

Minutes of the Hurricane City Council meeting held on February 2, 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, Kevin Thomas and 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, GIS Specialist Joe Rhodes and Fire Department Inspector Kevin Gildea.

AGENDA

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

Chief Excell – presented Council with a report that compares department stats from 2016 to 2017. Chief Excell said that he will provide this report to Council on a monthly basis. The department is still in the process of hiring a new Animal Control Officer, background checks are underway. There was a water leak out at the Animal Shelter. The leak caused a sink hole and collapsed the outside storage building and caused about \$6,500 in damage to the driveway, curb and gutter. Another issue is that the camera systems down at the department have been receiving a lot of interference. Chief Excell is working with a new company to try and fix that problem. Starting Monday, Ken Thompson will be new Community Policing Officer and Kraig Stowe is the new high school SRO.

Dave – The building remodel and addition will begin on Monday, February 13th and should be completed by the end of May. Mr. Imlay is giving a presentation tonight regarding the Hurricane Reliability Report for 2016. This report measures reliability of our power system. Currently, the City of Hurricane has a 99.9995% reliability. Council congratulated Mr. Imlay and his department for doing an excellent job.

Mike Vercimak – Arthur LeBaron is up north attending the CIB mtg. He wanted Council to know that he was successful in getting the grant and the transportation master plan update will move forward. Mr. Vercimak reported that Eric Crosby who used to be with the Streets Department is training to take over Steve Cox position. He's received reports that he is doing well. He also sent out an email to Council regarding the water tank project. This email will come out on a weekly basis to keep Council updated on the progress. Mr. Vercimak reported that there is increasing concern about all the surface water down at Sand Hollow. He explained that water is running down the curb into the storm drain. The Dixie Springs pond is also ready to overflow. They are making preparations so that the water goes straight to the river. The water situation is ready to meet critical mass and that the ground is completely saturated. Kevin Tervort mentioned that Sand Hollow will be completely full and Quail Lake won't be because it doesn't operate well at full capacity.

Toni Foran – she has received some interesting proposals for projects in the Building Department. She has also had engineers contact her regarding the remaining development at the Retreat at Sand Hollow. "Tava at Sand Hollow" will be with a different developer and they have provided Ms. Foran with a rough sketch of their plans. It will be self-contained with its own resort amenities that will not be the same as the amenities at the Retreat at Sand Hollow. Also, her office is working on enforcement of vacation rentals. We are currently full with 48 vacation rentals and 10 more units on a waiting list. Vacation rentals are reviewed on an annual basis. Pam Humphries mentioned that on Facebook the Country

Living Magazine has a photo of Hurricane with a caption that says “Hurricane is a small town that you’ve never heard of is America’s most popular new vacation spot” for HomeAway vacation rentals.

Mayor Bramall asked for a status updated on the Copper Rock Agreement. City Attorney Fay Reber stated that he’s received a draft of the agreement yesterday and is hoping to respond tomorrow. Kaden has provided the City with a Notice of Certification regarding this annexation. The next step is to provide notice to the public in The Spectrum and on the Utah State website. The public will have until March 2, 2017 to protest the annexation. Cheryl Reeve suggested that Council arrange a work meeting to discuss the Development Agreement in detail to decide what is best for the City. Mr. Reber agreed that a work meeting would be beneficial. The work meeting was scheduled for February 9, 2017 at 5:00 p.m.

Fay Reber – drafted an amendment to Title 4 Chapter 9 of the Hurricane City Code relating to Noise for Council review and possible approval. The amendment addresses Section 4-9-1 with a deletion of Section 4-9-2.

Kevin Gildea – the fire station dedication was January 20, 2017. It was well attended. Fire Chief Tom Kuhlmann is also returning from up north. He was attending the CIB meeting, and he was also successful in securing money for the new station. They have a few new hires starting this month and are testing again tomorrow to hopefully replenish their part-time staff. Engine 46 is largely done. They are still working on it. All the bodywork done and they are ahead of schedule. Engine 44 repairs are complete but it is still short on water pressure power, so they are still working on it. Mr. Gildea stated that there is a Board meeting next week at 5pm fire station no 2.

6:00 p.m. - Call to Order – Pledge lead by: Mayor Bramall Prayer offered by: Kevin Tervort

Approval of Council minutes:

12/15/2016 – Pam Humphries had a change to line 11 and 12. With those corrections being made, Pam Humphries made a motion to approve the 12/15/2016 Council minutes. Seconded by Kevin Thomas. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

01/05/2017 - Pam Humphries made a motion to approve the 01/05/2017 Council minutes. Seconded by Kevin Thomas. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

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

None.

NEW BUSINESS

- 1. Discussion and possible decision regarding the approval of funding for the removal and installation of the Hurricane bell-Mayor Bramall**

Mayor Bramall stated that several years ago Council approved working with LDS church to remove the bell from the old red brick church. Removal estimates were \$3,000 - \$5,000. Pam Humphries stated that she is not opposed to the removal of the bell, but she does want to know where the funding is coming from. Mr. Fawcett suggested Council approve the removal funding, then get a plan together for

the installation, then approve that as part of the budget at a different time. Cheryl Reeve stated that a crane is needed to remove the bell because it is 325 pounds. Mayor Bramall wants the City to hold the church harmless, and hire a professional company or general contractor for the removal. Dave Imlay said that the Power Department has a line truck that could be used to reach the bell for removal. Mayor Bramall mentioned that he received a letter in opposition from Don Triptow. Council also received a copy of this letter.

Kevin Thomas made a motion to approve funding for the removal of the Hurricane bell, not to exceed \$5,000.00. Kevin Tervort Seconded. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries, and Darin Larson voting aye.

2. Discussion and possible decision regarding parks & roads impact fees-Todd Getz/Zion Village

Todd Getz appeared before Council representing Zion Village Resort. Mr. Getz presented a handout to Council regarding the \$800,000 - \$1.3 million dollar amenity package at Zion Village Resort. He is here seeking a waiver of the park impact fees associated with this project. Currently the impact fees are \$357,800 with a breakdown of \$3,380 per unit, and there are 94 units. Mr. Getz stated that they need to start recouping some of the fees for this project because they have already fronted the costs of the road. Mr. Getz suggested a tier reduction in fees as each phase is complete. Mike Vercimak mentioned that the road and utilities are going to be complete from 600 N to 100 N and the City has stepped up and given them impact fee credit for upsizing waterline, impact fee credit for the road and spine, and even stepped up with cash to finish the paving of the road. Mr. Vercimak also stated that there has been participation from the City and Ash Creek Sewer District on this project already. Mr. Getz said that the City and Ash Creek have been great, but they have paid for everything up front and are now seeking any type of reduction in impact fees they can get. Darin Larson suggested 100% exemption on Phase 1 which is 24 units, then 50% reduction on Phase 2, and a 50% reduction for Phase 3.

Motion made by Darin Larson to approve a 50% reduction of the overall park impact fee to be paid during Phase 2 and Phase 3 of the project. No parks impact fees will be collected during Phase 1 of the Zion Village project. Seconded by Kevin Tervort. Motion passed with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

3. Presentation of Hurricane City Power's annual reliability report-Dave Imlay

Dave Imlay presented the Hurricane Reliability Report 2016. Information on this report measures the reliability of the power system, provides goal setting parameters, and answers questions about power reliability from new larger potential customers. Hurricane Power Department has 99.9995% reliability. Mayor Bramall commended Mr. Imlay and his department for an outstanding job.

4. Consideration and possible approval of an amendment to the Hurricane City Code, Title 4, Public Health and Safety, Chapter 9, Noise – Fay Reber

Mr. Reber submitted an amendment to the Hurricane City Code, Title 4, Public Health and Safety, Chapter 9, Noise. This proposed change amends Section 4-9-1 Prohibition of Excessive Noise and deletes Section 4-9-2. Section 4-9-1 of the Hurricane City Code is amended in its entirety to read as follows:

4-9-1 PROHIBITION OF EXCESSIVE NOISE:

It shall be unlawful for any person to make or continue to make, or, as owner or person in control of property, to allow or continue to allow to be made, any noise which, considering the intensity, frequency, time of day, duration, location, or proximity to areas permitted for specified use, unreasonably disturbs or interferes with the peace, quiet, comfort or repose of any person of average or reasonable sensitivities in his dwelling or place of business, including by way of example and not by limitation, the following noises: honking of horns; playing of loud music; barking dogs; fighting, yelling, shouting or loud laughter; operation of vehicles, machinery or equipment; engaging in construction or demolition activities; noise from aircraft; use of lawnmowers before six (6:00) a.m. or after ten (10) p.m.; blasting activities.

Mr. Reber reiterated that the timeframe of six (6:00) a.m. or after ten (10) p.m. is specific to the use of lawnmowers. There was never a timeframe in the ordinance where people can't make unreasonable noises. Mr. Reber explained that consideration must be given to the intensity, duration, frequency, the time of day, etc. to determine whether it's reasonable or not.

Kevin Tervort made a motion to approve the amendment to the Hurricane City Code, Title 4, Public Health and Safety, Chapter 9, Noise. Seconded by Pam Humphries. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

5. Mayor, Council and Staff reports

Mayor Bramall	Airport, Administration, Police, Animal Control, School Crossing Guards, Victim Services, Public Works, Engineer- Spray Force who was talked about a few years ago, coming up from Fresno California, at that time was offered \$92,000 in terms of redevelopment incentives. Mayor Bramall asked if Council was still ok with extending the same offer again. Council agreed.
Kevin Thomas	Emergency Management, Streets & Drainage, Youth City Council-
Pam Humphries	Court, Water, Power, Solid Waste- Mac Hall got the report back from McMillian & Jacobson that the cost for fixing Frog Hollow is going to cost twice as much, about one million dollars. Mac will be coming before Council to make a presentation regarding the same. Also, the Water Board has changed the name for the Dixie Springs/Sand Hollow area to the Sand Hollow Basin because it was getting confusing when discussing those areas. The Board has agreed on what they want do to in that area and are going to come before Council and make a presentation. They are going to recommend an increase of \$.10 per thousand. There may be an additional increase in July, but they want to study and see how large of a percentage that area will be using.
Darin Larson	Planning Commission, Economic Development, Planning Department, Building and Inspection, Recreation- Last week Planning Commission approved the final site plan for a new Dollar Tree store.
Cheryl Reeve	Parks & Cemetery, Swimming Pool, Board of Adjustment, Historical Preservation, Tree Board, Beautification-
Kevin Tervort	Ash Creek Special Service District, Golf Course, Industrial Park, Mosquito Abatement, Fire District
Clark Fawcett	City Administration - Chief Excell is working on getting an Emergency Preparedness Grant and will be getting our building set up with a security system with cameras and key fobs

	for electronic entry. In the future the Council Chambers will be used as the command center and EOC in emergencies.
--	---

6. Adjournment 6:39 pm