

Kanab City Council Meeting
March 12, 2019
26 North 100 East
Kanab City Council Chambers
6:30 PM

In Attendance: Mayor Robert D Houston, Council Members Arlon Chamberlain, Celeste Meyeres, Jeff Yates, Byard Kershaw, Recorder Joe Decker and Treasurer Katherine Ohlwiler. Council Member Michael East and Attorney Jeff Stott excused.

Mayor Houston asked Joe Decker to give an update on the NRCS (National Resource Conservation Service) project. Six months ago, Kanab City received a grant for about \$650,000 for the work in the back of Tom's Canyon to help with the flood mitigation. NRCS has in house engineers and they are currently working on the plan for the stream channel change, they are looking to put the project out to bid in the next two weeks. The start date is April 30th and the finish date should be May 30th. The second EWP (Emergency Watershed Protection) application through NRCS is also in the works. Mr. Decker went on to say the application for FEMA for grant funding for the large projects is in and in review. The first NRCS project is the back of Tom's Canyon, the second project is work in the back of the Ranchos along Stansfield and Navajo Drive and up by the water tank, the third is a little bit of work in the back of Cedar Heights. The FEMA application project includes the storm drain culverts on 200 North which would put a box culvert from Tom's Canyon clear to the creek. And then several other little projects around town. The storm water fee collected from utility bills goes straight to storm water projects. Impact fees collected are for impact of future growth and not these projects. They have tripled the size of the basin in Tom's Canyon and moved close to 100,000 yards of dirt out. Mr. Decker explained Kanab City is trying to do everything they can to mitigate the pond filling up.

Mayor Houston explained in the next meeting on March 26, 2019, he is hoping to have an engineer from USGS to discuss the water tables up around the Red Sands project. Hopefully he can give advice on how much water is there and how fast it can recharge. They have done a number of studies in that area that discusses the recharge rate depending on the different seasons. If the USGS guy has a conflict, he will have to reschedule. The water attorney that has drawn up the contract for this project will also be there.

Mayor Houston called the regularly scheduled meeting to order and roll call was taken. Prayer was offered by Jeff Yates and the pledge was led by Celeste Meyeres.

Approval of Agenda: A motion was made by Celeste Meyeres and 2nd by Jeff Yates to approve the agenda for March 12, 2019. Motion passed.

Approval of Minutes: A motion was made by Jeff Yates and 2nd by Byard Kershaw to approve the minutes from February 26, 2019. Motion passed.

Approval of Accounts Payable Vouchers: A motion was made by Jeff Yates and 2nd by Byard Kershaw to approve the accounts payable vouchers and check register dated March 12, 2019 in the amount of \$147,350.99. Motion passed.

Public Comment Period: Bart Battista commented about the SRS project, he knows the City is trying to sell 600-acre feet of water and has seen some comments from the Mayor trying to equate that amount, but it is not the full amount of water. The project is getting additional water from the Water Conservancy District and so the total amount of withdraw from our wells is around 1400-acre feet per year. Which comes out to 414 million gallons of water, then equating to 1,471-acre feet of water. Mr. Battista thinks we need to truly understand the full impact of the project and knows there are economic benefits to the City, but hopes the engineers know how much water there actually is in the aquifer. Mr. Battista continued from a Best Friends perspective, they use around 80-acre feet of water for culinary and agriculture purposes. Their wells are in the same sandstone area as the project is going to drill into. His concern is if their depression of water will affect their wells.

Laura Klina spoke about the SRS project and has spoken with environmental people about their concerns with the project. She brought up their main concerns so far which are about the amount of traffic increasing through main street and the amount of lighting on the city limits.

Richard Anderson commented on his concerns for the roads in the Ranchos as they are designated as major collectors, but they are not. In the Transportation Master Plan, it designates Kanab Creek Drive, Powell Drive, West 300 South and other areas as major collectors and also shows the definition of what a major collector should be. Those streets are functioning as major collectors but are not. They're 26-24 feet wide and 25 years old. The Transportation Master Plan shows a major collector as 51 feet wide with five-foot sidewalks. Mr. Anderson explained he is trying to understand what a major collector is as these roads don't even qualify according to the Transportation Master Plan. Mr. Anderson questioned, when zoning and development is considered, how will these roads absorb additional traffic and additional homes in those areas. He continued with saying that he has looked at the impact fee plans and doesn't see any new money going towards roads in the ranchos.

Arlon Chamberlain explained the Ranchos roads were annexed into the City some time ago and at that time a lot of them were just gravel roads. The City has been trying to improve them and has learned the hard way on how we adopt or annex other people into the City so the City wouldn't be left with such a burden. The Master Plan is for future growth and to show where the transportation and streets will be needed. The streets will need to be upgraded as time goes on when the needs arise.

Richard Anderson commented again on how the need for major collector roads is now and the Master Plan and reality don't make sense as zone changes are going to happen.

John Hiscock expressed a variety of concerns over the SRS proposal and feels the information that has been available about the project is far from complete. He questioned the water issue and if the water usage was only for the SITLA lands that are supposed to be developed or for expansion not on the SITLA lands. There are numerous mining claims that have been filed on BLM lands as well, a question that needs to be answered before the City makes an agreement. As far as the truck traffic, the fracture sand will also go east which would bring the trucks through Kanab. Mr. Hiscock wondered if the proponents have developed a complete business plan for the public to look at.

Mayor Houston explained that SRS is still trying to develop what they are doing. They are still trying to decide which plant to use which dictates how much water they will use.

John Hiscock expressed the City will sell City water to them just like any other customer and believes there are many restrictions in them being able to drill a well.

Mayor Houston explained that the City is not selling their water rights just the gallons of water. The State Water Engineer will make a decision on the amount of water that is actually there. The City owns billions of gallons per year and wasn't trying to down play how much water the plant will use, just explaining how much we have available compared to what they will need. One of the things that the City will be looking at with the money they will receive from this sale of water, is improving the City's water system and will definitely be drilling more wells as the population grows. The amount of water rights the City owns does not equate to what is actually in the ground.

Byard Kershaw explained that it was talked about in previous meetings if the City needs more water for its residents than Red Sands needs, we can take the water back from Red Sands to satisfy the needs of the City. Kanab would have to grow substantially in order for that to happen.

Laura Klina spoke of vacation rentals and learned that VRBO only makes up 7% of the housing in Kanab and many of them are Bed and Breakfasts. Mrs. Klina talked about housing needs and other aspects and spoke about the SRS Project bringing more employees which will then mean more housing needs.

Richard Gray spoke about the zone change in the Ranchos and expressed that the Planning Commission decided that was good and approved it. He talked of concerns for Hamblin Drive as it would add traffic to that area. Mr. Gray asked the Council to consider the traffic that will be dumped onto a 30-foot-wide road from 45 homes, where young children are playing, and people are walking. Mr. Gray wondered what the long-term plans are for the City.

Colette Cox thanked the Council for coming to the Planning Commission throughout the housing debate. She wondered if the City has done a housing study or reviewed housing projects in the City. There are quite a few people living in substandard housing and she feels it's not monitored, and people are getting taken advantage of.

Levi Lefevre asked if there would be a public hearing on the zone change at the next meeting. Mayor Houston explained that there will be a public hearing on this zone change on the 26th of March.

Mr. Lefevre went on to express his concerns for flooding issues and why should the City have to fix them now versus at the beginning of development. Also, for traffic that is already an issue in the Ranchos, why approve something now and fix it later. Mr. Lefevre explained his opposition for the Zone Change, which is in his back yard, wouldn't be the proper transition for this zone to change to.

Lee Kou expressed that she was appalled at the Planning Commission meeting when she found out that a zoning change can be pushed by landowners. If Best Friends is allowed this change, any developer can come in and make demands similar. The reason Mrs. Kou lives here is because she didn't want to live in a place like St. George with how the density is. Mrs. Kou explained that this zone change would be a 600% increase in density, wondered how this could be consciously done in the country side. She wondered why this type of zone couldn't be in town, doesn't want Kanab to turn into Las Vegas or St. George. She recommended smart growth and setting a precedence that the City won't have to come back from.

Samantha Lefevre explained she has been to several Planning Commission meetings and wanted to come to the Council to express her concerns. She explained that the decisions are based off of the Future Land Use Map, having reviewed the general ordinances, the map itself is not in accordance with the plan. She has found many things that don't line up with the Map and that is what the Council is basing their decisions on. Mrs. Lefevre thinks the map needs to be in line before any major decisions can be made. Another thing she wanted to point out is that there are two zones in Kanab that are very low density residential. This zone change would put the highest density right in the middle of the lowest density surrounding it. She expressed this is the most poor planning that she has ever seen or heard of by Kanab City's plan. Other housing developers have adhered to where the zone would allow them to build, she continued to say that this zone change is strictly convenience for a corporation at the expense of Kanab City residents.

Harold Hamblin wanted to go on record to say that this is the second time he has agreed with Bart and his father Francis Battista. He is opposed to the Red Sands Project, City is gambling with the best water we have. Mr. Hamblin also stands with the street people that have spoken of traffic concerns in the meeting. He applauded Celeste for having her email on the City website and asked the other members to add theirs to it as well. He wants to hold his comments on the zone change until the public hearing but, went on to say the Planning Commission is supposed to be the voice of the public and they did not listen to the public's opinion on the matter. Mr. Hamblin expressed that the City Officials need to listen to what the public has to say.

Bart Battista expressed he is saving his comments for the public hearing but explained that everyone had good points. All development is personal to the neighbors and didn't want to down grade any of those points, but everyone has property rights. This zone change is in the middle of the City, and thinks the application is in keeping with the plan. They tried to do a variance but that wasn't approved so this zone change is in accordance with the City plan that City officials have approved.

Out of Public Comment. Mayor Houston explained that the next City Council meeting will be at the Library on March 26th.

Discuss – Zone Change on Parcel K-19-8-Annex from RA (Residential Agricultural) to R-1-8 and R-1-15 (Single Family Zone) Applicant Karen Alvey and Best Friends: Mayor Houston explained that this would be an opportunity for the Council to ask questions and get their information for the next meeting. Arlon Chamberlain explained in the master street plan there is a minor collector to go through that subdivision and tie onto Powell Drive. Celeste Meyeres questioned that this zone change is just about that and not about the roads which would be later talked about. Joe Decker confirmed. Byard Kershaw commented about the housing SRS could provide for their employees, looks at this zone change as a similar situation and they would have to go through the same process.

Discuss – Vote on Final Plat for Parcel K-17-6-Annex (285 East 650 South), applicant Stryker Development: Arlon Chamberlain explained the Planning Commission was concerned about Ben Clarkson's right-of-way and they have come up with agreements for that. The City will eventually have to work with Ben on curb and gutter for that area. They also have agreements with landscaping and lighting and everything else has been approved with enough parking for the units. Celeste Meyeres expressed her support in this as this is the developers second try and thinks this will benefit the City. A motion was made by Arlon Chamberlain and 2nd by Jeff Yates to approve the final plat for parcel K-17-6-Annex (285 East 650 South), applicant Stryker Development. Motion passed by roll call vote.

A motion was made by Jeff Yates and 2nd by Celeste Meyeres to adjourn.

Mayor

Recorder