

KANAB CITY COUNCIL MEETING
JANUARY 26, 2016
KANE COUNTY COMMISSION CHAMBERS

PRESENT: Mayor Robert D. Houston, Council Members Brent Chamberlain, Jeff Yates, Joe B. Wright and Michael East, Attorney Jeff Stott and Treasurer RaeLene Johnson. Council Member Byard Kershaw and City Manager Joe Decker excused.

WORK MEETING: Mayor Houston opened the work meeting at 6:30 p.m. Attorney Jeff Stott presented the annual open and public meeting training. He explained to the Council that he prefers not to interject while the Council is deliberating. He wants them to be self regulating. Actions and deliberations should always be in front of the public. This only applies when you have a meeting of three Council Members or more. Public needs to be aware of meetings. If there happens to be a chance meeting of three Council Members, avoid discussing City business. E-mails are included. Make sure you don't reply to an email as a group discussing anything in particular. That would start a deliberation thus the open and public meeting rules would apply. The public wouldn't have notice of such emails. Closed sessions still need to be recorded. You can go into closed sessions to discuss pending litigation, purchase, exchange or lease of property or discuss personnel.

Prayer was offered by Joe B. Wright and the pledge was led by Robert D. Houston. Mayor Houston called the meeting to order and took roll call. Mayor reported that Council Member Kershaw and Manager Joe Decker were excused.

APPROVAL OF AGENDA: A motion was made by Council Member Wright and 2nd by Council Member Chamberlain to approve the agenda of the January 26th meeting. Motion passed unanimously. Council Member Kershaw absent.

APPROVAL OF ACCOUNTS PAYABLE VOUCHERS: A motion was made by Council Member Wright and 2nd by Council Member East to approve the check register and accounts payable vouchers for January 26, 2016 in the amount of \$397,878.77. Motion passed unanimously. Council Member Kershaw absent.

APPROVAL OF MINUTES: A motion was made by Council Member Wright and 2nd by Council Member Chamberlain to approve the minutes of January 12th as amended. Motion passed unanimously. Council Member Kershaw absent.

PUBLIC COMMENT PERIOD: Jeff Frey asked in reference to public notification, he felt that the wording to discuss concerns with the Tom's Canyon flood control project didn't give the public enough information on what would be discussed at the meeting. Mayor Houston said that

was an error. It wasn't the Council's intent to just discuss, but they wanted to act on the request from Jackson Excavation. Mr. Charlie Saba suggested putting on the agenda whether something was an action item or discussion only.

CITY COUNCIL ASSIGNMENTS: Mayor Houston presented the following Council Members with their assignments:

Michael East	Joe B. Wright
Public Works Dept. Facilities	Library
Parks & Recreation	Kane County Water Conservancy
Cemetery	
Jeff Yates	Byard Kershaw
Airport	Arts Council
Police Department	Beautification Committee
Fire Department	Swimming Pool
Disaster Response	
Heritage Board	
CEBA Board	
Brent Chamberlain	Mayor Houston
Planning & Zoning Commission	CEBA
Building Department	Kanab City Administration
Western Legends	Kanab City Manager & Departments
Mayor Pro-Tem	Five County Association of Governments
	Emergency Op Center (Committee)
	Western Kane County Special Service District

APPOINTMENT TO PLANNING COMMISSION: A motion was made by Council Member Chamberlain and 2nd by Council Member Wright to ratify the Mayor's appointment of Melvin Watson to serve on the Planning Commission with a term ending 12/31/2020. Motion passed unanimously. Council Member Kershaw absent.

DISCUSS CONCERNS WITH THE TOM'S CANYON FLOOD CONTROL PROJECT: Mayor Houston said he and Russ Funk and Joe Decker met and discussed the progress of the project. Mr. Funk presented a progress report letter to the Council. (Letter on file in the City Office). He said there are numerous reasons why consideration should be given to crediting some of this lost time back to the Contractor. In the meeting they considered eliminating the penalty of not having the project completed by November 14, 2015 as long as there are not any extra charges or change orders for soil pumping issues on the embankment as long as the project is completed by February 13th. The cost of the project will still be recouped within funds that are

available for the project. No action can be taken since the agenda listed this item as a discussion item.

A motion to go into Closed Session to discuss pending or reasonably imminent litigation was made by Council Member Wright and 2nd by Council Member Yates. Motion passed unanimously. Council Member Kershaw absent.

Out of Closed Session

A motion was made by Council Member East to authorize Joe Decker to discuss the possibility of eliminating the penalty if the project is completed by February 13th and the requested additional cost will be offset by the penalty amount. Motion 2nd by Council Member Chamberlain. Motion passed unanimously. Council Member Kershaw absent. The Council won't sign any agreement or change orders until next meeting.

A motion to adjourn was made by Council Member Yates and 2nd by Council Member Chamberlain. Motion passed unanimously. Council Member Kershaw absent.

MAYOR ROBERT D. HOUSTON

RECORDER JOE DECKER