

Kanab City Council Meeting
April 12, 2022
City Council Chambers
26 North 100 East
6:30 PM

Work Meeting: The Council started with their reports. Scott Colson spoke about he met with a member of the public about the airport and will talk about that with the Council at another time. Michael East explained the Beautification Board members terms are all expired so they will need to open that up. Celeste Meyeres expressed that the Arts Council sponsored the folk-dance festival which was overall a success. Mrs. Meyeres spoke about the Library Board trucking along and also that the library has the third largest budget in the city. They are losing a really important employee, Jana Beebe which she will still make herself available part time. Which, is really important to anyone that loves the library. Arlon Chamberlain explained the Planning Commission tabled one thing on the agenda about the property between the Ranchos and Cedar Heights and the rest will be discussed tonight. Mayor Johnson spoke about Opening Day for Little League Baseball and Danielle and Chelsea have done a great job. Mayor Johnson continued with the discussion of the City Manager hiring process. The Council will email Mayor and Katherine their top choices and Katherine will schedule interviews from there. A panel of two Council Members, the Mayor and HR Director. Then call for references and such. The initial interview could be done through Zoom. During the Zoom panel interview, Mayor, Michael and Celeste could be on the panel and with the applicant's consent, everyone else on the Council could watch the Zoom interview as well. The Council will get their top picks to Mayor and Katherine by April 21st. The job will close May 6th. Kent Burggraaf spoke about getting consensus for a sole-source consultation agreement with Joe Decker. They will move in that direction.

The prayer was offered by Scott Colson and the pledge was led by Michael East. Mayor Johnson called the meeting to order and roll call was taken.

In Attendance: Mayor Colten Johnson, Council Members Arlon Chamberlain, Celeste Meyeres, Michael East, Scott Colson, Treasurer Katherine Ohlwiler, Recorder Joe Decker and Attorney Kent Burggraaf. Building Inspector and Land Use Coordinator Janae Chatterley also in attendance. Council Member Chris Heaton asked to be excused.

Approval of Minutes: A motion was made by Celeste Meyeres and 2nd by Scott Colson to approve the minutes of March 22, 2022. Motion passed unanimously. A motion was made by Scott Colson and 2nd by Michael East to approve the special meeting minutes of March 28, 2022. Motion passed unanimously.

Approval of Accounts Payable Vouchers and Check Registers: A motion was made by Scott Colson and 2nd by Celeste Meyeres to approve the accounts payable vouchers and check registers dated March 24, 2022 in the amount of \$250; March 29, 2022 in the amount of \$108,617.84; April 5, 2022 in the amount of \$255,511.19; April 12, 2022 in the amount of \$148,351.48. Motion passed unanimously.

Public Comment: None.

Discuss – Vote on appointment of Claudia Thomas to the Arts Board with a term ending 12/31/2024:

Mayor Johnson explained Ms. Thomas will do a great job as she has already been attending the Arts Board Meetings. A motion was made by Celeste Meyeres and 2nd by Michael East to approve the appointment of Claudia Thomas to the Arts Board with a term ending 12/31/2024. Motion passed unanimously.

Public Hearing and Discussion for a Plat Amendment to the Kanab Creek Ranchos to split parcel 65-301 creating two parcels; property is in the approximate area of 1540 S Lee Dr, Kanab, Utah.

[Applicant: Brian and Elizabeth Baker]: Janae Chatterley explained the staff report. It is a 2.41-acre lot located at 1556 South Lee Drive in the Ranchos. It does meet Utah Code Title 10 Chapter 9a Part 6 and also the Kanab City Subdivision Ordinance Chapter 2. The property is zoned RR-1 and the Future Land Use Map for this area is designated very low residential so the zone will remain the same with the property split. The Planning Commission recommends approving as it meets all the findings.

Mayor Johnson opened up Public Hearing. Out of Public Hearing.

A motion was made by Michael East and 2nd by Scott Colson to approve the plat amendment to the Kanab Creek Ranchos Subdivision Unit 3, affecting parcel 65-301 based on the findings and conditions of approval as outlined in the staff report for file #2022007. Motion passed unanimously by roll call vote.

Public Hearing and Discussion for a Plat Amendment to the Kanab Creek Ranchos Subdivision Unit #7 to split Parcel K-134-724 into 3 separate lots, located at 31662 South Powell Dr. [Applicant Joe Clark]:

Janae Chatterley explained this is Joe and Shana Clark and are requesting to amend the unit #7 of the Kanab Creek Ranchos Subdivision, splitting one 5.24-acre lot into three parcels. The 5.24-acre lot is located at 2162 South Powell and currently has a Single-Family home on the property. The property has street frontage along Powell Drive and street frontage along a private road to the North. The two properties on the front, front Powell Drive therefore meeting the subdivision ordinance by fronting a public street. The back property also meets the ordinance by fronting the private road that goes east and west just north of the property. Staff recommends approval. Mayor Johnson opened it up for Public Hearing. The private drive was part of the plat within the Subdivision. Out of Public Hearing. Celeste Meyeres disclosed that she is a close neighbor of this property and is in favor of the amendment.

A motion was made by Arlon Chamberlain and 2nd by Michael East to approve the plat amendment to the Kanab Creek Ranchos Subdivision, Unit 7 to split the parcel K-134-724 based on the findings and conditions of approval as outlined in the staff report. Motion passed unanimously by roll call vote.

Discuss – Vote on Ordinance 4-1-22 O “An Ordinance amending Kanab City Land Use Ordinance concerning Chapter 4, Supplementary Regulations”:

Janae Chatterley explained this was a request from a resident that was asking for an amendment to the Ordinances. Fayann Christensen put a Swim Spa in at her house that has a key operated cover and she didn't want to put a fence around it as the Ordinance requires a fence to be around Jacuzzis, swimming pools and other similar structures. Staff discussed the proposed amendments, the first amendment found in the first paragraph of section 4-16 is to align the Land Use Ordinance with the Building Regulations found in the General Ordinance. The rest of the amendments are found in letter K of section 4-16 regarding the fencing requirements around swimming pools, spas and other similar structures. And that they are still required to have some

industry standard pool cover to prevent accidental drownings. Tom Avant recommended changing it to ASTM standard that pool covers have to meet. If the whole backyard is fenced, that is acceptable. The Council spoke about how corrugated metal isn't allowed although those types of fences are all over town. Janae Chatterley explained there are sections within this chapter that need to be cleared up as well.

A motion was made by Michael East and 2nd by Scott Colson to approve Ordinance 4-1-22 O An Ordinance amending Kanab City Land Use Ordinance concerning Chapter 4, Supplementary Regulations with the addition that Mr. Avant suggested in terms of the ASTM Standard, as well in Section G. adding a number 8 – corrugated metal in permitted fencing materials. Motion passed by roll call vote.

Public Hearing for the vacation of the following City roads, all of 400 West from 100 North to approximately 450 South, all of 300 West from Center Street to approximately 450 South, all of 200 West from 250 South to approximately 325 South, all of Center Street from 450 West to 300 West, all of 100 South from 450 West to 300 West, all of 300 South from 450 West to 200 West, all of 400 South from 450 West to 275 West all areas are approximate. 4-2-22 O: Joe Decker explained this has been a back-and-forth discussion for quite some time with developers of Catori Canyon. A majority of these roads are all on the west side of the creek and are a part of the original blocking of the city. The city doesn't use them and there hasn't been discussion of doing blocking addressing on that side at all. The negotiation that has been with the developers is that they own the big chunk plus all of the small parcels in between all of the blocking of the roads. The City would vacate those and basically trade the developers those aspects for the new internal roads in the development and the big chunk in the creek.

Today is only the Public Hearing because there are a few more notices that need to go out before. It will come back for a vote to vacate these streets on April 26th. The City would end up being net positive on this one with land trade. Celeste Meyeres explained the block system doesn't really work with the topography there anyway. The creek was not that big in the original platting. Mayor Johnson opened up Public Hearing. Out of Public Hearing.

A motion was made by Arlon Chamberlain and 2nd by Celeste Meyeres to continue this public hearing on the vacation of the roads as stated to April 26th City Council Meeting. Motion passed unanimously.

Discuss – Vote on Resolution 4-1-22 R “A Resolution approving Interlocal Agreement for Prosecution”:

Kent Burggraaf explained as was discussed at the prior City Council meeting, they discussed shifting criminal prosecution back to Kane County. We previously had an agreement to have the County Attorney's Office to handle criminal prosecution and was terminated with hiring the City Attorney. This agreement is temporary that can be terminated with thirty days' notice. Because this is short term, the City will keep the fines and fees assessed from the Court. If there is a conflict of interest with a case with the County Attorney's office, they will notify Kent and he will decide to take the case or find conflict council. They will take the cases at whichever stage they are at currently. And vice versa when the agreement is terminated.

A motion was made by Michael East and 2nd by Celeste Meyeres to approve Resolution 4-1-22 R A Resolution approving Interlocal Agreement for Prosecution. Motion passed by roll call vote.

Discussion on the appointment of Fire Chief: Mayor Johnson explained he has spoken with Joe Decker, Kent Burggraaf and also Deputy Chief Brett Pierson on this and turned the time over to Brett to discuss the possible structuring of the Fire Department. Mr. Pierson went over his information sheets handed

out to the Council. Brett explained the total budget of the Fire Department and the cost savings having Joe as Fire Chief/City Manager. The first was a table of organization explaining the current structure of the Fire Chief and Deputy Fire Chief in charge of one captain to three shifts, three seasonal Wildland firefighters and three part-time firefighters/EMT's which is the minimum staffing by law. This has created issues with supervision. Because of the 48/96 rotating shifts, the captain is at work two days a week on a rotating schedule to help with supervision. On top of all of their other duties, the Fire Chief and Deputy Chief supervise shifts which means they will either work a rotating schedule or come in seven days a week. Because Joe is leaving, Brett is proposing if the Council appoints him as Fire Chief, to also hire two more captains to cover the other two shifts. This would solve a lot of the issues they are having in that department. Mayor Johnson explained this information makes it clear as to why two more captains are needed. The Wildland program pays for the newest fire engine they have and it also pays the seasonal employees. Joe Decker explained that the Wildland program has taken him years to build and really offsets the cost of what the general fund would need to put into that department. Joe went on to explain that he hears so many rumors about the Fire Department getting everything they want because he is at the helm of it and it is so far from the truth. He was harder on that department on expenditures than any other department and just wanted to make that peace. Mayor Johnson suggested appointing Brett to Fire Chief and hiring two more captains.

A motion was made by Michael East and 2nd by Celeste Meyeres to approve the mayor's appointment of Brett Pierson to Fire Chief and approve the three-captain scenario for him to undertake.

Kent Burggraaf expressed to discuss the increase in salary and that it is a promotion, he suggested \$80,000.00 annually. Joe Decker asked to not have them not set the number exact as it won't fit in the step and grade.

Michael added to the motion with a salary of about \$80,000.00 annually. Celeste Meyeres wondered where the money will be coming from. Joe Decker explained he is currently calculating through general fund stuff for next year and this year. Our revenues are in excess of our expenditures so it will all come out of the general fund budget and be allocated that way. The revenues are there to cover it. There may be a need for fee increases and tax increases as inflation is 8.5% as of today. We should be looking at a minimum of 8.5% across the board in increases.

The motion was passed unanimously by roll call vote.

A motion was made by Michael East and 2nd by Scott Colson to adjourn the meeting.