

Kanab City Council Meeting
May 24, 2022
City Council Chambers
26 North 100 East
6:30 PM

Work Meeting: Scott Colson talked about a meeting with Kelly Stowell for CEBA stuff and will talk about grant information next week. Chris Heaton spoke about the Police Station and Sergeant Coleman will talk about that at the next meeting. Michael East spoke about the Parks and Rec board doing wonderfully, and that they will be appointing Beautification Board people this evening. Celeste Meyeres explained that the trio will be performing June 1st at 7PM put on by the Arts Board. Arlon Chamberlain expressed that Planning Commission is doing well. Mayor Johnson thanked the Department Heads for showing up for the City Manager Applicant meet and greets and being a part of the process.

The prayer was offered by Kent Burggraaf and the pledge was led by Arlon Chamberlain. 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, Chris Heaton and Scott Colson, Treasurer Katherine Ohlwiler, Attorney Kent Burggraaf and Building Inspector/Land Use Coordinator Janae Chatterley.

Approval of Minutes of Previous Meeting: A motion was made by Scott Colson and seconded by Arlon Chamberlain to approve the May 10, 2022 meeting minutes. Motion passed unanimously.

Approval of Accounts Payable Vouchers: A motion was made by Michael East and seconded by Celeste Meyeres to approve the accounts payable vouchers and check registers dated May 11, 2022 in the amount of \$34, 601.94 and for May 18, 2022 in the amount of \$108, 143.79. Motion passed unanimously.

Public Comment: None.

Discussion and ratification of the appointment of the following individuals to the Beautification Board:

- A. Marc Grow, with a term ending 12/31/2025**
- B. Rinda Alldredge, with a term ending 12/31/2025**
- C. Kelly Shakespeare, with a term ending 12/31/2024**
- D. Norris Church, with a term expiring 12/31/2023 (Tabled)**

A motion was made by Michael East and seconded by Scott Colson to approve the appointment of Marc Grow with a term ending 12/31/2025, Rinda Alldredge with a term ending 12/31/2025 and for Kelly Shakespeare with a term ending 12/31/2024. Motion passed unanimously.

Discussion and adoption of Ordinance 5-2-22 O, An Ordinance Designating Restricted Areas Within Kanab City for the Discharge of Fireworks: Fire Chief Brett Pierson showed the fire restriction maps for

previous years and explained the way the law is written in Utah that you can't completely ban the use of personal fireworks. In previous years there have been different areas restricted. Last year, fireworks were only allowed to be set off within one block of Main Street. The downfall of this area was the amount of people in that small area. In 2018, it was more or less the older part of town and excludes the areas in town that have foxtails and grasses.

A motion was made by Celeste Meyeres and seconded by Scott Colson to adopt Ordinance 5-2-22 O with the 2018 standards and 2018 mapping regarding the restricted areas within Kanab City for the discharge of fireworks. Motion passed by roll call vote with Scott Colson voting aye, Chris Heaton voting aye, Michael East voting aye, Celeste Meyeres voting aye and Arlon Chamberlain voting nay.

Land Use Administrative:

Chris Heaton explained the next four items are by Iron Rock which is the company he works for. Items A and B he will participate and vote on and items C and D, due to the amount of energy and work he has participated on them, he will refrain from voting.

A. Public hearing, discussion and decision: Plat Amendment, Parcels 34-67 and 34-68, Kanab Creek Ranchos Subdivision [Applicant: Wright]:

Janae Chatterley explained this is a plat amendment located at 1104 West Grand Canyon Drive and the owners are requesting to do a lot line adjustment between the properties. There was an out building that was built and encroaching the property line so they are fixing their lines to make it conform. The proposed findings were standard and there were no easements that needed vacating. Staff and Planning Commission recommendation was to recommend a positive recommendation to City Council and their vote on that was unanimous. The mayor opened it up for Public Hearing. No comment was made.

A motion was made by Arlon Chamberlain and seconded by Celeste Meyeres to approve the plat amendment to the Kanab Creek Ranchos parcels 34-67 and 34-68. Motion passed unanimously.

B. Public Hearing, discussion and decision: Plat Amendment, Parcels 65-2089 & 65-2088, Kanab Creek Ranchos [Applicant: Minter]:

Janae Chatterley explained the property owner Mary Beth Minter would like to join her two lots together to just make one parcel. There is already a house on lot 2089 and the findings were standard and there is an easement that will need to be vacated. Staff and Planning Commission recommended a positive recommendation. The mayor went into to Public Hearing and there were no comments.

A motion was made by Scott Colson and seconded by Michael East to approve the plat amendment to the Kanab Creek Ranchos Subdivision unit one, effecting parcels 65-2088 and 65-2089 based on the findings and conditions of approval as outlined in the staff report for file 2022011. Motion passed unanimously.

C. Public Hearing, discussion and decision: Plat Amendment to vacate four lots from La Estancia Phase 2 [Parcels K-191-131, K-191-132, K-191-154 and K-191-155]:

Janae Chatterley explained the next two items are both in La Estancia and she wanted to point out that the plat amendment is a public hearing and is still an administrative decision based on the land use ordinances. The Final Plat is not a public hearing but is still an administrative decision. There was

a request to vacate the four lots which will be added into phase three. The findings were standard and staff and planning commission recommended a positive recommendation. Josh Beazer with Iron Rock added in that the only reason for doing this was Jeff wanted to increase the size of the lots. *Into Public Hearing:* Patricia Anderson expressed her confusion when receiving the public notice letter and perhaps the wording could be more precise. She wanted to know where the parcels were as in the address and explained that there's no way she is within 300 feet of those parcels and has no problem with expanding those lots. *Out of public hearing.*

A motion was made by Arlon Chamberlain and seconded by Celeste Meyeres to approve the plat amendment to vacate four lots from La Estancia phase three, parcels K-191-131, K-191-132, K-191-154 and K-191-155 with the findings and conditions as outlined in the staff report. Motion passed unanimously.

D. Discussion and decision: Final Plat, La Estancia Phase 3:

Janae Chatterley explained the preliminary plat was approved by City Council in March of 2021. Since that approval there has been lot preparation and infrastructure in that development that is nearly complete. There has also been approval for a diversion channel for storm water which is currently still being worked on. One thing to note on the final plat is that it is slightly different than the preliminary plat. There were some changes that were made after that approval. Open space was designated on El Valle Drive which has been moved to a different location. There is also a street that crosses over where the detention pond is and five lots there that have been taken out of the final plat to allow for more open space. On Rainmaker Road is where the open space is and those five lots have been taken out of the plat. Josh Beazer noted that they have increased the overall density of the preliminary plat by quite a bit. The five lots that were across the drainage will be donated to Kanab City to be used for a future park or whatever. They utilized a lot of the soil that was brought down into the detention basin for the development which increased the capacity of the detention basement quite a bit which is a better design. They have been working with the BLM and also Kanab City to take all of the stuff that comes down from Little Tom's Canyon and diverting it into the detention basin which will prevent it from going through the development.

A motion was made by Arlon Chamberlain and seconded by Michael East to approve the final plat for La Estancia Phase 3 and adopting the findings and conditions outlined in the staff report, with the point that by decreasing the number of lots in the subdivision totally which will allow for more open space and also contribute to the detention basis. Motion passed unanimously.

Public Hearing, discussion and adoption of:

A. Resolution 5-1-22 R: Tentative Budget for Fiscal Year 2022/2023: Kent Burggraaf explained the tentative budget for fiscal year 2022/2023 and went through each budget line. After a lengthy discussion, the mayor went into public hearing with no comment made.

A motion was made by Celeste Meyeres and seconded by Chris Heaton to adopt Resolution 5-1-22 R the tentative budget for fiscal year 2022/2023. Motion passed by roll call vote with Arlon Chamberlain voting aye, Celeste Meyeres voting aye, Michael East voting nay, Chris Heaton voting aye and Scott Colson voting aye.

B. Resolution 5-2-22 R: Adjustments and Amendments to the Impact Fee Allocations: Kent Burggraaf went over the adjustments and amendments to the Impact Fee Allocations. After another lengthy discussion, the mayor went into to public hearing with no comment made.

A motion was made by Michael East and seconded by Celeste Meyeres to approve resolution 5-2-22 R, a resolution adjusting and amending impact fee amounts and allocations as stated. Motion passed by roll call vote with Scott Colson voting aye, Chris Heaton voting aye, Michael East voting aye, Celeste Meyeres voting aye and Arlon Chamberlain voting nay.

C. Resolution 5-3-22 R: Adjustment to Capital Improvement Fund Balances and Allocations: Kent Burggraaf explained this item could be tabled as he has been getting into revenues and working with Joe Decker still about this, it looks like they will have the funds necessary to do the pool repair. A motion was made by Michael East and seconded by Chris Heaton to table item 8-C. Motion passed unanimously.

D. Resolution 5-4-22 R: Amendment to the Kanab City Fee Schedule, including the base water rate fee: Kent Burggraaf explained this will be renumbered to 5-3-22 R since the previous item was tabled. The resolution address what is in the fee schedule except for the impact fees as they have already been addressed. The main thing is that the change in swimming pool fees would be effective as of tomorrow and the other fees would be July 1st. The base water rate would also go up to 0-7,000 gallons for \$40 instead of staying at \$30. It is based on the summary costs of operating expenses that will come throughout the year. The Council discussed making it a no charge fee for the people that are appointed to city boards and commissions. The mayor went into public hearing with no comment made.

A motion was made by Scott Colson and seconded by Celeste Meyeres to adopt resolution 5-3-22 R, amending and adopting the Kanab City Fee Schedule including the base water rate fee with the proposed amendments as discussed. Motion passed by roll call vote unanimously.

Discussion and adoption of Ordinance 5-3-22 O, An Ordinance Amending and Adopting the Kanab City General Plan (item may be postponed): A motion was made by Chris Heaton and seconded by Michael East to table this agenda item. Motion passed unanimously.

Discussion: City Manager Recruitment Process: Mayor Johnson explained that they have gone through the second round of in person interviews and also had a meet and greet with the department heads. On May 31, 2022 the Council will hold a special meeting to decide on an applicant.

A motion was made by Michael East and seconded by Chris Heaton to go into closed session to discuss professional competency and professional character. Motion passed unanimously.

A motion was made Michael East and seconded by Chris Heaton to adjourn the meeting. Motion passed unanimously.