

Minutes of the Hurricane City Council meeting held on February 16, 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, Public Works Director Mike Vercimak, City Engineer Arthur LeBaron, GIS Specialist Joe Rhodes and Fire Chief Tom Kuhlmann.

## **AGENDA**

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

Chief Excell – Police Department has been doing some recruiting of new officers. They are going to be conducting testing next week and creating a hiring roster for their future employment needs. Chief is also presenting the Police 2016 Annual Report this evening. The interviews for the Animal Control part time position have been completed and they are ready to make a conditional offer to an individual. Also, Susan Barrett who volunteers at the Animal Control Office received the Volunteer of the Year Award. Chief Excell mentioned how proud they are to have her in their department.

Fire Chief Kuhlmann – Construction is underway for their new fire station. They are on schedule to finish in 140 days. The Fire Department will be inviting Council to a ribbon cutting in late May or early June.

Mike Vercimak – Streets Department is in between many projects. They are doing lots of patching and working on cleaning out culverts. The water flow down at Sand Hollow has slowed way down. The water tank project is underway. Parks Department is preparing for Spring, the weeds and grass are growing. There are many projects going on.

Arthur LeBaron – UDOT is prepping for regional interchanges along the Southern Parkway. The most important factor in regard to these interchanges is funding. If an interchange is sited well and approved it would be constructed by developers and some other financing. The Spilsbury's have quite a bit of property that UDOT will need to acquire for the Southern Parkway, so they could trade the value against the cost of the interchange. Mr. LeBaron stated that there are many unanswered questions concerning this issue. Another item Mr. LeBaron wanted to bring before Council is the field down at 300 W 400 S. This field is for sale and this is the location where 300 S is going to be. Mr. LeBaron recommends that the City try and purchase the lot. This lot does not qualify for COG funds but there is a possibility of funding from legislature if a certain funding measure receives approval.

Fay Reber – The Copper Rock Annexation thirty day protest period has begun. If there is no protest after the thirty days, the City can proceed. In the meantime, Council met this week and discussed the Annexation Agreement. The changes were sent up to the other attorney. Mr. Reber reported that he has finally received the information he requested from the County regarding the COG entity. He can now proceed with drafting an agreement for 1400 W.

### **6:00 p.m. - Call to Order –**

Pledge of Allegiance: Mayor Bramall    Prayer offered by: Jerry Brisk

Presentation of 20 year Service Award to Jerod Brisk. Mayor Bramall and Clark Fawcett congratulated Mr. Brisk on a great career thus far.

Approval of Council minutes: 01/19/2017

Pam Humphries made a motion to approve the minutes from 01/19/2017. 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**

Bill Zitting – Mr. Zitting came before Council requesting an amendment to the Retreat at Sky Mountain Development Agreement. According to the Development Agreement “no building permit shall be issued for a building in the Project until such time that the water supply system to fire hydrants and to supply culinary water to building for which permits are sought in Phase 1 are completed before combustible material is brought on site” Mr. Zitting explained that they thought they would have the culinary water completed by now, but they are still two weeks out and he doesn’t want to stop construction for two weeks. He is here seeking permission to continue construction on Buildings A and G and he stated that there is a live hydrant with a meter on it 100 feet from Building G. After some deliberation from Council, Fay Reber explained that because Mr. Zitting is speaking under Public Forum and not under an official Agenda item, Council cannot make a decision on this action tonight. Mr. Reber suggested that Council call a Special Meeting next week to make a formal decision on this matter. Council decided that they will hold a Special Meeting on Tuesday, February 21, 2017 at 9 a.m. in regards to this matter.

### **NEW BUSINESS**

1. *Discussion and possible decision regarding the installation of a new fire hydrant-Stephen Iverson*

Stephen Iverson appeared before Council and stated that he and his wife received this one acre property off of Turf Sod Road as an inheritance from her grandparents. When he went to apply for a building permit he was informed that he had to install a fire hydrant. The current closest fire hydrant is approximately one mile away. Mr. Iverson said that he cannot afford to put in a hydrant and build a home and he was wondering if Council could give him a variance or something so he would not have to install a hydrant. Mayor Bramall stated that the City is required to provide him with fire protection and that cannot be done unless there is a fire hydrant. Council discussed a few options where Mr. Iverson could contact his neighbors to see if they would go in on the costs of the hydrant installation, install a pond on his property that could take the place of the hydrant, or talk to a bank and possibly get a loan for the price of the installation. Mayor Bramall even offered his backhoe to help reduce the costs. Council sympathized with Mr. Iverson’s predicament, but the City will require a hydrant before a building permit can be issued.

2. **Annual Police Department Report-Lynn Excell**

Chief Excell presented the 2016 Year End Report to Council. Included in this report were statistics regarding Call for Services, Average Response Times, Classification of Arrests, Incident Reports, etc. Chief Excell summarized the major cases from the year, stolen/recovered property and a breakdown of the citations given throughout the year. Officers also receive training throughout the year. The HCPD has training every month so their officers stay certified. The goal of the training is to provide the City of

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Hurricane with a fully-trained police department that is able to respond efficiently to the variety of incidents they receive. Also included in this report were the statistics from the Animal Control office, school crossing guards, and descriptions of different community programs. A hardcopy of this report was distributed to Council for their review.

3. *Discussion and possible decision regarding a water rate increase for the Sand Hollow basin area-Mac Hall*

Mac Hall – In July of 2016, the Washington County Water Conservancy District raised the rate for culinary water purchased from their facilities. The rate went from .84 cents per thousand gallons to .94 cents per thousand gallons or .10 cents per thousand gallons. Mr. Hall stated that he was told that this rate will be going up by .10 cents per thousand gallons per year for the next several years. If the District does increase the rate again in July, they will come before Council. Currently the Sand Hollow Basin uses 94.78% of this water. The rest of the system only relies on the WCWCD in emergency situations. The .10 cent per thousand increase comes out to be approximately \$13,000.00 per year increase for the Sand Hollow Basin using current usage totals. Mr. Hall stated that the Water Board recommendation is to raise the water rates in this area to offset the cost of the rate increase from the Conservancy District and to adjust this rate annually. These rate increases should be reviewed by the Water Board and City Council annually. Mr. Reber stated that this action will require an ordinance or resolution to approve a rate increase. He asked Ken Richins to forward him the water rate increase information so that he can have something prepared for the next Council meeting.

Pam Humphries made a motion to continue this item for two weeks. Kevin Tervort seconded. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

4. *Consideration and possible approval of the American Public Power Association Mutual Aid Agreement-Dave Imlay*

Mac Hall – Mr. Hall stated that as a Signatory on this proposed Mutual Aid Agreement from the American Public Power Association we agree to render aid to any of the other power companies who sign the agreement. This has to do with the Reliability Public Power Provider number and this gives us extra points to be a participant to this agreement.

Kevin Tervort made a motion to approve the American Public Power Association Mutual Aid Agreement. Seconded by Kevin Thomas. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

5. *Discussion and possible approval of a resolution approving revenue neutral rate power base rate adjustments-Dave Imlay*

Mac Hall - reported that a year ago the Power Department did a rate increase and changed their base rate from \$14.00 to \$17.00. This raised the Department revenue approximately 2.5%. The company who helped design this suggested it would be beneficial to raise the base rate to \$34.00. The Power Board was moving towards raising the base rate to \$20.00. Their reasoning behind this increase is that renewables come in to your system and they are not buying as much power but they are still impacting the infrastructure. The base rate is set up to cover those costs. The Power Board recommends raising

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the base rate \$1.00 this year and another \$1.00 next year. This is for residential customers, not commercial businesses. Pam Humphries stated that the Power Board recommends approval. Mr. Reber mentioned that this action will require an ordinance or resolution to approve a rate increase. Mr. Reber will prepare something for the next Council meeting.

Kevin Tervort made a motion to continue this item until the next meeting. Seconded by Kevin Thomas. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

6. *Consideration and possible approval of an ordinance amending Title 8, Chapter 1 related to separate water users and metering of the culinary water system-Hurricane City Applicant*

Kevin Thomas stated that he read through the amendments and the changes are intended to clarify things with Chapter 41 regarding Accessory Dwellings. Mr. Fawcett added that this allows for a home and an accessory dwelling to be on one meter and not separate meters as long as they are under a single owner.

Kevin Thomas made a motion to approve the ordinance amending Title 8, Chapter 1 related to separate water users and metering of the culinary water system. Seconded by Darin Larson. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

7. **Consideration for adoption of a resolution of the City Council of Hurricane City, Utah delegating authority to finalize the terms and conditions of the issuance and sale by the issuer of its water revenue bonds, series 2017 and related matters**

Clark Fawcett – the bond is being placed so it can be bought outside in the market, so this process is different than what we've done in the past. We are working on the preliminary statement that will be sent out to the public so they can decide if they want to invest in these bonds or not. The official statement is about thirty days out before publication. Mr. Fawcett explained that what is being adopted tonight is the setting of terms and conditions of the sale of the bonds. Funding should be around the end of March. The bonds will be sold in \$5,000 increments. Each bond is numbered and they will be paid off in numerical order. Pam Humphries asked if the sinking fund pays any interest. Mr. Fawcett explained that the sinking fund does earn interest and that amount stays in the account and is applied to the payments. This water bond will fund the new water tank and several water lines out there. Ms. Humphries had a change to draft of the Official Statement on page 20. She stated that she has been with the City for 10 years, and Mayor Bramall has been with the City for 13 years.

Pam Humphries made a motion to consider for adoption a resolution of the City Council of Hurricane City, Utah delegating authority to finalize the terms and conditions of the issuance and sale by the issuer of its water revenue bonds, series 2017 and related matters. Seconded by Kevin Thomas. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries, and Darin Larson voting aye.

8. *Public Hearing to take comments on amendments to the 2016-2017 budget*

Pam Humphries made a motion to move into Public Hearing. Kevin Tervort seconded. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

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Clark Fawcett explained that there are a few tweaks and changes to the 2016-2017 budget. He stated that there are a few extra revenues to be added and the need to move funds around to better appropriate projects. Mr. Fawcett reviewed his handout 2016-2017 Budget Amendments. Mr. Fawcett explained that we received a donation for the Main Street Trail Head, an increase in grant funds, an insurance dividend, etc. There were also some additional fees and added costs from other departments. These amounts have all been accounted for and the budget has been amended.

Nancy Crowley a resident of Dixie Springs wanted to discuss the dog park that has been talked about in the past. Ms. Crowley stated that she puts out the Newsletter for Dixie Springs and she is receiving more and more complaints of the dog poop problem down there. She explained how people are used to having empty lots down there and that is where they would allow their dogs to poop but now that these empty lots aren't available they are having a problem. Ms. Crowley stated that there is an area that is on the east side of the park that already has fencing on one side that is for the Water Conservancy District. They are asking help from the City to put fencing on the other side. They are not asking for the area to have grass or anything, just the fencing. Ms. Crowley stated that the City would not be responsible for the area, the responsibility for cleanup and maintenance would be on the community. Mayor Bramall stated that the fence cost could possibly come out of the contingency fund. Mr. Fawcett said that once he gets some numbers back on the actual cost of the fencing, he can figure out how to fund this project.

Mayor Bramall stated that we are amending the budget and asked Council if they wanted to put some contingency funds towards certain items. Chery Reeve stated that she has citizens requesting a skate park. Kevin Thomas stated that he and the preparedness people would like to have sirens for each firehouse. Mr. Fawcett mentioned that Chief Excell has Emergency Preparedness funds included in his five year plan.

Kevin Thomas made a motion to go out of public hearing. Seconded by Pam Humphries. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

9. *Consideration and possible approval of a **resolution approving amendments to the 2016-2017 budget**-Clark Fawcett*

Mr. Fawcett reported that the RAP Tax application process has begun. The application deadline is March 10, 2017. There is approximately \$180,000 in the RAP Tax fund which is about \$30,000 more than last year. After a project is funded and the project cost has a balance remaining, that remaining balance will be put back into the fund and be reallocated the following year.

Kevin Tervort made a motion to approve the resolution approving amendments to the 2016-2017 budget. Seconded by Kevin Thomas. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

10. *Consideration and possible approval of an **ordinance amendment Title 10, Chapter 3, bringing the daycare definitions in line with State definitions** – Hurricane City applicant.*

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Mayor Bramall stated that he has reviewed the proposed language and he recommends approval so that we are in line with the State definitions.

Pam Humphries made a motion to approve an ordinance amendment Title 10, Chapter 3, bringing the daycare definitions in line with State definitions. Seconded by Cheryl Reeve. Motion approved with Cheryl Reeve, Kevin Thomas, Kevin Tervort, Pam Humphries and Darin Larson voting aye.

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

Mayor Bramall	Airport, Administration, Police, Animal Control, School Crossing Guards, Victim Services, Public Works, Engineering-
Kevin Thomas	Emergency Management, Streets & Drainage, Youth City Council- Street Department hired a new Street Sweeper, Brandon Turner.
Pam Humphries	Court, Water, Power, Solid Waste- Pam – Solid Waste was Monday and they are on their last part of acquiring 62 acres of land to extend the life of the landfill. Rocky Mountain Recycling bought property for their recycling plant. Ms. Humphries also has pamphlets to leave in the utility office. She also asked Joe to link the City website with the Rocky Mountain Recycling website so residents can look up their pickup days.
Darin Larson	Planning Commission, Economic Development, Planning Department, Building and Inspection, Recreation-
Cheryl Reeve	Parks & Cemetery, Swimming Pool, Board of Adjustment, Historical Preservation, Tree Board, Beautification- Last weekend was the Tree Workshop. Ms. Reeve said that there were quite a few people who participated in the workshop. The Tree Board needs three new board members. She will forward a few suggestions to Council for their input. The cemetery has parcels they are getting ready to release. The plans for Veterans Park are almost complete, and they will present the plans to Council soon.
Kevin Tervort	Ash Creek Special Service District, Golf Course, Industrial Park, Mosquito Abatement, Fire District- Mosquito pellets will be shot out at Sand Hollow soon. The amount of groundwater that is there is already a problem.
Clark Fawcett	City Administration-

Mac Hall – We received the plans back on the repair of the Frog Hollow Dam. As a reminder their initial price to improve the dam to State standards was \$360,000. The current estimate came back at just shy of one million dollars. Mr. Hall said that they are still working through the details, but this is their current price.

**12. Adjournment 8:03**