

Kanab City Council Meeting
July 13, 2021
City Council Chambers
26 North 100 East Kanab, Utah
6:30 PM

Work Meeting: Mayor Houston read a letter that was received by email to the Kanab City website: *"To: Members of the Kane County Commission
Members of the City of Kanab City Council
From: James Bermant (resident of Kane County)
Re: Fire Service*

*Dear County Commissioners and City Council Members,
My names is James Bermant and I am a resident of Kane County (Vermillion Cliffs Estate). Unfortunately, I am unable to attend today's meeting as I have commitments elsewhere.
About a year ago I received a notice from my insurance company that my homeowners' insurance was going up dramatically.
When queried, my agent replied that the City of Kanab and Kane County did not have a formal Letter of Agreement (LOA) to provide fire and EMS services. A verbal agreement was in place, but that does not meet the criteria needed by the insurance company(ies) or the insurance institute.
While my rate has increased by 50%, those living up or east of Johnson Canyon have seen rates increase by 100% or more.*

*Recently, I met with a senior firefighter and talked about my frustration with the lack of an LOA. He indicated that in addition to not having a letter that the distance from the fire station also added to the equation of insurance rates. Seems that homes 5 or more miles away from the station posed a higher risk and therefore higher rates. Those 10 or more miles away were at even greater risk
This is unacceptable, especially for an area that is expected to have over 200 new homes built in the near future (within 5 years). More projects are certainly in the works over the long term (more than 5 years).
A couple of months ago a person living in the Ranchos called 911 having a heart attack. All reports show that this person made multiple calls and 40 minutes elapsed between the first call and EMS personal arriving on scene. Having only one station, manned by volunteers has become a SAFETY CONCERN!
Let me state that this is not a slam on those who volunteer. I am grateful and thankful for their willingness to do so.*

It is time for the city and the county to come together and:

- 1. Build a second station east of town.*
- 2. That full time paid staff be employed at both stations. This includes firefighters, EMS and appropriate gear.*
- 3. That federal and state grants be requested to offset the cost.*
- 4. Costs above that be borne by the property owners in the affected areas. I'm already paying 50% more now and I would prefer that money go to fire/EMS with better service, over my insurance company.*

*Thank you for your time in this matter
James "Beamer" Bermant"*

Joe Decker explained, Councilman Kershaw and himself have talked to Mr. Bermant. He explained it has nothing to do with an agreement or MOU, it has everything to do with distance from the department according to the insurance company. Jeff Yates explained ISO ratings were five miles from fire stations, after five miles the rating goes down. The way the insurance calculates the ratings and prices depends on a lot of factors. Unless a fire station is built in the area, there's nothing the City can do to change their insurance rates. Mayor explained that was the whole idea about talking about annexation in that area so that the City could provide those

services. Joe Decker explained that of course they will go out and fight fires in those areas and reiterated there is nothing the City can do to change their insurance rates.

Mayor Houston called the meeting to order and roll call was taken. The prayer was offered by Jeff Yates and the pledge was led by Byard Kershaw.

In Attendance: Mayor Robert D Houston, Council Members Arlon Chamberlain, Celeste Meyeres, Michael East, Jeff Yates and Byard Kershaw, Recorder Joe Decker, Attorney Jeff Stott and Treasurer Katherine Ohlwiler.

Approval of Agenda: A motion was made by Jeff Yates and 2nd by Byard Kershaw to approve the July 13, 2021 meeting agenda. Motion passed.

Approval of Minutes: A motion was made by Arlon Chamberlain and 2nd by Jeff Yates to approve the meeting minutes of June 16, 2021. Motion passed. A motion was made by Jeff Yates and 2nd by Michael East to approve the meeting minutes of June 22, 2021. Motion passed.

Approval of Accounts Payable Vouchers and Check Registers: A motion was made by Byard Kershaw and 2nd by Jeff Yates to approve the three accounts payable vouchers and check registers dated June 29, 2021 in the amount of \$225,010.04, July 6, 2021 in the amount of \$436,403.23 and July 13, 2021 in the amount of \$487,660.71. Motion passed.

Public Comment: None.

Discuss – Vote on approval of sewer depth in La Estancia Phase 3: Joe Decker explained that normally a nine-foot depth is required for sewer according to the ordinance, exceptions may be granted for areas where basements are not permitted to be built and would need to be noted on the plat map.

A motion was made by Arlon Chamberlain and 2nd by Michael East to approve the depth of the sewer in La Estancia Phase 3 that it will not be the nine-foot requirement with the wording: the building pads in Phase 3 of La estancia are designed for “slab on grade” construction. And no basements will be allowed. Motion passed.

Discuss – Vote on appointment of Brooke Barber Knighton to the Arts Board with a term ending 12/31/2024: Celeste Meyeres explained Brook Barber Knighton is interested in joining the Arts Board and would be a great fit.

A motion was made by Celeste Meyeres and 2nd by Jeff Yates to appoint Brooke Barber Knighton to the Arts Board with a term ending 12/31/2024. Motion passed.

Discuss – Vote on allowing Willow Place Apartments to use a portion of the 300 East right-of-way for parking and landscaping: Arlon Chamberlain talked about the landscape plan for the apartments and how the City has allowed right-of-way parking and landscaping in a few places all over town. It helps the property owner and also beautifies the City.

A motion was made by Arlon Chamberlain and 2nd by Celeste Meyeres to allow the Willow Place Apartments to use a portion of the 300 East right-of-way for landscaping and parking with the conditions that they will allow the City access for utilities and anything that happens to the

landscaping will be the owner's responsibility to replace. Another condition they are required to do the maintenance and upkeep on the landscaping and the sidewalks and the City will not be held liable for any accidents that take place on the sidewalk or the parking lot. City Staff will review the easement that is prepared by Iron Rock Engineering. Motion passed by roll call vote.

Discuss – Vote on Fox Minor Subdivision located at 172 west 300 South creating 3 lots out of one. Applicant Debra Fox: Arlon Chamberlain explained in order to use their lot, they need to break it into three lots. One will be a flag lot that is permitted and follows the ordinance. A motion was made by Arlon Chamberlain and 2nd by Michael East to approve the minor subdivision located at 172 West 300 South creating three lots and the Applicant is Debra Fox. Motion passed.

Michael East mentioned the road by Rocking V and the Best Western, people parking on the corner and which is making it unsafe for people to pull out onto the highway. The curb is not painted sufficiently for people to know it is a no parking zone.

A motion was made by Arlon Chamberlain and 2nd by Celeste Meyeres to go into Closed Session to discuss the purchase, exchange, or lease of real property; discuss the character, professional competence, or physical or mental health of an individual and to discuss pending or reasonably imminent litigation. Motion passed.

A motion was made by Michael East and 2nd by Celeste Meyeres to adjourn the meeting. Motion passed.

Mayor

Recorder