

AN ORDINANCE AMENDING PROVISIONS OF THE HURRICANE CITY MUNICIPAL CODE  
PERTAINING TO THE ADOPTION OF A WATER CONSERVATION PLAN.

**Section 1. Preamble**

- A. WHEREAS, Hurricane City operates a culinary water system; and
- B. WHEREAS, the City Council understands the pressing need to use water in a more efficient manner to allow for future sustained growth of the community;

**Section 2. Ordaining Clause**

NOW, THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF HURRICANE CITY, UTAH:

Section 8-1-10, RULES, REGULATIONS, AND REQUIREMENTS, is hereby amended to include section K., to read as follows:

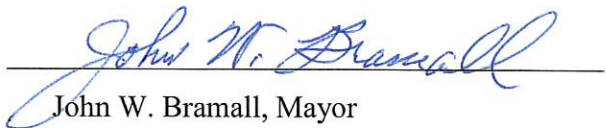
**Water Conservation Plan**

The water conservation plan of Hurricane City, adopted March 18, 1999, and revised on the 6<sup>th</sup> day of May, 2004, and revised on the 15<sup>th</sup> day of October, 2009, and revised on the 6<sup>th</sup> day of November, 2014, and now again on this 16<sup>th</sup> day of July, 2020 is hereby readopted. The plan will be amended no less than every five years and will continue to play a vital role in the future development of Hurricane City, Utah.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon publication or posting, after passage hereof, as required by law.

Dated this 16<sup>th</sup> day of July, 2020



  
John W. Bramall, Mayor

ATTEST:

  
Cindy Beteag, City Recorder

## 2020

# Hurricane City Water Management and Conservation Plan

The history of Hurricane begins with water. The communities above the Hurricane bench were losing their land to flooding and needed an area to grow and develop. The citizens of these communities formed a group to construct a canal a distance of nine miles along the side of the Virgin River Cliff to provide water for the development of the new community. It took some thirteen years and many personal hardships and sacrifices to accomplish this purpose. Beginning in 1909 to the late 60's Hurricane was a farming community with fruit orchards, hay, grain, and row crops. The population ranged from 1200 to 1500 until the 1970's. From that time until the present, there has been a dramatic increase in population to approximately 20,000 residents. The city originally used Virgin River water for culinary purposes, but in 1918 they acquired .666 CFS from the Toquerville Springs north east of Toquerville and piped this clear, clean culinary water to the community. Since that time additional rights for spring water were acquired from Ash Creek Springs, culinary water wells drilled west of the original community boundaries, and additional water rights purchased.

Recognizing that water is a diminishing resource, the City Council with recommendation of the City Water Board, adopted a water conservation plan in 1999 and committed to update the plan every five years. This is the 2020 update.

### **CURRENT SITUATION:**

As the predominate land uses in Hurricane City have changed from large lot agricultural/residential development with some retail to increasing industrial, small lot residential, and large retail in addition to the remaining agricultural and residential uses, the City has diligently pursued a policy of purchasing and developing water rights to provide for these additional needs.

The current Hurricane City boundary encompasses approximately 52 square miles. Approximately three sections will remain permanently in their current use, as they contain the Red Cliffs Desert Reserve, Quail Lake State Park, Sand Hollow State Park, and BLM Recreation sites. The remainder of the City is subject to increasing development pressure from government, commercial, industrial, and residential users, though a majority of the land mass is still vacant or under agricultural use.

Recognizing the need to provide culinary water to meet future demand and facing enormous development pressure with limited water rights available for purchase, the City signed the Regional Water Supply Agreement with the Washington County Water Conservancy District and other area communities in September of 2006. This agreement retained the City's existing water rights and supply but committed the City to purchase future water supply from the Washington County Water Conservancy District (WCWCD) and provide the storage and distribution infrastructure for that water.

The City currently serves 6,653 residential customers, 401 commercial customers, 14 industrial customers and 130 institutional customers. Customers are metered using a

vehicle read system (VRS) through a company called Master Meter, Meters are monitored monthly for accuracy and replaced as needed. Currently there are some 3G meters that are being systematically replaced with 4G Meters or Octave Meters. We are budgeting for an AMI system this year. AMI will greatly help track water loss problems.

The average per capita usage is 177.81gpd (culinary) and 58.23 gpd (secondary). The following chart shows the water supply delivered over the past five years. This figure includes residential, commercial, industrial and institutional water. We project a 3.5% increase in demand each year for the next 36 years due to growth. By implementing conservation measures our goal is to delay this demand by 14% per capita from 2015-2030.

#### Source Summary (Displayed in Acre Feet)

Year	2019	2018	2017	2016	2015
Purchased From Washington County WCD	843.84	865.74	691.50	646.05	367.03
Stratton Well #2 (WS006)	640.76	996.48	472.89	304.36	339.85
Stratton Well #1 Repl-1 (WS008)	280.77	67.04	434.68	715.18	748.94
Toquerville/Ash Creek Springs (Group	3,163.48	3,142.07	3,151.93	2,635.33	1,292.13
West Well (WS007)	786.18	870.17	762.68	698.02	614.80
Total Per Year	5,715.03	5,941.50	5,513.69	4,998.94	3,362.75

#### GPCD (Gallons per capita per day)

	Indoor (Winter Use)	Potable (Outdoor)	Non-Potable (Secondary)	Total
Residential	65.32	60.14	57.62	183.08
Commercial	19.78	18.21	0.00	37.98
Institutional	6.74	6.21	0.61	13.56
Industrial	0.74	0.68	0.00	1.41
Total	92.58	85.23	58.23	236.04

Our current rate structure encourages water conservation. The following table is a copy of the 2020 rate structure. Residents living inside the irrigation system boundaries will pay more for culinary water if they are not connected to the secondary system.

Meter Size	Base Monthly Fee	Consumption Charge (Per 1000 Gallons)													
		Range	Cost	Range	Cost	Range	Cost	Range	Cost	Range	Cost	Range	Cost	Range	Cost
5/8" No Irr	\$16.50	0-5	\$0.91	5-10	\$0.96	10-20	\$1.01	20-30	\$1.18	30-40	\$1.34	40-60	\$1.58	Over 60	\$1.80
5/8" W/Irr	\$16.50	0-5	\$0.91	5-10	\$0.96	10-20	\$2.16	20-30	\$2.31	30-40	\$2.48	40-60	\$2.72	Over 60	\$2.94
3/4"	\$33.00	0-5	\$0.91	5-10	\$0.96	10-20	\$1.01	20-30	\$1.18	30-40	\$1.34	40-60	\$1.58	Over 60	\$1.80
1"	\$49.50	0-5	\$0.91	5-10	\$0.96	10-20	\$1.01	20-30	\$1.18	30-40	\$1.34	40-60	\$1.58	Over 60	\$1.80
5/8" Comm	\$16.50	0-5	\$0.91	5-10	\$0.96	10-20	\$1.01	20-30	\$1.18	30-40	\$1.34	40-60	\$1.58	Over 60	\$1.80

3/4" Comm	\$33.00	0-5	\$0.91	5-10	\$0.96	10-20	\$1.01	20-30	\$1.18	30-40	\$1.34	40-60	\$1.58	Over 60	\$1.80
1" Comm	\$49.50	0-60	\$0.93	Over 60	\$1.19										
1.5" Comm	\$82.50	0-60	\$0.93	Over 60	\$1.19										
2" Comm	\$132.00	0-60	\$0.93	Over 60	\$1.19										
3" Comm	\$247.50	0-60	\$0.93	Over 60	\$1.19										
4" Comm	\$412.50	0-60	\$0.93	Over 60	\$1.19										
6" Comm	\$825.00	0-60	\$0.93	Over 60	\$1.19										
8" Comm	\$1,320.00	0-60	\$0.93	Over 60	\$1.19										

The City has a secondary water system, utilizing untreated Virgin River water in a pressurized system for outside watering in a portion of the City. Currently there are 1,343 connections. The City, in cooperation with the Hurricane Canal Company, is planning for the creation of a pressurized water master plan to expand the secondary system throughout the south fields area. This is expected to progress over time as the canal system is replaced with pipe and agricultural uses change. The City-owned Sky Mountain Golf Course is irrigated with water provided through a contract with the Washington County Water Conservancy District (WCWCD) and is reputed to be one of the most water efficient 18 hole courses in the County.

### **GOALS:**

Hurricane City's policy is to provide water wise education materials to both the City water and grounds maintenance personnel and the public and to implement ordinances and water rates that encourage conservation.

In addition, the City has implemented tiered culinary water rates that encourage limited use of culinary grade water for outside watering. The rates for properties within the area served by the secondary water system are double those in areas not so served to provide incentive for the use of the secondary system.

During the next five years the City hopes to:

1. Continue to expand the pressurized system into new areas with the cooperation of the Hurricane Canal Company. Since 2009, the pressurized irrigation system has been expanded into the Fox Hollow and Cove subdivisions. It has also been expanded across Gould's Wash to the south into the Seville subdivision. Plans are currently taking place to expand the secondary irrigation system to the south fields area as far as 1500 S.
2. Expand areas of City owned property that are irrigated using a computerized system that is responsive to real time water needs. Since our last conservation plan was adopted, several City owned parks have been developed and equipped with a computerized irrigation system. Other City parks have been equipped as well to bring the total to 18 City parks using this type of irrigation system.



3. Work with the WCWCD to encourage residents to learn how to conserve water through written materials, elementary school programs, and demonstration gardens.
4. Follow restrictions as outlined in the City's emergency drought policy in case of extreme shortage. We currently have an ordinance prohibiting outside watering during the hours of 10 am to 8 pm during the months of June, July, August and September.
5. Evaluate the effectiveness of the water rate system for conserving water and make adjustments as needed.

## **WATER MANAGEMENT AND CONSERVATION PRACTICES AND THEIR IMPLEMENTATION.**

### **A. General Supply Management.**

The City will take the lead to supply necessary quantities of culinary and secondary water for the community. It will cooperate with other individual entities and jurisdictions to accomplish this end.

1. The City has implemented an inspection and repair or replacement plan for City owned infrastructure to limit water loss due to breaks or equipment failure. The Water Department is currently developing a water loss audit system to better track high water loss areas. Our goal is to reduce water loss to less than 10% annually.
2. New storage facilities will be constructed to supply the residents of the community as the population increases. Several locations for tank sites have been identified and will be acquired as needed to provide sufficient storage and supply redundancy. New and upgraded delivery systems will be planned and constructed as needed. Two new storage tanks have been constructed in the last two years.

### **B. Residential, Commercial/Industrial and Landscape.**

1. The City will continue to work toward reducing outside landscape water use on City owned properties and will use low water use design for new facilities.
2. The City will work to educate the public, including private individuals, school children and entities who water large areas of lawn such as schools, churches and parks, etc. on the importance of water conservation and how to deal with it. The enactment of a time-of-day watering ordinance and drought ordinance with strong enforcement has resulted in lower water usage. Continued attention to better landscape practices is necessary.
3. The use of treated wastewater continues to be a goal for the City. The City will continue to work with Ash Creek Special Service District to encourage use of treated wastewater for irrigation purposes. When treated water is available at a quality it can be used on public spaces many landscaped areas may be converted from existing systems to use this resource.

### **C. Public awareness and education**

1. Programs in cooperation with the Washington County School District.

- a. Training for teachers that provide ideas and curriculum materials for use in the classroom. This would be done for 1<sup>st</sup>, 4<sup>th</sup> and 5<sup>th</sup> grade teachers since the State curriculum for these grades include water education.
- b. Develop assemblies that can be taken to elementary and secondary schools, which educate students about water management and conservation.
- c. Participate in the yearly water fair in conjunction with WCWCD and Dixie College.

## 2. Public Information

- a. Provide brochures with vital information for individuals who move into the area.
- b. Provide informational meetings in timely intervals for the citizens.
- c. Work with the Chamber of Commerce to provide information at a booth at the annual business *expo*.
- d. Offer public tours of water facilities owned by the City, at the discretion of the Water Superintendent.

## **D. Eliminating Waste and Over watering**

1. In conjunction with the WCWCD, conduct water landscape audits of the following areas:
  - a. City Managed landscaping
  - b. School District landscaping
  - c. Church landscaping
  - d. Individual homes
2. City, school and church landscape caretakers to conduct and implement water auditing techniques.
3. Initiate community wide water audit training and implementation procedures.
4. Provide and/or encourage the use of water saving fixtures such as low flow showerheads and faucets and low flush toilets, and leak detecting devices. Kits that contain such water saving devices can be made available to county residents at a fairly low cost.
5. Require through the plumbing code that all newly constructed commercial buildings and residences install plumbing devices that conserve water.
6. Prohibit wasteful use of water through an ordinance or policy.

## **E. Use of irrigation and treated water**

1. Work closely with the State Division of Water Resources and Division of Water Quality to implement new rules regulating the use of grey water.

2. When feasible regulations are in place, require new subdivisions and all new public use buildings install and use a secondary system for landscape watering as grey water becomes available.

**F. Efficient Landscape Designs and Landscape Irrigation Systems.**

1. Provide lists of low water use plant species.
2. Encourage local nurseries and other stores to stock and advertise low water use plants.
3. Encourage stores that advertise and sell landscape irrigation systems to stock and advertise water efficient products.
4. As part of an ongoing public information program establish a water efficient landscape area on or near each elementary school in the city. The first one of these has been established at Three Falls Elementary.
5. Label all plant material in the SR-9 walkway garden for water use level.

**G. Work on plans for a complete dual system within new subdivisions, public buildings with large landscape areas, and all parks and outdoor recreation areas.**

**H. Continue to use conservation pricing for water billing. Monitor success rates in reducing overall consumption and adjust water billing rates as needed.**

1. Consider adding seasonal rate structures if needed.
2. Adjust block rates for usage as needed.

**I. Provide customers with utility billing information for peak demand periods and suggestions for measures that can be taken to reduce demand during those periods.**

**J. Continue to refine Drought Management and work with the public concerning the importance of on-going conservation. Work with agriculture users to find ways of preserving efficient farm land irrigation**

**K. Funding. Funding for Hurricane City water systems comes through impact, connection and use fees charged to customers. Large system improvements may require use of loans or grants.**

**L. Maintaining: The City's system is maintained by the Water Department. This department has excellent training and an admirable work ethic. This combination keeps the system running with minimal interruptions of service and at a level that is always improving. The Water Department Secretary has been assigned as the Water Conservation Coordinator.**

This plan was adopted on July 16, 2020 by the Hurricane City Council.



# Entity: Hurricane

## Body: City Council

<b>Subject:</b>	Business
<b>Notice Title:</b>	City Council Agenda
<b>Meeting Location:</b>	92 S 100 West Hurricane 84737
<b>Event Date &amp; Time:</b>	July 16, 2020 July 16, 2020 06:00 PM
<b>Description/Agenda:</b>	<p>Hurricane City Council Meeting</p> <p>Agenda July 16, 2020 5:00 PM Hurricane Fine Arts Building-92 S 100 West, Hurricane Notice is hereby given that the City Council will hold a Regular Meeting at the Fine Arts Building 92 S 100 West, Hurricane, UT. 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.</p> <p>AGENDA 4:00 p.m. Work meeting with Peach Days Committee 5:00 p.m. Pre-meeting - Discussion of Agenda Items, Department Reports Presentation of Paige's retirement Presentation and discussion about the General Plan Update 6:00 p.m. - Call to Order Approval of minutes: June 2, 2016, July 21, 2016, and June 4, 2020 6:15 p.m. - 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 2 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 5:00 p.m. the Wednesday one week before the Council meeting.</p> <p>OLD BUSINESS</p> <ol style="list-style-type: none"> <li>1. Discussion and possible decision regarding the postponement of 2020 Peach Days celebration</li> <li>2. Discussion regarding procurement process</li> </ol>

## 3. Discussion regarding Rural Road Cross Section

## NEW BUSINESS

1. Consideration and possible approval of the update to City Code Section 8 Article A, Ground Water Protection-Ken Richins
2. Consideration and possible approval of the Water Conservation Plan-Ken Richins
3. Consideration and possible approval on a Zoning Map amendment request on a portion of the parcel #H-3-1-33-3218 located at approx. 1481 W State Street from RA-1, residential agriculture 1 acre, to HC, highway commercial, to accommodate RV parking approx. Kennedy Family Ventures Applicant
4. Consideration and possible approval on a zoning map amendment request on 11.8 acres to realign the planned commercial boundaries and to change the North 5 acres from GC, general commercial, to MH/RV, mobile home/RV, located at approx. 294 North 2260 West.
5. Consideration and possible approval on a Zoning Map amendment request on 1.22 acres located on the South East corner of 200 North and 100 West from RM-1, multifamily 6 units per acre, to RM-2, multifamily 10 units per acre. Louse Spendlove Applicant; Ty Meyers Agent
6. Discussion regarding growth in the Fairground Industrial area and possible access
7. Consideration and possible approval on a grading permit for Quail Creek Industrial Ph 4-Doug Dennett
8. Public Hearing to take comments on a proposal to add to an existing agricultural protection area on the following parcels: H-4119-C and H-4119-C-1
9. Consideration and possible approval of an addition to existing agriculture protection area-Carson Tait applicant
10. Consideration and possible approval on the Interlocal Ironman agreement
11. Mayor, Council and Staff reports
12. Adjournment

<b>Notice of Special Accommodations:</b>	NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the city.
<b>Notice of Electronic or telephone participation:</b>	NA
<b>Other information:</b>	
<b>Contact Information:</b>	Cindy Beteag (435)635-2811 cindy@cityofhurricane.com
<b>Posted on:</b>	July 15, 2020 12:59 PM
<b>Last edited on:</b>	August 07, 2020 10:52 AM

Minutes of the Hurricane City Council meeting held on July 16, 2020, at the Fine Arts Building located at 92 S 100 West, Hurricane, Utah at 4 p.m.

**Members Present:** Mayor John Bramall and **Council Members:** Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort.

**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 Stephen Nelson, City Engineer Arthur LeBaron, GIS Specialist Joe Rhodes and Fire Chief Tom Kuhlman.

## **AGENDA**

### **4:00 p.m. Work meeting with Peach Days Committee**

Council met with Peach Days Committee representatives Dave Stirland and Jarolyn Stout. Mr. Stirland offered a prayer. Also present was Kaden Demille, Chief Excell, Fire Chief Tom Kuhlman, Mike Vercimak, and Dave Imlay.

The Peach Days Committee presented guidelines to address social distancing concerns that they felt met the State's requirements for gatherings. This plan included canceling some events, spreading out vendors, requiring masks, and having sanitation stations located throughout the event. Having a fence around the event with only one enter and exit was discussed to limit how many people where there at one time. Most of the Council felt it was still too big of risk to hold this large of event with the COVID cases rising daily.

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

Dave Imlay reported usage is up. The carbon free power project is at threshold. Invited the Council to the town hall meeting on Tuesday.

Mike Vercimak stated the first item in new business needs to be tabled until the next meeting.

Stephen Nelson welcomed Olivia Cvetko with Logan Simpson. She has been here all week doing pop up booths and she will give a presentation tonight on what they have been working on.

Presentation of Paige's retirement. Chief Excell presented a plaque in honor of Canine Paige who has been working with Officer Despain since 2014. An agreement was presented to the Council to sell Canine Paige to Officer Despain for one dollar. He thanked Officer Jayson Despain for being the first canine handler in the police department.

Jayson Despain thanked the Council for their support of the canine program.

Jerod Brisk played the final call out from Paige's last day. He thanked both of them.

Chief Excell reported police calls are still going up. They have been working with their new canine dog, Koa. They are working diligently with the CARES money. Mayor Bramall mentioned the police department was recognized at Chamber of Commerce today for being local heroes.

Fire Chief Tom Kuhlman- Calls continue to grow. There are currently a lot of fires in County.

Arthur LeBaron reported the fireworks went well on the 4<sup>th</sup>. They plan to do the same thing next year. Mayor Bramall stated the Chamber and Sand Hollow Resort are doing fireworks on the 24<sup>th</sup>. Mr.

LeBaron has secured some funds from UDOT to help with two intersections one at 2600 West and one at Sand Hollow Road. The building department is getting an unprecedented amount of building permit applications.

Presentation and discussion about the General Plan Update. Olivia Cvetko with Logan Simpson gave an update on the input they have received so far and what they plan to continue to do to update the General Plan.

#### **6:00 p.m. - Call to Order –**

Pledge: Frank Durkin

Prayer: Nanette Billings

Approval of Minutes: June 2, 2016, July 21, 2016, and June 4, 2020

Nanette Billings motioned to approve the June 2, 2016, July 21, 2016, and June 4, 2020 minutes subject to the grammatical corrections she submitted. Seconded by Kevin Tervort. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

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

Kelby Iverson read a letter regarding rural road cross sections that he said he had forty people supporting what he wrote. Mr. Iverson stated they want to preserve the agriculture in the Bench lake area and the citizens he is representing want to see that no curb, gutter, and sidewalk is required when they develop a single home in that area.

Frank Durkin has owned a business in Hurricane for fifteen years. He has a lot of love for this area. He encourage Council to be bold in their decisions in light of all the corruption in the world right now.

Jerry Spilsbury feels there is more use for the land in the Bench Lake area other than grazing. SR-7 will open a lot of development for this area.

Jerry Vandernoot is concerned with doubling the number of units on the zone change request for 200 N 200 West. There is a sewer problem in this area and he feels that if people build there it will increase the problem.

Rita Flanders lives directly across the street from the zone change request on 200 W. She is in favor of this request because it is currently a vacant, dumping site.

Greg Last representing the doctors at Hurricane Valley Clinic asked the Council to cancel Peach Days. The community needs to come together to rid it of the virus. There has been conflicting information since the beginning but all advice agrees masks and social distancing are working. The role of officials is to create rules that do the most good for the most people. This is not the right thing to do this year.

Megan Heaps feels it is a shame to even consider not having Peach Days. It is a war on constitutional rights. This is just dividing the country. It is all political.

Sheila Dutton doesn't believe the virus numbers. She is in favor of Peach Days. If it is voted to not hold it she will still go there to sell her molasses.

Gracie Styles stated people can catch the virus at any business and it doesn't make the business liable for them getting sick. Having Peach Days will not make the City liable if anyone gets COVID. It is important to not bow to fear. Peach Days would be good for our economy right now.

#### **OLD BUSINESS**

1. Discussion and possible decision regarding the postponement of **2020 Peach Days celebration**

Council discussed the plan that the Peach Days Committee had presented in the work meeting. There are still a lot of concerns of social distancing and creating a safe environment for the residents. Everyone is advocates for Peach Days but they want it done safely. There have been spikes in the cases after every event or holiday. This event attracts eight to ten thousand people in a small area. Nanette Billings stressed that they need to balance public safety and public freedom. People can choose if they want to come. Council discussed enforcing the guidelines would be very difficult.

Nanette Billings motioned to hold Peach Days under the guidelines the Peach Days Committee has submitted. Dave Stirland asked if the State had to approve the guidelines. City Attorney Fay Reber stated they are only guidelines and not reviewed by anyone on the State level. Seconded by Joseph Prete. Motion failed with Kevin Tervort, Darin Larson, and Dave Sanders voting nay. Nanette Billings and Joseph Prete voted aye.

Dave Sanders motioned to postpone Peach Days until the State is green and then establish an event at that time. Seconded by Kevin Tervort. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

Council discussed utilizing some of the CARE funds towards sanitation stations for Peach Days when it is held.

2. Discussion regarding **procurement process**

City Attorney Fay Reber explained the current procurement process. An updated ordinance was given to the Council to review. The proposed ordinance follows the State's process until after the top three have been ranked then it would go to a competitive bidding. Council discussed awarding smaller projects locally on a rotating basis. Mr. Reber will add to this draft so it addresses the small projects.

3. Discussion regarding **Rural Road Cross Section**

Joseph Prete motioned to have a work meeting to discuss this item. Seconded by Darin Larson. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye. A work meeting was scheduled for July 30, 2020 at 4:00 p.m.

**NEW BUSINESS**

1. Consideration and possible approval of the **update to City Code Section 8 Article A, Ground Water Protection**-Ken Richins

Dave Sanders motion to continue this item. Seconded by Joseph Prete. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

2. Consideration and possible approval of the **Water Conservation Plan**-Ken Richins

The City has an agreement with the State that this plan is reviewed every five years. Nanette Billings motioned to approve the Water Conservation Plan. Seconded by Dave Sanders. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.



Kevin Tervort mentioned twenty percent of the population is using fifty percent of the total water. The younger generation needs to be educated.

3. Consideration and possible approval on a Zoning Map amendment request on a portion of the parcel **#H-3-1-33-3218 located at approx. 1481 W State Street from RA-1, residential agriculture 1 acre, to HC, highway commercial, to accommodate RV parking** approx. Kennedy Family Ventures Applicant

An RV Park requires a minimum of five acres. The front four acres is already zoned highway commercial. There is a master planned road behind this property. Mr. Kennedy stated they have no plans to access the property from 1515 W. Planning Director Stephen Nelson explained a second access would be required if this is an RV Park. There is not enough frontage on SR-9 to have two accesses so an access would have to be off 1515 W.

Darin Larson motioned to approve the zone change request on parcel #H-3-1-33-3218. Seconded by Kevin Tervort. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

4. Consideration and possible approval on a zoning map amendment request on **11.8 acres to realign the planned commercial boundaries and to change the North 5 acres from GC, general commercial, to MH/RV, mobile home/RV**, located at approx. 294 North 2260 West.

Letters in opposition have been received from neighboring property owners. This zone will allow them to have RV's and mobile homes. They currently have 112 spaces planned. There is a requirement to fence the property.

Kevin Tervort motioned to approve the zone change request at approximately 294 N 2260 West. Seconded Darin Larson. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

5. Consideration and possible approval on a **Zoning Map amendment request on 1.22 acres located on the South East corner of 200 North and 100 West from RM-1, multifamily 6 units per acre, to RM-2, multifamily 10 units per acre**. Louse Spendlove Applicant; Ty Meyers Agent

Dale Beatty, representing the Spendlove family, stated he will be moving back to this area and he wants to clean up the neighborhood. He will build nice attainable housing. It will be same zoning as across the street. There will be six buildings with two units per building. Council discussed the sewer issue in this area. Council member Tervort will talk to Ash Creek to see if it is on the schedule to be fixed.

Nanette Billings motioned to approve the zone change request located on the South East corner of 200 North and 100 West. Seconded by Kevin Tervort. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

6. Discussion regarding **growth in the Fairground Industrial area and possible access**

Doug Dennett purchased forty one acres in the Fairground Industrial area not realizing there was access issues. Different access possibilities were discussed. The City has been working with the County on an agreement for Regent Park Road but it hasn't been finalized. Mr. Dennett will be required to over excavate his property so he would like to get started on that while the access issue is fixed. Council discussed ordinance 10-7-23 regarding grading permits. There is a meeting scheduled for July 28<sup>th</sup> to discuss the access with the County. Council decided to continue this discussion until after that meeting.

**7. Consideration and possible approval on a *grading permit for Quail Creek Industrial Ph 4*-Doug Dennett**

The Fire District requires a second access and the water department will require looping the water lines. The preliminary plat that is approved does meet the master plan for the City. Dave Sanders declared personal conflict.

Dave Sanders motioned to recommend the Zoning Administrator to issue a grading permit based on the City is still working on access with the County and Jason Campbell. As a result of that construction is not imminent. Applicant shall work with staff to meet all requirements. Seconded by Nanette Billings. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

**8. Public Hearing to take comments on a proposal to add to an existing agricultural protection area on the following parcels: H-4119-C and H-4119-C-1.**

Kevin Tervort motioned to move into a Public Hearing. Seconded by Darin Larson. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

Carson Tait stated he is requesting to add his four acres onto Ash Creek's agriculture protection. Ash Creek Sewer District has no opposition to this request. Mayor Bramall asked Mr. Tait if he will not oppose road dedication when Turf Sod Road is improved. Mr. Tait agreed.

Darin Larson motioned to exit the public hearing. Seconded by Kevin Tervort. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

**9. *Consideration and possible approval of an addition to existing agriculture protection area*-Carson Tait applicant**

Darin Larson motioned to approve the addition to existing agriculture protection area. Seconded by Kevin Tervort seconded. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

**10. Consideration and possible approval on the *Interlocal Ironman agreement***

Ironman has always reimbursed the City for overtime costs and traffic control devices. The proposed agreement shows the County paying for it but they won't. The agreement also reads no other events can held within the City. The indemnification clause needs to be looked at closer. This agreement would

put all the responsibility on the City. It needs something in there that someone can't hold the City liable if they get hurt.

Nanette Billings motioned to have Chief, Mr. Demille, and Mr. Reber work together on the necessary changes and bring it back to the Council. Seconded by Kevin Tervort seconded. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

**11. Mayor and Council reports**

Mayor Bramall	Airport, Administration, Police, Animal Control, School Crossing Guards, Victim Services, Public Works, Engineering -
Nanette Billings	Parks & Cemetery, Appeals Board, Airport, Historical Preservation, Solid Waste District and Youth Council -
Darin Larson	Planning Commission, Economic Development, Planning Department, Power and Swimming Pool -
Joseph Prete	Court, Water, Recreation, Tree Board and Beautification Committee -
Dave Sanders	Emergency Management, Streets & Drainage, Prosecutor's Office, Code Enforcement and Building and Inspections -
Kevin Tervort	Ash Creek Special Service District, Golf Course, Industrial Park, Mosquito Abatement, Fire District – Kolob will be a non-motorized State campground. The Boy Scout camp at Quail Creek was a training camp. They were renting out camping spaces on the Conservancy property for profit. They put a stop to it so they stopped utilizing the camp.
Clark Fawcett	City Administration -

**Adjournment: 9:23 p.m.**

Minutes of the Hurricane City Council meeting held on July 16, 2020, at the Fine Arts Building located at 92 S 100 West, Hurricane, Utah at 4 p.m.

**Members Present:** Mayor John Bramall and **Council Members:** Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort.

**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 Stephen Nelson, City Engineer Arthur LeBaron, GIS Specialist Joe Rhodes and Fire Chief Tom Kuhlman.

## **AGENDA**

### **4:00 p.m. Work meeting with Peach Days Committee**

Council met with Peach Days Committee representatives Dave Stirland and Jarolyn Stout. Mr. Stirland offered a prayer. Also present was Kaden Demille, Chief Excell, Fire Chief Tom Kuhlman, Mike Vercimak, and Dave Imlay.

The Peach Days Committee presented guidelines to address social distancing concerns that they felt met the State's requirements for gatherings. This plan included canceling some events, spreading out vendors, requiring masks, and having sanitation stations located throughout the event. Having a fence around the event with only one enter and exit was discussed to limit how many people where there at one time. Most of the Council felt it was still too big of risk to hold this large of event with the COVID cases rising daily.

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

Dave Imlay reported usage is up. The carbon free power project is at threshold. Invited the Council to the town hall meeting on Tuesday.

Mike Vercimak stated the first item in new business needs to be tabled until the next meeting.

Stephen Nelson welcomed Olivia Cvetko with Logan Simpson. She has been here all week doing pop up booths and she will give a presentation tonight on what they have been working on.

Presentation of Paige's retirement. Chief Excell presented a plaque in honor of Canine Paige who has been working with Officer Despain since 2014. An agreement was presented to the Council to sell Canine Paige to Officer Despain for one dollar. He thanked Officer Jayson Despain for being the first canine handler in the police department.

Jayson Despain thanked the Council for their support of the canine program.

Jerod Brisk played the final call out from Paige's last day. He thanked both of them.

Chief Excell reported police calls are still going up. They have been working with their new canine dog, Koa. They are working diligently with the CARES money. Mayor Bramall mentioned the police department was recognized at Chamber of Commerce today for being local heroes.

Fire Chief Tom Kuhlman- Calls continue to grow. There are currently a lot of fires in County.

Arthur LeBaron reported the fireworks went well on the 4<sup>th</sup>. They plan to do the same thing next year. Mayor Bramall stated the Chamber and Sand Hollow Resort are doing fireworks on the 24<sup>th</sup>. Mr.

LeBaron has secured some funds from UDOT to help with two intersections one at 2600 West and one at Sand Hollow Road. The building department is getting an unprecedented amount of building permit applications.

Presentation and discussion about the General Plan Update. Olivia Cvetko with Logan Simpson gave an update on the input they have received so far and what they plan to continue to do to update the General Plan.

#### **6:00 p.m. - Call to Order –**

Pledge: Frank Durkin

Prayer: Nanette Billings

Approval of Minutes: June 2, 2016, July 21, 2016, and June 4, 2020

Nanette Billings motioned to approve the June 2, 2106, July 21, 2016, and June 4, 2020 minutes subject to the grammatical corrections she submitted. Seconded by Kevin Tervort. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

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

Kelby Iverson read a letter regarding rural road cross sections that he said he had forty people supporting what he wrote. Mr. Iverson stated they want to preserve the agriculture in the Bench lake area and the citizens he is representing want to see that no curb, gutter, and sidewalk is required when they develop a single home in that area.

Frank Durkin has owned a business in Hurricane for fifteen years. He has a lot of love for this area. He encourage Council to be bold in their decisions in light of all the corruption in the world right now.

Jerry Spilsbury feels there is more use for the land in the Bench Lake area other than grazing. SR-7 will open a lot of development for this area.

Jerry Vandernoot is concerned with doubling the number of units on the zone change request for 200 N 200 West. There is a sewer problem in this area and he feels that if people build there it will increase the problem.

Rita Flanders lives directly across the street from the zone change request on 200 W. She is in favor of this request because it is currently a vacant, dumping site.

Greg Last representing the doctors at Hurricane Valley Clinic asked the Council to cancel Peach Days. The community needs to come together to rid it of the virus. There has been conflicting information since the beginning but all advice agrees masks and social distancing are working. The role of officials is to create rules that do the most good for the most people. This is not the right thing to do this year.

Megan Heaps feels it is a shame to even consider not having Peach Days. It is a war on constitutional rights. This is just dividing the country. It is all political.

Sheila Dutton doesn't believe the virus numbers. She is in favor of Peach Days. If it is voted to not hold it she will still go there to sell her molasses.

Gracie Styles stated people can catch the virus at any business and it doesn't make the business liable for them getting sick. Having Peach Days will not make the City liable if anyone gets COVID. It is important to not bow to fear. Peach Days would be good for our economy right now.

#### **OLD BUSINESS**



1. Discussion and possible decision regarding the postponement of **2020 Peach Days celebration**

Council discussed the plan that the Peach Days Committee had presented in the work meeting. There are still a lot of concerns of social distancing and creating a safe environment for the residents. Everyone is advocates for Peach Days but they want it done safely. There have been spikes in the cases after every event or holiday. This event attracts eight to ten thousand people in a small area. Nanette Billings stressed that they need to balance public safety and public freedom. People can choose if they want to come. Council discussed enforcing the guidelines would be very difficult.

Nanette Billings motioned to hold Peach Days under the guidelines the Peach Days Committee has submitted. Dave Stirland asked if the State had to approve the guidelines. City Attorney Fay Reber stated they are only guidelines and not reviewed by anyone on the State level. Seconded by Joseph Prete. Motion failed with Kevin Tervort, Darin Larson, and Dave Sanders voting nay. Nanette Billings and Joseph Prete voted aye.

Dave Sanders motioned to postpone Peach Days until the State is green and then establish an event at that time. Seconded by Kevin Tervort. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

Council discussed utilizing some of the CARE funds towards sanitation stations for Peach Days when it is held.

2. Discussion regarding **procurement process**

City Attorney Fay Reber explained the current procurement process. An updated ordinance was given to the Council to review. The proposed ordinance follows the State's process until after the top three have been ranked then it would go to a competitive bidding. Council discussed awarding smaller projects locally on a rotating basis. Mr. Reber will add to this draft so it addresses the small projects.

3. Discussion regarding **Rural Road Cross Section**

Joseph Prete motioned to have a work meeting to discuss this item. Seconded by Darin Larson. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye. A work meeting was scheduled for July 30, 2020 at 4:00 p.m.

**NEW BUSINESS**

1. Consideration and possible approval of the **update to City Code Section 8 Article A, Ground Water Protection**-Ken Richins

Dave Sanders motion to continue this item. Seconded by Joseph Prete. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

2. Consideration and possible approval of the **Water Conservation Plan**-Ken Richins

The City has an agreement with the State that this plan is reviewed every five years. Nanette Billings motioned to approve the Water Conservation Plan. Seconded by Dave Sanders. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

Kevin Tervort mentioned twenty percent of the population is using fifty percent of the total water. The younger generation needs to be educated.

3. Consideration and possible approval on a Zoning Map amendment request on a portion of the parcel **#H-3-1-33-3218 located at approx. 1481 W State Street from RA-1, residential agriculture 1 acre, to HC, highway commercial, to accommodate RV parking** approx. Kennedy Family Ventures Applicant

An RV Park requires a minimum of five acres. The front four acres is already zoned highway commercial. There is a master planned road behind this property. Mr. Kennedy stated they have no plans to access the property from 1515 W. Planning Director Stephen Nelson explained a second access would be required if this is an RV Park. There is not enough frontage on SR-9 to have two accesses so an access would have to be off 1515 W.

Darin Larson motioned to approve the zone change request on parcel #H-3-1-33-3218. Seconded by Kevin Tervort. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

4. Consideration and possible approval on a zoning map amendment request on **11.8 acres to realign the planned commercial boundaries and to change the North 5 acres from GC, general commercial, to MH/RV, mobile home/RV**, located at approx. 294 North 2260 West.

Letters in opposition have been received from neighboring property owners. This zone will allow them to have RV's and mobile homes. They currently have 112 spaces planned. There is a requirement to fence the property.

Kevin Tervort motioned to approve the zone change request at approximately 294 N 2260 West. Seconded Darin Larson. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

5. Consideration and possible approval on a **Zoning Map amendment request on 1.22 acres located on the South East corner of 200 North and 100 West from RM-1, multifamily 6 units per acre, to RM-2, multifamily 10 units per acre**. Louse Spendlove Applicant; Ty Meyers Agent

Dale Beatty, representing the Spendlove family, stated he will be moving back to this area and he wants to clean up the neighborhood. He will build nice attainable housing. It will be same zoning as across the street. There will be six buildings with two units per building. Council discussed the sewer issue in this area. Council member Tervort will talk to Ash Creek to see if it is on the schedule to be fixed.

Nanette Billings motioned to approve the zone change request located on the South East corner of 200 North and 100 West. Seconded by Kevin Tervort. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

6. Discussion regarding **growth in the Fairground Industrial area and possible access**

Doug Dennett purchased forty one acres in the Fairground Industrial area not realizing there was access issues. Different access possibilities were discussed. The City has been working with the County on an agreement for Regent Park Road but it hasn't been finalized. Mr. Dennett will be required to over excavate his property so he would like to get started on that while the access issue is fixed. Council discussed ordinance 10-7-23 regarding grading permits. There is a meeting scheduled for July 28<sup>th</sup> to discuss the access with the County. Council decided to continue this discussion until after that meeting.

**7. Consideration and possible approval on a *grading permit for Quail Creek Industrial Ph 4*-Doug Dennett**

The Fire District requires a second access and the water department will require looping the water lines. The preliminary plat that is approved does meet the master plan for the City. Dave Sanders declared personal conflict.

Dave Sanders motioned to recommend the Zoning Administrator to issue a grading permit based on the City is still working on access with the County and Jason Campbell. As a result of that construction is not imminent. Applicant shall work with staff to meet all requirements. Seconded by Nanette Billings. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

**8. Public Hearing to take comments on a proposal to add to an existing agricultural protection area on the following parcels: H-4119-C and H-4119-C-1.**

Kevin Tervort motioned to move into a Public Hearing. Seconded by Darin Larson. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

Carson Tait stated he is requesting to add his four acres onto Ash Creek's agriculture protection. Ash Creek Sewer District has no opposition to this request. Mayor Bramall asked Mr. Tait if he will not oppose road dedication when Turf Sod Road is improved. Mr. Tait agreed.

Darin Larson motioned to exit the public hearing. Seconded by Kevin Tervort. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

**9. *Consideration and possible approval of an addition to existing agriculture protection area*-Carson Tait applicant**

Darin Larson motioned to approve the addition to existing agriculture protection area. Seconded by Kevin Tervort seconded. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

**10. Consideration and possible approval on the *Interlocal Ironman agreement***

Ironman has always reimbursed the City for overtime costs and traffic control devices. The proposed agreement shows the County paying for it but they won't. The agreement also reads no other events can held within the City. The indemnification clause needs to be looked at closer. This agreement would

put all the responsibility on the City. It needs something in there that someone can't hold the City liable if they get hurt.

Nanette Billings motioned to have Chief, Mr. Demille, and Mr. Reber work together on the necessary changes and bring it back to the Council. Seconded by Kevin Tervort seconded. Motion approved with Nanette Billings, Darin Larson, Joseph Prete, Dave Sanders and Kevin Tervort voting aye.

**11. Mayor and Council reports**

Mayor Bramall	Airport, Administration, Police, Animal Control, School Crossing Guards, Victim Services, Public Works, Engineering -
Nanette Billings	Parks & Cemetery, Appeals Board, Airport, Historical Preservation, Solid Waste District and Youth Council -
Darin Larson	Planning Commission, Economic Development, Planning Department, Power and Swimming Pool -
Joseph Prete	Court, Water, Recreation, Tree Board and Beautification Committee -
Dave Sanders	Emergency Management, Streets & Drainage, Prosecutor's Office, Code Enforcement and Building and Inspections -
Kevin Tervort	Ash Creek Special Service District, Golf Course, Industrial Park, Mosquito Abatement, Fire District – Kolob will be a non-motorized State campground. The Boy Scout camp at Quail Creek was a training camp. They were renting out camping spaces on the Conservancy property for profit. They put a stop to it so they stopped utilizing the camp.
Clark Fawcett	City Administration -

**Adjournment: 9:23 p.m.**