

**Kanab City Council Meeting**  
**January 9, 2018**  
**Kanab City Council Chambers**  
**26 North 100 East**

**PRESENT:** Mayor Robert D. Houston, Council Members Brent Chamberlain, Michael East, Joe B. Wright, Jeff Yates and Byard Kershaw, City Attorney Jeff Stott and Recorder Joe Decker.

Prayer was offered by City Attorney Jeff Stott and the pledge was led by Joe Decker. Mayor Houston called the regularly scheduled meeting to order and roll call was taken.

**APPROVAL OF AGENDA:** A motion was made by Council Member Wright and 2<sup>nd</sup> by Council Member Yates to approve the agenda of January 9, 2018. Motion passed unanimously.

**APPROVAL OF MINUTES:** A motion was made by Council Member Wright and 2<sup>nd</sup> by Council Member East to approve the minutes of December 12, 2017 with the correction to change the date from December 14 to December 12. Motion passed unanimously.

**APPROVAL OF ACCOUNTS PAYABLE VOUCHERS:** A motion was made by Council Member Yates and 2<sup>nd</sup> by Council Member Chamberlain to approve the accounts payable vouchers dated December 21, 2017 in the amount of \$198,331.85. Motion passed unanimously.

A motion was made by Council Member Wright and 2<sup>nd</sup> by Council Member Kershaw to approve the accounts payable vouchers dated January 9, 2018 in the amount of \$218,123.80. Motion passed unanimously.

**PUBLIC COMMENT:** None.

**DISCUSS VOTE ON RELEASE OR MAINTAIN OF THE RPP LEASE FOR THE KANAB TRAIL AND MOUNTAIN PARK:** Mark Foley from the Bureau of Land Management gave a brief presentation on the designation for the recreation and public purposes program. Kanab City has a lease from 2003 for the Squaw Trail. The purpose of the lease was for Kanab City to maintain and operate Squaw Trail, when originally issued no other trails would be constructed. Mr. Foley expressed that there was an alternative that the City and BLM looked at and that was for the lease to go to patent. He explained that the current agreement wouldn't allow the City to get the patent on the land. This alternative was dropped from further analysis because of the presence of archaeological sites that are eligible for protection under current law. If the patent were issued it would be hard for the BLM to protect the land. Tony Wright explained that the reason the City Council did this while he was on the Council was to allow the city to have more open space. Mark Foley wanted to know what the City intended on doing. Mark Habeshaw explained that it might be wise for the council to retain the lease until the city figures out what to do. Mayor Houston moved to table this item.

**VOTE ON 2018 MEETING SCHEDULE:** Joe Decker explained the 2018 anticipated meeting schedule. A motion was made by Council Member Wright and 2<sup>nd</sup> by Council Member East to adopt the 2018 Meeting Schedule. Motion passed unanimously.

**VOTE ON APPROVAL OF AUDIT:** Mayor Houston explained that the audit was presented at the last meeting during the work meeting and it is on the agenda for approval. Joe B Wright wanted to go through the findings and recommendations. Joe Decker explained that there were journal entries missed with the account reconciliations at the end of the year and that there would be some staff changes to fix that problem. He went on to explain that since he and the Mayor started, the number of issues has gone down pertaining to the audit. Brent Chamberlain explained that he had talked to some people the lack of transparency within their town and he hoped that the audit was available for people to see if needed. Joe Decker explained that the audit is linked to the Utah Transparency Website. Joe B Wright expressed putting out the audit for RFP, Joe Decker explained that they are supposed to do that every three years. A motion was made by Council Member Brent Chamberlain and 2<sup>nd</sup> by Joe B Wright to accept the audit as presented for the year ending June 30, 2017. Motion passed unanimously.

**VOTE ON MINOR SUBDIVISION FOR STEVEN COOMBS, PARCEL K-16-9B-ANNEX, 1090 E CHINLE DRIVE INTO TWO UNEQUAL LOTS, LOT 1 WOULD BE 1.17 ACRES AND LOT 2 WOULD BE .55 ACRES:** Joe Decker explained that this lot split meets the underlying zones and that no zone change is needed. A motion was made by Council Member Brent Chamberlain and 2<sup>nd</sup> by Byard Kershaw to approve the minor subdivision of parcel K-16-9B-ANNEX, 1090 E Chinle Drive into two unequal lots, lot 1 would be 1.17 acres and lot 2 would be .55 acres. Motion passed unanimously.

**DISCUSS AND VOTE ON ORDINANCE 1-1-18 O “AN ORDINANCE AMENDING KANAB CITY LAND USE ORDINANCE CONCERNING CHAPTER 17-2 PERMITTED AND CONDITIONAL USE AND CHAPTER 17-5 MODIFYING REGULATIONS (TWO FAMILY DWELLING):** Michael East thinks that the hyphen is important to mean that it is a duplex and not two family dwellings. Duplexes are allowed in the RM zone which are scattered throughout the R-1-8. In order to save the integrity of the single family zones, lot size should be taken into consideration without impairing the value of the property next to you. Michael East went on to explain that there is a place for duplexes.

Jeff Frey explained that he ran across a guy that was new in town and moved into a house on Navajo Drive, he talked about mostly his complaint of the property owner next to him converting his property into a duplex. Mr. Frey explained that the guy was very concerned about having the duplex next to his house because there seems to be all single family homes in that area.

Joe B Wright explained his intent was to try to come up with something to protect single family residential zones. He would be in favor of choosing some zones that don't allow two units on single family residential zones. Joe B Wright would like to see planning commission come up with some zones within the city that does not allow two units on a single lot. Brent Chamberlain explained that at the Planning Commission meeting, people from the golf course heard someone was purposing a duplex to be built up there. They talked about their CC&R's not having anything about prohibiting duplexes because their zone was specific to single family

residences. Their point was there are some areas of the golf course that are zoned high density. Brent Chamberlain explained that if a property owner buys a lot knowing that it is zoned single family low density, that's what it should be. The City didn't establish this based on size. The outlining areas with the larger lots are identified as low density the downtown is higher density. Mr. Chamberlain thinks we should go back and revisit the zoning map and make sure the areas are clearly clarified. The City shouldn't be putting higher density in a zone that is historically single family low density. Mayor Houston agreed and thinks it needs to be spelled out in black and white. Jeff Yates agreed also.

Byard Kershaw explained he is familiar with the house Jeff Frey was talking about and watched the process of the duplex going in.

Joe B Wright explained that he would like to see this move forward but if they need staff approval than that will work. Brent Chamberlain explained that the zone should mean what it says. Jeff Stott explained that the Planning Commission came to the conclusion that if someone wants a zone change then they could come and ask for one. Brent Chamberlain explained that we are at a point where we will see more growth and that this is a good time to decide what to do. Mayor wondered what the conditions are that they will allow a multi-family dwelling. Scott Colson explained that the future land use map is not a definite and his concern for the council was that if you make it a zone change issue you will have a political battle. The neighbors will come in and not like the situation, the Council should make it even across the board. He went on to say that zone change is a legislative issue. Mayor Houston suggested instructing staff to come up with some different options.

A motion was made by Joe B Wright and 2<sup>nd</sup> by Jeff Yates to adjourn.

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Recorder

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Date

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Mayor

\_\_\_\_\_  
Date