

**Kanab City Council Meeting**  
**July 11<sup>th</sup>, 2023**  
**Kanab City Council Chambers**  
**26 North 100 East**  
**6:30 PM**

**Work Meeting**

**1. Liaison Report**

**Councilmember Chamberlain** – No planning commission.

**Councilmember Wright** – ABSENT.

**Councilmember Glover** – The open house went well at the heritage museum, and they are working toward a grand opening.

**Mayor Johnson** – ABSENT.

**Councilmember Heaton** – Thank you to emergency personnel for their hard work during the 4<sup>th</sup> of July.

**Councilmember Colson** – None.

**2. City Staff Report** – Mr. Ludwig stated that he talked to the county about the truth in taxation notice that will be sent out.

**3. Other** – None.

**Business Meeting**

**1. Call to Order and Roll Call** – Councilmember Chamberlain called the meeting to order. Councilmember Heaton offered the invocation. Councilmember Glover led the pledge of allegiance.

**In attendance:** Councilmember Colson, Councilmember Glover, Councilmember Chamberlain, Councilmember Heaton; City Manager Kyler Ludwig; Building Inspector Janae Chatterley; Recorder Celeste Cram; and City Attorney Kent Burggraaf.

**Not in attendance** – Mayor Johnson and Councilmember Wright.

**2. Approval of Minutes of Previous Meeting** – Councilmember Heaton made a motion to approve the minutes from June 27<sup>th</sup>, 2023 meeting. Councilmember Glover seconded, unanimous vote. motion passed.

**3. Approval of Accounts Payable Vouchers** - A motion was made by Councilmember Heaton and seconded by Councilmember Glover to approve the check registers for July 6<sup>th</sup>, 2023 in the amount of \$31,780.49, and July 10<sup>th</sup>, 2023 in the amount of \$24,193.15. Unanimous vote, motion carried.

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**4. Public Comment Period: Members of the public are invited to address the Council. Participants are asked to keep their comments to 3 minutes and follow the rules of civility outlined in Kanab Ordinance 3-601.**

None.

**5. Discussion and Consideration of a Resolution approving a Cooperative Agreement with the Utah Division of Forestry, Fire, and State Lands.**

Mr. Ludwig stated that The City's 2017 Cooperative Wildfire System (CWS) agreement with the Utah Division of Forestry, Fire, and State Lands has lapsed. This agreement provides some additional opportunity for the City to receive reimbursement when we respond to wildland fires throughout the state, and it helps provide support to our community during a wildland fire within City limits.

Spencer Rollo explained the purpose and benefits of the agreement to the councilmembers. Councilmember Heaton asked why they weren't making it a 5-year agreement like they had in the past. Mr. Rollo stated that it was because the audits found that it was too long of a term.

Councilmember Heaton made a motion to approve Resolution 7-1-23 R, A Resolution Approving the Cooperation Agreement Between the Utah Division of Forestry, Fire and State Lands and Kanab City. Councilmember Glover seconded the motion.

Councilmember Wright – ABSENT

Councilmember Glover – YES

Councilmember Heaton – YES

Councilmember Colson – YES

Motion passed.

**6. Discussion and Consideration of a Resolution approving an Agreement with Kane County School District for the Payment of Infrastructure Near the New Elementary School.**

Mr. Ludwig stated that In 2021 Kane County School District negotiated with staff from Kanab City to oversize and complete infrastructure that was the City's responsibility at the same time as the School project. The negotiations included having the sewer on Swapp Drive oversized from a 9' pipe to a 15' pipe and a deeper excavation. The sewer project is impact fee eligible. Negotiations also included widening of the street at Powell Drive and Kanab Creek Drive; the district accepted the costs to pave 25 feet, and any additions were to be paid for by the City.

On April 25th the City Council reviewed the proposed invoice. City staff has continued to work with the district. The Sewer invoice is for oversizing the sewer on Escalante and is a typical agreement seen by the city made with developers.

The Streets invoice for oversizing the roads near the school allowing for better traffic flow at the school is not typical of previous agreements entered into by Kanab City. Kanab City typically requires developers to pay for infrastructure surrounding their development when the developer is the primary beneficiary of the infrastructure. During the June 13, 2023 City Council meeting a consensus was reached to pay the School District the \$208,482 for infrastructure along with the

86 two change orders (\$5,460 and \$10,680). Since that discussion the School District has agreed to  
87 remove the change orders from our final agreement.

88 A contract has been prepared between the School District and the City to formalize this  
89 agreement. The council members briefly discussed the proposed resolution with staff.  
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91 Councilmember Glover made a motion to approve Resolution 7-2-23 R, A Resolution Approving  
92 A Reimbursement Agreement for Public Infrastructure Improvements in Connection with the  
93 New Kanab Elementary School. Councilmember Colson seconds.  
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95 Councilmember Wright – ABSENT

96 Councilmember Glover – YES

97 Councilmember Heaton – YES

98 Councilmember Colson – YES

99 Motion passed.  
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## 101 **7. Discussion and Review of Public Infrastructure Districts.**

102 Mr. Ludwig stated that In 2019 the State of Utah created PIDs as an economic development tool  
103 for cities and counties. PIDs are independent political subdivisions governed by their own  
104 boards. PIDs are created by an action of the City Council and require 100% consent of the  
105 property owners and voters within the PID boundaries. PIDs have the power to finance public  
106 infrastructure (water, sewer, etc.), and they are eligible for tax-exempt financing. The powers of  
107 a PID can be limited by the creating entity at the time the PID is created. Debt taken on by the  
108 PID is not a liability or balance sheet item for the City. During the August 23rd Council Meeting,  
109 the City Council expressed interest in moving forward to create a policy for PIDs. A formal City  
110 policy was created on September 27, 2022. The Ventana development has started discussions  
111 and is ready to propose governing documents for a PID. The Council approved two development  
112 agreements with Ventana, and if a PID is approved, affordable housing becomes a requirement  
113 for the development. Those interested in creating a PID submit a letter of intent to the City. The  
114 letter of intent will review the proposed public infrastructure, services, and facilities to be  
115 provided within the proposed district. Applicants are also required to provide a timeline for the  
116 creation of the district, and statements on conflicts of interest. This policy creates a District  
117 Advisory Committee (DAC) which is made up of City staff to analyze the provided documentation  
118 and ensure that it meets established requirements. If the letter of intent is approved by the DAC,  
119 the proposed PID can submit Governing Documents. Staff has worked with the Ventana  
120 Developers through this point in the process. A public notice will be sent out notifying the public  
121 prior to any PID being created. The City Council has final approval authority over the creation of  
122 a PID. PIDs are required to show that the creation of the district serves a public benefit.

123 A limit of 10 mills was set on PIDs.

124 There was a brief discussion between the council members and staff.  
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## 126 **8. City Council Discussion on the Kanab City Capital Improvement Plan.** 127

128 Mr. Ludwig stated that The City's has many capital investment needs, and it is important to have  
129 a long-term plan to help direct these investments. One tool used by many cities in long term  
130 planning of capital investments is called a Capital Improvement Plan (CIP), these normally  
131 include 5-10 years of future projects. The CIP includes projects eligible and ineligible for impact  
132 fees. The City Council discussion is intended to be a preliminary step in creating a CIP. Once a list  
133 of projects is created, staff will work to place preliminary numbers on each project and do basic  
134 analysis on each project. The Council will then create a prioritization of the project list.  
135 The end goal is to establish a CIP with 5-10 years of projects planned with financing for the  
136 highest priority projects.

137 Mr. Ludwig added that he received a letter from both Mayor Johnson and councilmember  
138 Wright since they couldn't be in attendance.

139 Mayor Johnson's priorities are the ranchos park, and a recreation center.

140 Councilmember Wright's priorities are a recreation center; lights at the baseball fields; and  
141 football field space at the ranchos park.

142 Councilmember Chamberlain's priorities are a recreation center; a new police station that can  
143 potentially share a parking lot with the recreation center; maintaining the trail by the Jackson  
144 Flat reservoir; and crack seal/maintain all trails 1 year after making them.

145 Councilmember Heaton's priorities are everything that has been previously stated; sewer in the  
146 ranchos; connecting the trail at the reservoir to town, a potential police substation out east of  
147 town; more police officers, a new ladder truck and new SCBA equipment for the fire  
148 department.

149 Councilmember Colson's priorities are an accessory building for large pipe parts, trucks and  
150 equipment; bulk fuel tanks with a tracking system; a storm drain from savage point pond to coral  
151 cliffs golf course; fencing the ranchos water tank; eliminate the smell; finish Kanab Creek Drive  
152 rebuild; and preservation and chip sealing the roads.

153 Councilmember Glover's priorities are HVAC upgrades in the Heritage museum; ductless units at  
154 the Heritage House; ADA upgrades; landscaping at the museum; reinstall the headstones at the  
155 pioneer cemetery and a gazebo; a mounted projector and sound bar in the library multi-purpose  
156 room; and a new building for the police; recreation department and city office.

157 Staff will take their their suggestions and compile them into a prioritized list to bring back at a  
158 later date.

159 Councilmember Heaton made a motion to adjourn, Councilmember Colson seconds. Unanimous  
160 vote, meeting adjourned.