

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

Work Meeting: Arlon Chamberlain explained the Planning Commission discussed a sign approval and they also had ethics training at their last meeting. Celeste Meyeres explained the Arts Board coordinates with the Outdoor Market on Wednesday. Michael East expressed the Parks and Rec board will meet next week. Chris Heaton thanked the Fire Department for the 4th of July fireworks show. Mayor Johnson introduced new City Manager Kyler Ludwig and Kyler also introduced himself.

The prayer was offered by Scott Colson and Kyler Ludwig led the pledge. Mayor Johnson took roll call and called the meeting to order.

In Attendance: Mayor Colten Johnson, Council Members Arlon Chamberlain, Celeste Meyeres, Michael East, Chris Heaton and Scott Colson, Treasurer Katherine Ohlwiler, City Manager Kyler Ludwig, City Attorney Kent Burggraaf and Building Inspector/Land Use Coordinator Janae Chatterley.

Approval of Minutes of Previous Meeting: A motion was made by Celeste Meyeres and seconded by Chris Heaton to approve the June 28, 2022 City Council Meeting Minutes. Motion passed unanimously.

Approval of Accounts Payable Vouchers and Check Registers: A motion was made by Scott Colson and seconded by Michael East to approve the July 7, 2022 Accounts Payable Vouchers and Check Register in the amount of \$111, 989.03. Motion passed unanimously.

Public Comment: Mary Beth Kuntz welcomed Kyler and talked about the housing market and short-term rentals. She believed buy in is needed from the community and the City Council for affordable housing. A ten-year return on investment might be better than the proposed plan on the agenda.

Lara Clayson expressed that Kanab does need affordable housing and plans for it need to be looked at and really scrutinized as affordable housing doesn't always fit. She expressed archery range concerns and that the area proposed will be changed from a trails area. Although its City property, a discussion should happen between the City and the community and be a little more transparent with City projects.

Emily Martin explained she agrees with both public comments before her. She was there because of the Beehive Cove. She was concerned that the neighbors weren't notified properly and that the City could be more transparent. She had gone to a workshop at the Kanab Center and never learned anything about an archery range. She urged the City to be more transparent and to let people know what's going on.

Ruby Johnson expressed that her and her family are new to Kanab and was very surprised that the Roadrunner Trail was bulldozed. She explained briefly how beneficial it is to care about what the community thinks.

Louis Pratt explained that the area of Beehive Cove was a rifle range when he grew up and thinks it would be a great place for an archery range. He continued with Kanab City is trying to do what they can with their own property.

Kyler Ludwig read two letters for public comment. One from Russell Wulfenstein and the other from Lyndsey Wulfenstein. (See attached letters.)

Mayor Johnson clarified what is happening at the Beehive Cove which was the annual Trail Fest organization needed an area to set up their tents for their event. In the past they have used the baseball fields near the park and since it damages the grass there, Mayor Johnson came up with the Beehive Cove area as an alternative option. So far, the archery range idea for that area has not been in motion.

Presentation and discussion with representatives from the St. George Regional Hospital, Intermountain Healthcare: Mitch Cloward, CEO; Terri Draper, Marketing and Communications Director; and Cyndi Gilbert, Governing Board Chair: Terri Draper excused their CEO Mitch Cloward as he couldn't attend. She explained that they have worked with the local hospital in Kanab and love our community. Mrs. Draper gave an update on the St. George Regional Hospital, the Hurricane free-standing Emergency Room and two other projects in the works. Cyndi Gilbert, the Governing Board of Trustees introduced herself and shared some insight on the hospital. They showed a video presentation on the history of St. George Regional and all of the services they provide there.

Discussion and consideration of Resolution 7-1-22 R, A Resolution Waiving or Reducing the Impact Fees for Twelve Homes in the Creekside Development, pursuant to Kanab City General Ordinance Section 14-716(A) (for deed restricted affordable housing): Kyler Ludwig explained the project, which is a 12-unit development with two phases of six. Reduction or waive of the impact fees on those twelve homes. It is deed restricted affordable housing with a 15-year lease agreement. Sharlene Wilde and Eric Jorgenson with Mountain Country Home Solutions explained in length how their company works with prospective home owners and their CROWN (credit to own) program. They have income limits of \$46,000/year. The project has a \$50,000 USDA grant and Utah Housing Corp is seeking the reduction or waive of Impact Fees. The council discussed in length with the applicants and asked numerous questions with a consensus that they needed a little more time and information to make a decision.

A motion was made by Scott Colson and seconded by Chris Heaton to postpone resolution 7-1-22 R, A Resolution Waiving or Reducing the Impact Fees for Twelve Homes in the Creekside Development, pursuant to Kanab City General Ordinance Section 14-716(A) for deed restricted affordable housing. Motion passed by roll call vote with Scott Colson voting aye, Chris Heaton voting aye, Michael East voting nay, Celeste Meyeres voting aye and Arlon Chamberlain voting aye.

Public Hearing, discussion and consideration of Resolution 7-3-22 R, A Resolution Approving the Exchange of Deeds and Property with UtahDev, Inc., pertaining property interest in and adjacent to La Estancia, Phase 3: Chris Heaton recused himself as he worked on this project with his employment. Kyler Ludwig explained that there are three parcels that the City owns property on that are supposed to be developed. As it stands now, they wouldn't be able to develop those properties as the City owns them. What they have proposed is that those properties be given to them in exchange for 13 acres that

would be given to the City. Staff recommends accepting the exchange of the deeds. Mayor Johnson went into public hearing. No comments made, out of public hearing.

A motion was made by Michael East and seconded by Celeste Meyeres to approve resolution 7-3-22 R, A Resolution approving the Exchange of Deeds and Property with UtahDev, Inc., pertaining property interest in and adjacent to La Estancia, Phase 3. Motion passed by roll call vote with Chris Heaton recused.

Discussion and consideration of adopting the following Land Use Ordinance Changes:

a. Ordinance 7-1-22 O, An Ordinance Amending Kanab City Land Use Ordinance, chapter 4-16, maximum height of fences, walls and hedges:

Janae Chatterley explained the changes she made from what the City Council had already discussed. Which was updating the maximum height of fence in a residential lot, updating the height amounts to either inches or feet and to move rough sawn lumber and cedar posts to the permitted materials.

A motion was made by Celeste Meyeres and seconded by Arlon Chamberlain to approve Ordinance 7-1-22 O, An Ordinance Amending Kanab City Land Use Ordinance, Chapter 4-16 regarding maximum height of fences, walls and hedges. With the changes suggested and the addition of removing the word hedge from the first sentence of chapter 4-16 and the increase to 8ft to commercial other than in the visibility triangle. Motion passed unanimously by roll call vote.

b. Ordinance 7-2-22 O, An Ordinance Amending Kanab City Land Use Ordinance, Chapter 4-20, Commercial Zones:

Janae Chatterley explained the City Council requested the Planning Commission consider amending Chapter 20: Commercial Zone clarifying the description of the commercial zones. Staff recommended the Planning Commission review the permitted and conditional uses in the Land Use Chart to see if any uses need to be amended or added to the chart. Under section 20-2 the descriptions for Commercial Zone C-2 and C-3 were updated. There was also proposed amendments to the Land Use Chart. The Council discussed in length uses in the commercial zones.

A motion was made by Celeste Meyeres and seconded by Michael East to continue this discussion. Motion passed unanimously.

Discussion on City owned property (formerly SITLA owned): Mayor Johnson explained this discussion will require them to go into closed session.

A motion was made by Scott Colson and seconded by Michael East to go into closed session to discuss the purchase or sale of real property and pending or imminent litigation. Motion passed unanimously.

A motion was made by Michael East and seconded by Chris Heaton to go out of closed session. Motion passed unanimously.

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