

Kanab City Council Meeting
June 11, 2019
26 North 100 East
Kanab City Council Chambers
6:30 PM

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

Work Meeting: Joe Decker explained the Kanab City Annexation Plan that he talked about in a County Commission Meeting previously. The City Council in 2006 passed an ordinance for what the future annexation is of the City. Not going to go out and annex properties tomorrow, this is just what the future plan will be. This annexation would include going north to mile post 74, going east it would be out past Johnson Canyon, west it would include all around the Vermillion Cliffs and would take care of the checkerboard zoning south of town and various areas within the municipality that are in the County now. This was discovered because of some large developments the county is approving right outside of city limits that are going to affect some streets. This requires the county to notify the city so that the city can fit this into what the future land use plans are. The north boundary would be past the city wells. The only annexation currently that has been talked about is south of town to clean up the checkerboard zoning and the piece between the Ranchos and Cedar Heights. Mayor Houston explained this is something that the city needs to start talking about for the future. Joe Decker expressed that the city can't spot annex and the properties have to be contiguous. A lot of public hearings and procedures will go into annexing properties as well.

Mayor Houston announced that he has got a hold of Hugh Harlow with Utah Geological Survey and he will be able to come to Kanab on the ninth of July to the City Council meeting which will be held at the Library. They will make their presentation and field questions. The Council will be voting July ninth as well. Celeste Meyeres asked about the Planning Commission appointee position available and Mayor Houston expressed as he hasn't been available so he will choose someone at the next meeting to fill that position.

Jeff Stott offered the prayer and Jeff Yates led the pledge. Mayor Houston called the meeting to order and roll call was taken.

Approval of Agenda: A motion was made by Jeff Yates and 2nd by Michael East to approve the June 11, 2019 agenda. Motion passed.

Approval of Minutes: A motion was made by Byard Kershaw and 2nd by Jeff Yates to approve the May 28, 2019 minutes as amended. Motion passed.

Approval of Accounts Payable Vouchers and Check Register: A motion was made by Celeste Meyeres and 2nd by Michael East to approve the accounts payable vouchers and check register dated June 11, 2019 in the amount of \$289,133.43. Motion passed.

Public Comment Period: Sky Chaney president of the Taxpayer Association of Kane County addressed comments of the City's decision on whether or not to provide water to the SRS frack sand mine. He understands the council received a report on May 20th from the Utah Geological Survey which consisted of maps and tables which were irrelevant as it had the wrong amount of water. Along with the report, the author Hugh Hurlow, emailed Joe Decker delimiting what the report was really about, "We did not consider recharge, other ground water withdrawals, possible impact on Kanab Creek or implications for long term life of the aquifer. All of these issues and more could be addressed in a longer study in which we would like to work with you if possible." Mr. Chaney continued with explaining Hugh Hurlow said basically that the report did not address how long the aquifer would last in relation to giving any additional water to SRS. On Friday, the new citizen group called Keep Kanab Unspoiled had a meeting at the library during the meeting a petition was signed that was addressed to the Mayor and the Kanab City Council, "Dear Mayor and Kanab City Council, please obtain a comprehensive evaluation of our water supply before considering any decision about whether to sell water to Southern Red Sands, LLC for their frack sand mine. If there are any risks that our sandstone aquifer will be impacted over time, we want you to protest any diversion of water that may deplete our irreplaceable drinking water. Other cities in Utah have taken action to prevent this kind of taking of water and we request you do the same. Future generations of Kanab families will depend on your careful deliberation and the actions you take to protect our water supply." Mr. Chaney asked if the Council has asked UGS and Hugh Hurlow for a longer more adequate study on the Kanab aquifer. Mayor Houston explained as of right now no.

Laura Klina resident of Kanab and sole proprietor to the Stuart Wolley house a bed and breakfast expressed she wrote up a paper that better reflects her thoughts. She thanked the Council for their presence tonight and wished them the strength to be able to receive any information and comments spoken at the meeting and future meetings. And the wisdom to take actions that will best reflect the needs of their constituents. She understands that it might be challenging for the council to hear so much negative monologue and she knows that they care as much for Kanab's longevity just as much as those who make statements. She began with a phrase that she is hearing repeatedly by those in positions to make a stance against the Southern Red Sands fracking project, "I don't know enough to make a decision." There is a strength and danger in pleading ignorance when it comes to this project. The strength is, making a statement could lead to obtaining information to better clarify your stance. The danger is that one might make a decision prematurely without weighing the critical material. One other item she spoke about is the fact that U.S. Government officials do not have public email accounts as of yet. This has been a request made for several months and even prior to the Southern Red Sands topic. She asked the council to allow the public to contact them via email openly. She asked the Council to educate themselves about frack sand mining. And to look to articles written by those effected, research articles on

the environmental damage and examine the similarities that will inevitably take place with the same project. She is from Pennsylvania and about $\frac{3}{4}$ of the state is under fracking. She recalls going to their swimming hole and seeing a double headed toad drowning itself. Environmentalists said that there were chemicals being put into the water and of course it wasn't frack sand mining but regardless she has seen some other strange thing in the waters there. As elected officials, she explained they do have the power to not provide water necessary for the frack sand mine to take place. She has heard it doesn't matter because individuals can sell their rights to SRS. Don't be the party responsible for destroying our amazing community and surrounding areas. She thanked the council again for their service to the community.

Joelyn Stewart explained she remembers The Cave lakes fiasco where two doctors owned the Cave Lakes property and there was contention about a water issue there and they ended up moving over the issue. She remembers growing up when there was water rationing. Water is very important to her as she as always lived in the South West and knows how serious it is. You have to look to the future, where will we get the water for all of those people in the proposed annexation plan. If it is not a population density issue than it is an acreage issue. We need to conserve every drop that we have, and we can't plan on an excellent water year again. She asks that we hold on to the water for culinary purposes. She told her mother Phylis Stewart that she was going to the City Council meeting and she told her that they want to use culinary water to wash sand and she replied with "bull." She explained her face was priceless, but she wanted to give her opinion also.

Michelle Galaria explained she is a retired biology teacher and wasn't going to speak but Laura's comment connecting frack sand and biology and Mr. East's reaction to it prompted her to say something. She's been taking in information and is also concerned about water diversion, industrial contaminants, the trucks and traffic, dust and wildlife, Kanab Creek and everything else that has been mentioned. The one thing that really gets her is when she moved here ten years ago and seeing the Abra Kanabra and the Kanab Sign she thinks about our legacy. She connected sand fracking to other fracking by asking, "Is that what we want Kanab's legacy to be? Kanab provides the frack sand to screw up Pennsylvania." Or wherever it would go because we may still be taking in a lot of information with the sand fracking and the implications of that but we know what happens in the fracking communities. So, keep our place kind of pristine but then really mess up other communities is not okay with her. She is lucky she can move but a lot of people can't.

Public Hearing for the adoption of the 2019/20 Kanab City Operating Budget: A motion was made by Jeff Yates and 2nd by Byard Kershaw to go in and out of public hearing at the call of the mayor.
Out of public hearing.

Discuss – Vote on Resolution 6-1-19 R “A Resolution Adopting Budgets for the City of Kanab for the Fiscal Year ending June 30, 2020”: Joe Decker explained he has changed only about \$2500 to clean up some revenues and expenditures that were

not quite right in the budget explained at the previous meeting. Other than that, he went over every fund as he did last meeting. Mr. Decker explained next meeting they will open this year's budget and there might need to be a transfer made into the Capital Project Fund of surplus. The Impact Fee Fund has to be spent in the next six years. The Jacob Hamblin Park Fund, Gardner Project will be zeroed out once the interest incurred is transferred as that project is complete.

The Skate Park Fund will be used for lighting and sod there and then zeroed out. It is going to take community partners and the City to go in from the sides into the drains to drain the skate park of the excess water that is collected there each storm. Michael East expressed he would like to see us as a city solve problems permanently instead of putting band aids on things. Mr. Decker went on to explain other project funds that are zeroed out after project completion.

A motion was made by Michael East to approve resolution 6-1-19 R "A Resolution adopting budgets for the City of Kanab for the Fiscal Year ending June 30, 2020 2nd by Celeste Meyeres.

Motion passed by roll call vote.

Jeff Yates adjourned the regular meeting and made a motion to go into closed session 2nd by Byard Kershaw to discuss the purchase, exchange, or lease of real property; to discuss the character, professional competence, or physical or mental health of an individual; and to discuss pending or reasonably imminent litigation.

Motion passed.

Mayor

Recorder