

Kanab City Council Meeting
August 27, 2019
City Council Chambers
26 North 100 East
6:30 PM

In Attendance: Mayor Pro Tem Jeff Yates, Council Members Arlon Chamberlain, Celeste Meyeres, Michael East and Byard Kershaw, Attorney Jeff Stott and Treasurer Katherine Ohlwiler.

Mayor Robert Houston and Recorder Joe Decker were excused. Mayor Pro Tem Jeff Yates called the meeting to order and roll call was taken. The prayer was offered by Jeff Stott and Celeste Meyeres led the pledge.

Approval of Agenda: A motion was made by Celeste Meyeres and 2nd by Byard Kershaw to approve the agenda for August 27, 2019. Motion passed.

Approval of Minutes: A motion was made by Byard Kershaw and 2nd by Arlon Chamberlain to approve the minutes from July 23, 2019 with recommended changes. Motion passed.

Approval of Accounts Payable Vouchers: A motion was made by Celeste Meyeres and 2nd by Michael East to approve the accounts payable vouchers and check registers dated August 20, 2019 in the amount of \$102,798.09; August 13, 2019 in the amount of \$262,934.32 and August 27, 2019 in the amount of \$20,952.09. Motion passed.

Public Comment Period: Mark Kuehnel thanked the Council for running a vibrant community and asked them to look into cleaning the curbs and gutters downtown. He expressed it is looking a bit ratty and if we want to attract tourism and developers, the downtown area should be pretty. He gave the Council a picture and feels the City could do a much better job even though the City is strapped for money. He feels the town gets cleaned up when events are brought to town. Let's make our town look a little bit better.

Rich Csenge wanted to address the light that is coming off the tennis courts. The night sky ordinance was passed a year ago and in that ordinance the City exempted itself from complying with the ordinance although a line was inserted that said it should be the policy of the City to comply with the ordinance. He had a conversation with Joe Decker about the lights on the tennis courts that they are really good LED lights and the color temperature is daylight and higher than what the ordinance recommends. He also said there would be switches in the lights so that they would only go on when someone was playing and the circuit would be on the same time the Jacob Hamblin Park is on. As he is a nearby neighbor, he can see his shadow on his wall from the window as the lights are mounted the other way and shining towards his house. The City did a good job picking those lights but what's missing is the angle of the lights should be the opposite way. The timer switch doesn't seem to be working right either. Mr. Csenge wanted to appeal to the City Council to consider the neighbors and the illumination of the court.

A common sense solution to this would just be to tilt them down. He would like to have someone contact him about this.

Michael East said he would look into this light issue and figure out what will work.

Kelly Stowell invited everyone to the Jacob Hamblin Park at 11:30AM on Wednesday to meet Spencer Cox who is running for governor and pizza will be provided.

Colette Cox the president of the Kanab Area Chamber of Commerce thanked Mike Reynolds, Joe Decker and the City Council for watching out for opportunities that will have a positive impact on Kanab businesses. She expressed her support in agenda item #6 which will have a positive impact on energy saving measures on businesses.

Bart Battista expressed he is also in support of agenda item #6 and not just energy saving aspects but also it will bring in affordable housing to the area. Anything they can do to incentivize developers to come to town is a great thing.

Doug Dewitz spoke about the frac sand issue. Renewables surpassed coal in energy production. Kanab has many days of sunshine here and Garkane is working on a solar proponent as well. There are many untapped resources in this area and there is a tremendous solar resource in this area. Export energy rather than depending on Vernal Utah to send us energy. He explained solar is the future. Mr. Dewitz can't support the use of our water or water grab to make Kanab dependent on an extractive company. He is in supportive of alternative energy.

Laura Klina explained the reports we are going off of for the water are 30 years old. So much has changed in that time and that is why they were pushing to wait to approve the SRS contract until the Best Friends report would be done. They are going off of a report from 1981 and she explained some other facts that happened that same year. So much has gone on since then and that is why they wanted the council to wait to get a current report.

Marybeth Kuntz commented on the CPACE, Commercial Property Assessed Clean Energy District that she is in support of it and would like to see some more incentives for developers or contractors to do affordable housing. Within 250 miles of Kanab there are 12 businesses that will help with energy efficiency, 8 that will help with renewable energy and 2 that will help with water conservation. Ms. Kuntz also wanted to encourage everyone to support Kanab Service Day that will be on September 7, 2019. Maybe someone in the City office is aware of someone who could benefit from this day as they paint houses, clean and do several types of acts of service.

Claudia Brescia wondered what studies have been done to explain what the recharge on the aquifer. And what is left to filter the aquifer. Her second question was, some areas around here are prone to Valley Fever and she wondered about the dust particulates in the air, will there be any chances of Valley Fever being contracted.

Celeste Meyeres explained as far as she understands Valley Fever is a spore and is only in certain regions and not in this region. She explained Claudia could find out through the CDC or with some digging online she could determine that.

Discuss – Vote on Resolution 8-1-18 R “A Resolution Concerning the authorization of OED to conduct the Commercial Property Assessed Clean Energy District (C-PACE DISTRICT) within Kanab City, Utah.”: Mike Reynolds explained Theddi Chappell a director from Utah CPACE was there to explain all about the program. Donna Huntsman will be the local expert on CPACE and both of them were there to provide information. Theddi introduced herself as the director of Utah CPACE and working for the third party administrator that serves the state, the Office of Energy Development, which they do all of the logistical aspects and technical reviews for the projects. This is a strictly commercial program that can include apartments if there are four or more units but it was designed initially to help smaller businesses to be able to afford energy and water efficiency upgrades. The way the program was designed is it is for existing buildings, the owner can get up to 100% of the strategies and different types of approaches they want to use funded and their implementation is assessed and vetted for financial feasibility. That’s what the company she works for does to see if there is in fact a basis that the savings that are generated in both the dollars and energy can help repay the loan in many cases completely. In new construction it is useful to lower the overall weighted cost of capital. It is only used as a portion of the capital stack but in some instances it has lowered that cost by almost 200 basis points which enables the owner to pay back the loan more readily and provides a more energy efficient and more marketable property. Colorado is the number one state in the U.S. for these types of loans. The owner requests a lean be placed on their property, it is the equivalent of a water/sewer assessment. The lean is placed and then reassigned to a third party lender. There are 19 different lenders in Utah to provide funds for this program. The whole goal is more efficient better performing communities. In 2020 building emissions are expected to exceed those of transportation for bad emissions. This is a voluntary program and has a number of people interested, one in Kanab, in this program. Donna Huntsman explained the process she went through in how this would work and wondered what the exposure to the City was. The CPACE is more attractive to the lender and the borrower for many reasons. That individual could then go to the City and ask if they put a lean on their property they could go get the CPACE loan and take care of their energy efficient needs. The lender indemnifies the City. The benefits to the City are huge from an economic development stand point, lower utility bills, and increased property values and such. The program is new to Utah but has done well in other states. Theddi Chappell explained that they have contractor workshops and have done a number of trainings so people can learn about CPACE and get educated.

Byard Kershaw asked what is being sold. Theddi Chappell explained it is for commercial businesses only to be a part of. They are opting in to this type of lending. Byard wondered what he had to buy as a business owner with the money he is loaned. Theddi explained that renewable and upgradable energy efficient or water conservation type things related are what this is for.

Mike Reynolds explained that it is a hotel that is interested in doing this in Kanab.

Celeste Meyeres wondered if there are any local lenders wanting to take part in this. Theddi explained that as they take notice that lenders are doing this they will want to join in as well. It is still fairly new to Utah but is happening in Salt Lake and banks seem to be waiting to see what will happen.

Jeff Yates expressed that the City would create the district and the documents would already be created. City Staff would sign the documents and keep copies. As long as the City doesn't use resources without finding funding in the budget then he is comfortable with it.

Michael East asked if Joe Decker is comfortable with it as well and he doesn't seem to think there is any negative impact with CPACE.

Mike Reynolds explained Land Use will keep track of this and keep the documents about it.

Jeff Stott clarified that City Staff wouldn't be creating any documents only signing them.

A motion was made by Michael East and 2nd by Byard Kershaw to approve resolution 8-1-19 R a resolution concerning the authorization of OED to conduct the Commercial Property Assessed Clean Energy District (C-PACE DISTRICT) within Kanab City Utah inherent in that resolution that the agreement will be signed. Motion passed by roll call vote.

Discuss – Vote on Resolution 8-2-19 R “A resolution amending Kanab City Personnel Policy: Jeff Stott explained that Utah passed a law about employees using City property saying that it is a felony unless the City has a policy stating what is allowed. Beyond those updates Joe added a few titles within the City that are treated as exempt employees and just weren't defined. It talks about exceptions, can use equipment as owned by the City but benefits your job abilities. Public Works employees can use their vehicles to go to and from work as they would be more ready for emergency situations. You can make personal phone calls using city phones as long as it doesn't cost the city or is long distance. If you go to a training you can use the City owned vehicle for various things and talks about those situations. One concern Michael East has was it says any family member with a driver license can drive the City vehicle with the employee in the car and seems like that is going too far. That family member can be a 16 year old child of the employee. Spouses driving make sense however it shouldn't be any family member. Is the insurance provider okay with that. Could make it contingent that we verify the insurance is okay with that or also limit it on age.

A motion was made by Michael East and 2nd by Celeste Meyeres to approve resolution 8-2-19 R A resolution amending Kanab City Personnel Policy with the amendment City Attorney Jeff Stott will add language to the section of the family members driving City property be in line with the City insurance policy contract. Motion passed by roll call vote.

Michael East adjourned the meeting.

Mayor Pro Tem

Recorder