

KANAB CITY COUNCIL MEETING
APRIL 24, 2018
KANAB CITY COUNCIL CHAMBERS

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

Mayor Houston opened the meeting at 6:30 p.m. Prayer was offered by Jeff Stott and the pledge was led by Michael East. Mayor Houston called the meeting to order and roll call was taken.

AGENDA: A motion was made by Council Member Yates and 2nd by Council Member Kershaw to approve the agenda of April 24th. Motion passed unanimously.

MINUTES: A motion was made by Council Member Kershaw and 2nd by Council Member East to approve the minutes of April 10th. Motion passed unanimously. A motion was made by Council Member Yates and 2nd by Council Member Kershaw to approve the minutes of the Special Work Meeting held on April 16. Motion passed unanimously.

ACCOUNTS PAYABLE: A motion was made by Council Member Chamberlain and 2nd by Council Member Wright to approve the accounts payable vouchers and check register dated April 24, 2018 in the amount of \$165,286.24. Motion passed unanimously.

PUBLIC COMMENT PERIOD: No comments were received.

PUBLIC HEARING TO DISCUSS AN AMENDMENT TO THE CEDAR HEIGHTS SUBDIVISION: A motion to go in and out of public hearing at the discretion of the Mayor to discuss an amendment to the Cedar Heights Subdivision between parcels K-91-33 and Parcel K-91-32 as requested by Bill Hart was made by Council Member Chamberlain and 2nd by Council Member Yates. Motion passed unanimously. It was noted that this request only adjusts the lot alignment while keeping the same number of parcels. Planning Commission had recommended approval. There were no comments from the public.

PLAT AMENDMENT TO THE CEDAR HEIGHTS SUBDIVISION: A motion was made by Council Member Chamberlain and 2nd by Council Member East to approve the plat amendment to the Cedar Heights Subdivision between Parcels K-91-33 and Parcel K-91-32 located at 139 North and 166 North Gunsmoke Pass recognizing the change won't affect any easements and with the

findings from staff that neither the public nor any person will be materially injured by the vacation, alteration or amendment and there is good cause for the vacation, alteration or amendment. Motion passed unanimously.

PUBLIC HEARING TO DISCUSS THE IMPACT FEE FACILITIES PLANS: Mayor Houston explained that the impact fee facilities plans designate the maximum allowable by law that can be charged for impact fees. He said tonight is the Public Hearing, May 8th will be the vote on the impact fee ordinance and maximum allowable amount. This starts the 90 day clock to allow charging for impact fees. Gary Mudrow stated he was against impact fees. He thinks that the expense of impact fees could make home ownership for young people less likely to happen. He suggests that the Council take serious thought on what amount to charge. Charlie Saba asked if residential impact fees would be different than commercial. Mr. Decker explained that all residential homes will have the same impact fee, but commercial will be charged by square footage of the building and the size of the water meter. Jeff Peterson stated that he would like the amount to stay the same at least two years or over a certain amount of time, so he could plan and have reasonable history of the amount needed. He felt that since Kanab needs apartments so desperately, the Council should consider a different amount for apartments or for them to be exempt. Arlon Chamberlain was concerned with first time homebuyers. He feels it hits low-income families the hardest. Breck Judd said the City does need impact fees, but he thinks that more than \$5,000 would greatly affect a project on construction loans. He feels the market will adjust itself over time if it is done in a responsible manner. Daniel Johnson, with State Bank of Southern Utah, addressed the Council. He said he has done a lot of construction loans that barely qualify. He asked that the Council keep the residents in mind. The commercial industry has hit Kanab hard, but it shouldn't affect the residential. Matt Brown thinks everyone should help pay for projects that benefit them, not just the newcomers to town. Mayor Houston stated that impact fees can only be used for new construction. Scott Colson suggested a different fee or fee waiver for those families under a certain income level. He feels impact fees for residential penalizes the poor the most. Council Member East said there needs to be a delicate balance found. We don't want to kill growth. Council Member Wright explained that impact fees help fund projects. The lower the impact fees the lower amount of projects, so we'd have to decide which projects to cut. The City has only six years to use the impact monies, or they will have to be returned. The fees need to be project based. He didn't know if it was legal to waive an impact fee. Council Member Chamberlain stated that commercials are doing a better job of paying their share. There needs to be balance on which projects that **have** to be done than those we would **like** done. Council Member Yates stated the Council needs to be careful that the impact fees don't hasten the market. Council Member Kershaw agreed with the Council's remarks. Mayor Houston asked the Council to look over the

project list and prioritize which project has the most need. It was noted that the priority projects can change, but they don't have to be removed.

PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC WITH RESPECT TO THE ISSUANCE OF THE BONDS AND ANY POTENTIAL ECONOMIC IMPACT TO THE PRIVATE SECTOR FROM THE CONSTRUCTION OF THE PROJECT TO BE FUNDED BY THE BONDS. (FIRE STATION #1):

Mayor Houston opened the Public Hearing. Scott Colson asked about difference in the total amount. Mr. Decker told him that the soil works isn't included in the total. The Cities portion of the \$850,000 is \$425,000 plus approximately \$60,000 out of pocket expenses. Ben Clarkson was concerned about the setbacks of the fire station. He felt it was too close to his property. The Council said that the setbacks for C2 buildings are different than residential, but they will look into it.

AWARD CONTRACT FOR THE ADDITION AND REMODEL OF FIRE STATION #1: A motion was made by Council Member Yates and 2nd by Council Member Chamberlain to award the contract for the addition and remodel of Fire Station #1 to Steed Construction in the amount not to exceed \$750,000 including FFE's (Finishes, Furnishings and etc). Motion passed unanimously by roll call vote. It was noted that Steed Construction will have to bond, but there won't be any time penalties.

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

MAYOR ROBERT D. HOUSTON

RECORDER JOE DECKER