

Minutes of the Hurricane City Council meeting held on June 21, 2018 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:** 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, Water Superintendent Ken Richins and Fire Department Inspector Kevin Gildea.

## AGENDA

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

**Chief Excell** stated that the Southern Utah Shooting Sports Park has hired a consultant from the NRA to come and investigate recent events of bullets ricocheting into the nearby subdivision. Chief Excell has received some preliminary information from the NRA indicating that bullets can stray from the range location for over one mile. The final report will be reviewed with the County Commission next month where decisions will be made regarding the range. In regards to Emergency Management, Chief Excell reported that the backup generators for the City Building, the Police Department and the Animal Shelter have been serviced and are in compliance. The Police Department will be purchasing a light plant and a Community Emergency Response Trailer (CERT) in the next couple months. There is a part time Animal Control officer who will be transitioning to full time on July 1, 2018. Animal Control currently sells 1,500 animal licenses per year. Staff is researching ways to increase that number.

**Kevin Gildea** reported that one ambulance is out at the Emery County fire. The new wildland fire recruits have completed training and will be heading out to the field soon. The engine that was down in Henderson for repairs will be coming back next week. Mr. Gildea wanted to remind everyone of the firework restrictions that are in place. Fireworks can only be discharged at certain locations.

**Ken Richins** said that the Water Conservancy District will be increasing their water rates by \$.10 per one thousand gallons on July 1, 2018. The Moccasin Flats Subdivision will be installing an 8" water line to the end of their project and Copper Rock will participate in upsizing that water line to 12". The Reimbursement Agreement on the Agenda is to reimburse Copper Rock by issuing culinary water impact fee vouchers.

**Dave Imlay** explained that Council can now sign up to attend the UAMPS Member Conference being held in Logan. They will be hosting many different activities in conjunction with the conference that they can also sign up for. The power generators have been running at different times during the week and are performing like they should.

**Mike Vercimak** received eleven applications for the Utility Locator position. He has narrowed it down to five applicants and interviews are scheduled for next week. The 300 North project is moving along and they are making progress. Mr. Vercimak explained that he will be turning over the Julie Judd file to Mr. Reber to pursue a legal condemnation. Ms. Judd is no longer returning any communications and Mr. Vercimak feels he's exhausted all avenues. The condemnation process is estimated to take 60 to 90 days. They are anticipating signed construction drawings for Cordero within the next two weeks. Pam

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Humphries requested clarification regarding the access points for the upcoming MyPlace Hotel. Mr. LeBaron said that these points will not be able to line up, but there will be two access points. Mr. Vercimak also stated that he and Mr. LeBaron met with the developer for the Hurricane Heights project. There has been a lot of concern among parents, administrators and police regarding the vehicle traffic in that area. The Hurricane Heights development will increase the traffic density significantly on 600 North, 870 West and through the Ivy Wood subdivision. It was proposed that removable barriers be put in place in the morning and afternoon to close off vehicular traffic. This would allow children to walk through the subdivisions to the schools and keep vehicles off the street. With the potential traffic load in this area, Mr. Vercimak suggested that 700 West be pioneered to 100 North. Ms. Foran added that the cost of the 700 West water line extension is included within the six year Improvement Plan for the Water Department. They want to make sure that this is completed at the same time the road is constructed.

Mayor Bramall and Fay Reber arrived at 5:45 p.m.

**Toni Foran** explained that the six year Improvement Plan for the Water Department is what will be used to calculate the increase in impact fees. The last increase on impact fees was in 2006 and the current amount is \$844.00. The result of the increase will be \$1,433 per residential unit. Ms. Humphries added that the Water Board and Alpha Engineering has reviewed this several times to make sure everything was accounted for but it's hard to anticipate the next six years.

**Arthur LeBaron** stated that with regards to the Hurricane Heights project, he concurs with the connectivity of 700 West to 100 North. The connection needs to be made because the traffic impact is going to be huge. The developers submitted a traffic impact study today. Mr. LeBaron returned it with review comments because the study was lacking a few key items.

#### **6:00 p.m. - Call to Order –**

Pledge: Mayor Bramall Prayer: Kevin Thomas

Approval of Council minutes: 05/17/2018, 06/07/2018

Pam Humphries made a motion to approve the Council minutes on 05/17/2018 and 06/07/2018. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

Clark Fawcett and Tony Gonzales were not present to receive their service awards.

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

None.

#### **NEW BUSINESS**

1. *Discussion and possible decision regarding allocation of funds from sale of unclaimed property- Lynn Excell*

Chief Excell explained that Council approved previous funds from the sale of unclaimed property were allocated to go towards an emergency siren for the community. The cost for this siren was in excess of

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\$100,000. Since this allocation, additional unclaimed property items have been sold. The current total amount of monies for Council designation is \$3,823.13. Chief Excell recommends these funds be allocated to Emergency Services to help pay for the Community Emergency Response Trailer ("CERT").

Kevin Thomas made a motion to allocate the funds from this sale of unclaimed property, and the previous sale of unclaimed property to Emergency Services including the Community Emergency Response Trailer. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

**2. Presentation of check from the Guns and Hoses charity event to the 1033 Foundation-Lynn Excell**

Chief Excell presented Terry Keef, a board member for the 1033 Foundation a check in the amount of \$1,340.66. These were funds that were raised during the Guns and Hoses charity event held earlier this year. Mr. Keef thanked the Fire and Police Departments for their continued support.

**3. Presentation of scholarship to Heather Stout-Austin Jenkins, Republic Services**

Chris Grover with Republic Services presented a scholarship award to Heather Stout in the amount of \$500.00. Mr. Grover explained that scholarship candidates must be environmentally conscious as well as a strong academic background. Ms. Stout graduated Hurricane High School with a 4.0 gpa, served as the Student Body Executive Council Vice President, has been named the Student of the Month, Student of the Year and was the Treasurer for the FFA. Mr. Grover added that Ms. Stout submitted an impressive essay along with her credentials. Ms. Stout is planning on attending Utah State University, majoring in Plant Sciences and Horticulture.

**4. Update and report on Mountain Bike Festival-DJ Morisette**

DJ Morisette gave Council an update on the Mountain Bike Festival held earlier this year. Ms. Morisette stated that this was one of their biggest and best years. They had a growth in bike participants, vendors and community attendees. People commented that the Community Center offered room and shade. Ms. Morisette explained that the event will be capped at 750 participants. They want to keep and maintain the quality of this event. The next Mountain Bike Festival is set for March 29-31, 2019.

**5. Discussion regarding sidewalks on 650 S-Mayor Bramall**

Susan Barnes wrote a letter to City Council to consider sidewalks on 650 South to accommodate school children. Mayor Bramall stated that this was discussed in conjunction with the Hurricane Heights development project during the pre-meeting. Discussions will continue as these projects move towards development.

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**6. Consideration and possible approval of a request for a grading permit for property east of 2170 West and south of 100 South – SR9 Assisted Holdings LLC applicant**

Brad Oliverson stated that they are requesting a grading permit to fill a hole in the middle of their lot. Mr. Oliverson said he would work with the City to revegetate the area in the fall and he will have dust mitigation for the project.

The address for the grading permit was incorrectly listed on the Agenda. The corrected address is 2170 West and north of 100 North.

Kevin Thomas made a motion to approve the request for grading permit for property east of 2170 West and north of 100 North. Seconded by Pam Humphries. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

**7. Consideration and possible approval of a preliminary plat for Hurricane Heights Townhomes, a 149 lot townhome subdivision located at approximately 500 West south of 600 North – Mel and Mary Fransden applicants, Max Stokes agent**

Planning Commission recommended approval of this item subject to all JUC comments and any applicable staff comments. Council recommended connecting 500 West to 400 North within the proposed subdivision. Barry Thompson with Pratt Engineering explained that he designed this specifically to detour a straight through connection to 400 North because of the density of the subdivision. Their concern is people would use this as a through route to shortcut around future development. Mr. LeBaron suggested that making this connection would help spread trips out and possibly keep traffic off the major collector routes. He also had additional comments regarding the traffic survey that was submitted. Mr. Thompson said that there is an easement in place for emergency access for emergency responders. He added that Planning Commission doesn't want to have a lot of vehicle traffic coming through the narrow streets of the Ivy Wood subdivision. However, they will redesign that cul-de-sac if Council wants that connectivity.

Pam Humphries stated that she would like to see a walking pathway on the south end with a gate of some sort so that children could walk safely to school. She would be willing to talk to the School Board to see that there is some sort of school access for the children. Max Stokes said that he is meeting with the School District regarding the easement next week, and he will discuss the possible access with them then. Kevin Thomas also mentioned the possibility of putting temporary barriers to block traffic so that children can walk through the Ivy Wood subdivision safely to school.

Darin Larson made a motion to approve the preliminary plat for Hurricane Heights Townhomes, a 149 lot townhome subdivision located at approximately 500 West south of 600 North, along with JUC and Staff comments, with the cul-de-sac connectivity and researching a possible pathway for pedestrians. Seconded by Kevin Thomas. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

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- 8. Consideration and possible approval of a preliminary plat for Hurricane Heights, a 49 lot single family subdivision located at approximately 600 West and 500 North – Mel and Mary Fransden applicants, Max Stokes agent**

Planning Commission recommended approval subject to all JUC comments. Barry Thompson explained that one of the Staff comments requested to change the lot depth to the lots that are adjacent to 700 West to 100 feet, rather than the current 94 feet. These lots will be 66 feet wide. Mayor Bramall and Kevin Tervort commented that the six feet difference for those lots will not make a huge difference, and they should remain the 94 feet. Max Stokes added that there will be CC&R's that will dictate the style of fencing to be added to the back of these lots.

Kevin Tervort made a motion to approve the preliminary plat for Hurricane Heights, a 49 lot single family subdivision located at approximately 600 West and 500 North along with all Staff and JUC comments with the exception of keeping the setbacks as presented. Seconded by Pam Humphries. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

- 9. Consideration and possible approval of the third amendment to the Development Agreement for Painted Hills Collina Tinta for the Alternative Landscape Plan on Rlington Parkway and 1760 West**

Pam Humphries made a motion to approve the third amendment to the Development Agreement for Painted Hills Collina Tinta for the Alternative Landscape Plan on Rlington Parkway and 1760 West. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

**10. PUBLIC HEARING to take comments on the following:**

- a. Proposed abandonment of a water line and access easement on private property located in Toquerville, Utah
- b. Proposed updated capital facilities plan for water infrastructure
- c. Proposed amendments to the 2017-2018 budget
- d. 2018-2019 fiscal year budget

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

No public comments were made.

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

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**11. Consideration and possible approval of an ordinance for the abandonment of a water line and access easement on private property located in Toquerville, Utah**

Kevin Thomas made a motion to approve the ordinance for the abandonment of a water line and access easement on private property located in Toquerville, Utah. Seconded by Darin Larson. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

**12. Consideration and possible approval of an update to the capital facilities plan for water infrastructure**

Pam Humphries made a motion to approve the update to the capital facilities plan for water infrastructure. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

**13. Consideration and possible approval of a reimbursement agreement with Copper Rock Properties and Fairway Vista Estates for a water line upsize in 1100 West-Ken Richins**

Pam Humphries made a motion to approve the reimbursement agreement with Copper Rock Properties and Fairway Vista Estates for a water line upsize in 1100 West. Seconded by Darin Larson. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

**14. Consideration and possible approval of a resolution adopting the proposed amendments to the 2017-2018 budget**

Kevin Thomas made a motion to approve the Resolution adopting the proposed amendments to the 2017-2018 budget. Seconded by Kevin Tervort. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

**15. Consideration and possible approval of a resolution adopting the 2018-2019 fiscal year budget**

Cheryl Reeve made a motion to approve the Resolution adopting the 2018-2019 fiscal year budget. Seconded by Kevin Thomas. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

**16. 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-
Pam Humphries	Court, Water, Power, Solid Waste- The Solid Waste District is going to have a meeting regarding Washington's old landfill property. SITLA wants to develop that area and they need to clear the property of all the materials. Solid Waste has to determine the fees associated with taking all of that material.
Darin Larson	Planning Commission, Economic Development, Planning Department, Building and Inspection, Recreation- Planning Commission wants to have a work meeting with Council.

	A previous date was set for September, but they have asked to have that meeting sooner. After some discussion, Council set a new date of July 25, 2019 at 5:00 p.m.
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-

**17. Closed meeting to discuss possible criminal misconduct of an individual**

Kevin Tervort made a motion to move into a closed meeting. Seconded by Darin Larson. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye.

**18. Adjournment: 7:16 p.m.**

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