out of general fund, 1/3 would be donation. Kevin Thomas seconded. Motion passed with Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

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**NEW BUSINESS****2. Discussion regarding public nuisances-Gwen Wadsworth**

Gwen Wadsworth was not present at this meeting.

**3. Discussion and possible approval of designation of parcels of city owned property as surplus property**

Ms. Foran explained that when SAA was done for Dixie Springs the detention basin had to be re-worked and the city had to purchase a number of properties. The city has obtained these through trustee deed so they need to be declared surplus so they can be sold. Also, there are some parcels on the north side of 2060 S on the Wadman property that are desired by some people living down there. The first step would be to declare them surplus and the FAA can then remove them from the airport area on the applicable lots. Pam Humphries asked why the city would sell the property then have to buy it back once the road is improved. The property is odd and creates a problem for development of the property north of the road.

Darin Larson motioned to approve the designation of parcels of city owned property as surplus property as it is in the best interest of the City and has no immediate use. Seconded by Kevin Thomas. Motion approved with Kevin Thomas, Kevin Tervort, and Darin Larson voting yes. Pam Humphries voted no.

**4. Certification of Copper Rock annexation-Kaden DeMille**

Mayor Bramall stated that this item is in regards to the 892 acres east of the Judd ranch, west of the Mayor's property, west of Sky Ranch and northwest of Copper Hills Subdivision. Pam Humphries summarized that they have already notified the different entities and the issue is in the legal description of the property with that ten acre discrepancy that was described earlier. Fay Reber reiterated the process of this annexation. He stated that we have received the petition for annexation and we are in the process of verifying that the petition meets all of the requirements of the Utah Code. When that process is complete, then they will certify to the City that the petition meets the requirements of the Code by either a public meeting or a letter. Once the petition has been certified, then the advertising process can begin. The annexation has to be published once a week for three consecutive weeks, and then there is a waiting period after the final publication to allow for any public objections.

Kaden DeMille stated that no action is required by Council tonight, and he will let Council know when the process is complete and the annexation is certified.

**5. Consideration and possible approval of a zoning map change request from RA-1, Residential Agriculture one acre, to RA-.5, Residential Agriculture half acre, for 1.5 acres located at 724 W. 1300 South with parcel #'s of H-3-2-355-C and H-3-2-3-355-B-1-Stan and Kelly Dutton applicants**

Darin Larson stated that during the Planning Commission meeting there were a couple of residents who voiced concerns about the zoning change. Mr. Larson said that the Planning Commission did recommend for Council to approve the zone change but with the way the lot sits as a flag lot there is only availability to build one home, and that is how the Planning Commission approved it.

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Darin Larson motioned to approve the zoning map change request from RA-1, Residential Agriculture one acre, to RA-.5, Residential Agriculture half acre, for 1.5 acres located at 724 W. 1300 South with parcel #'s of H-3-2-355-C and H-3-2-3-355-B-1, with the condition that there would be only one dwelling and making sure that the road has been certified by the fire department. Seconded by Pam Humphries. Motion approved with Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

**6. Consideration and possible approval of an ordinance amending the Land Use Code adding Chapter 41, Accessory Dwelling Units, to regulate the use of accessory dwelling units on single family residential owner occupied property to provide additional long term housing options within the City limits and to make changes in other code sections related to second kitchens- Hurricane City applicant**

Basic idea to allow meeting need for affordable housing was to allow accessory dwelling units. In 2007 commission tried to insert something in this section and couldn't. They came to agreement and planning commission recommended approval. Permit included in ordinance but no fee is required and it's not a license. This would be more for long term and not seasonal or short term rentals. It is meant as living quarters with a kitchen and sanitary facilities. If there is a deed restriction it would need to be re figured. Kevin Thomas wanted to commend Toni Foran for her effort to get this complicated item completed. Mr. Thomas also stated that he has only one change on the way it is written, on item H, he proposes changing the first word "an" to "a detached" so it would read "a detached accessory dwelling unit may not be rented as a short term rental."

Kevin Thomas motioned to approve an ordinance amending the Land Use Code adding Chapter 41, Accessory Dwelling Units, to regulate the use of accessory dwelling units on single family residential owner occupied property to provide additional long term housing options within the City limits and to make changes in other code sections related to second kitchens, with the wording change of "a detached". Seconded by Darin Larson. Motion approved with Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

**7. Mayor, Council and Staff reports**

Mayor Bramall	Airport, Administration, Police, Animal Control, School Crossing Guards, Victim Services, Public Works, Engineer- Habitat Conservation Committee – HCP has expired. The land trade deal went from 1400, 1200, 600, 465, to 200 acres with a smaller footprint. Mr. Doyle wants to sue the City and County if he doesn't get the property at Sand Mountain. Mr. Brennan agreed to a reduced 200 acre land trade at Sand Mountain and to open a "discovery" type of recreation resort destination. Council advised Mayor Bramall to keep the discussions going with Mr. Brennan and Mr. Reigns.
Kevin Thomas	Emergency Management, Streets & Drainage, Youth City Council- Youth City Council is beginning to get organized. Mayor offered a van to help transport kids up to SLC for Local Officials Day on January 25 <sup>th</sup>
Pam Humphries	Court, Water, Power, Solid Waste-grateful for rain. Dixie Springs water rate change almost ready to take to Water Board and should be before Council in late February or early March.
Darin Larson	Planning Commission, Economic Development, Planning Department, Building and Inspection, Recreation-Kettle corn to be the 3 <sup>rd</sup> vendor by the movie theater. He wants a permanent business license, not a temporary one. Fay recommended that it didn't meet

	the ordinance. Planning Commission tabled the issue. Council may have to deal with it.
Cheryl Reeve	Parks & Cemetery, Swimming Pool, Board of Adjustment, Historical Preservation, Tree Board, Beautification-excused
Kevin Tervort	Ash Creek Special Service District, Golf Course, Industrial Park, Mosquito Abatement, Fire District
Clark Fawcett	City Administration

**8. Adjournment: 7:01 p.m.**

Darin Larson made a motion to move into Closed Session. Seconded by Pam Humphries.

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