

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

**1. Work Meeting:**

Chris Heaton thanked Fire and EMS for spending ten days in Filmore helping with the fire there. Michael East expressed the Parks and Rec Board is excited to talk about the MOU with the county for the Rec Center.

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

**In Attendance:** Mayor Colten Johnson, Council Members Celeste Meyeres, Michael East, Chris Heaton and Scott Colson, Treasurer Katherine Ohlweiler, City Manager Kyler Ludwig and Attorney Kent Burggraaf. Council Member Arlon Chamberlain excused.

**2. Approval of Minutes of Previous Meeting:**

A motion was made by Chris Heaton and seconded by Michael East to approve the City Council Meeting Minutes of July 12, 2022. Motion passed unanimously.

**3. Approval of Accounts Payable Vouchers and Check Registers:**

A motion was made by Celeste Meyeres and seconded by Chris Heaton to approve the accounts payable vouchers and check registers dated July 13, 2022 in the amount of \$244,858.30 and for July 20, 2022 in the amount of \$104,153.86. Motion passed unanimously.

**4. Public Comment:**

Clayton Cutler expressed he was here in support of the recreation facility and serves as the Vice Chair of the Parks and Rec Board. This has moved to the top of their project list they would like to see get done. He has coached sports for many years and often the lack of facilities for those sports are sometimes detrimental in ways. This proposed Rec center will help so much with that to provide those facilities for the youth. Everyone on the Rec Board is willing to help move that project forward.

Noel Poe wondered about if a decision had been made about the land that was cleared by the baseball fields. He is on the Trail Committee and hopes it isn't too late to voice their concerns.

Robert Houston encouraged the City Council to figure out a way to make the Rec Center project happen now. He explained there won't be a cheaper way to get a building now without using the TRT money the county has offered. The costs of building are coming down currently and now is the time.

Andy Gant expressed the County is behind the Rec Center project and wants to see improved direction of shared events by the City and County. Management of the Rec Center would be up to the City and they want to be a partner in building the project.

Dave Mortenson came representing the pickleball players. He supports youth programs and also talked about how 1/5 of the Kanab population is seniors. Wants to see opportunities for seniors as well as youth and everyone in between.

**5. Discussion and consideration of Resolution 7-4-22 R, A Memorandum of Understanding with Kane County and the Kane County Recreation and Transportation Special Service District Pertaining to a Proposed Indoor Recreation Facility:**

Kyler Ludwig explained that Kane County had posted that they are wanting to go forward with this joint project and to use their TRT revenues to help pay for the facility. The proposal is with Kane County and Kane County Recreation and Transportation Special Service District. The City is committing to provide some property for the facility and to work with the county on selecting architects, engineers and consultants as necessary. The city would also be responsible for the maintenance and day-to-day operations of the facility. In the MOU, it also indicates the city will pay for the utilities of the facility. The term of agreement will be for three years and the Council will need to select a representative to work with the county on this project. Kent Burggraaf pointed out some grammatical updates and clarification of "\$10,000 per occurrence" in section eight just to make it clearer. He also clarified a few other sections as well and added that there would be an Interlocal Agreement as well.

A motion was made by Michael East and seconded by Scott Colson to approve Resolution 7-4-22R, A Memorandum of Understanding with Kane County and Kane County Recreation Transportation Special Service District pertaining to a proposed indoor recreation facility with the City Manager be the representative for the city. Motion passed unanimously by roll call vote.

Mayor Colten Johnson excused himself from the meeting and Michael East was voted as Mayor Pro Tem. Motion made by Celeste Meyeres and seconded by Scott Colson. Motion passed unanimously.

**6. Discussion and consideration of Resolution 7-5-22 R, A Resolution Adopting the 2022 Five County Association of Governments Multi-Jurisdictional Natural Hazard Mitigation Plan:**

Kyler Ludwig expressed this resolution is adopting a 1300-page Natural Hazard Mitigation Plan. Forty-three jurisdictions got together and put this plan together to plan for natural hazards that may occur. In order to get some FEMA grant funding, this is required to be approved by City Council. Staff recommends approval of this resolution.

A motion was made by Scott Colson and seconded by Celeste Meyeres to adopt Resolution 7-5-22 R, A Resolution Adopting the 2022 Five County Association of Governments Multi-Jurisdictional Natural Hazard Mitigation Plan. Motion passed unanimously by roll call vote.

**7. Discussion on a petition received requesting a traffic control signal at US-89A and Kanab Creek Drive:**

Mayor Pro Tem Michael East explained he had reached out to UDOT initially when questions were raised and their concern is that it takes time to do this sort of study. And they will not do them repetitively. There is a sort of resting period between when they do the first one and the second one. So, the concerns that he had was maybe they want to wait for the traffic to actually occur that would drive the main components of that study. Mr. East asked UDOT if the study was done in advance, could they then take into account the projected traffic as well and they most definitely could do that. There are multiple

plans and projects that will go into effect in the Ranchos that will drive the traffic amount. Kyler Ludwig explained the city did receive a petition from 122 residents and their request is that the city work with UDOT to put in a signal light at the intersection of Kanab Creek Drive, 1100 South and 89A. In talking with UDOT, they indicated it would need to meet some standards. Currently the traffic flow does not meet those standards.

**8. Discussion and consideration of Resolution 7-6-22 R, A Resolution Approving the Development Agreement with Catori Canyon Development, Inc.:**

Chris Heaton explained that he worked on this project with Iron Rock and recused himself. Kyler Ludwig explained they won't be voting on the Resolution tonight but the applicant was hoping the Council would still have the discussion. Kent Burggraaf explained that this is being sold from one developer to another and the development agreement needs to be buttoned up before the sale. The development agreement gets recorded and also dictates what the obligations are for the development between the property and the city. The agreement has been updated over the last month or two with Iron Rock representing the applicant. They have included some terms that weren't in there before. One was to include access rights with the adjacent property owners. It was also included the stipulations of the land swap which is getting utility and public access within the creek and also on Powell Drive. Michael East would like to go through the whole agreement when the Mayor and Arlon Chamberlain are back.

**9. Discussion and consideration of Resolution 7-7-22 R, A Resolution Approving the Development Agreement with James and Becky Sargent (K-336-3):**

Kyler Ludwig explained this is a fairly simple development agreement just requiring the property owners to maintain the infrastructure that is going to be on their property. There is some special sewer infrastructure that they will have to install and maintain on their property. Kent Burggraaf added he has been in contact with Mr. Sargent and this is just a mechanism that the city needs in place whether that it's the Sargent's or some future land owner's responsibility in keeping up this unique infrastructure that has been placed. James Sargent explained this is a forced sewer system that is feeding into a gravity drain that he wants to install. The development agreement could more accurately address all of the issues noted in the agreement. After discussion between the Council and Mr. Sargent, the item was tabled for future clarification with the agreement and discussion.

**10. Discussion and consideration of Resolution 7-8-22 R, A Resolution Approving the Development Agreement with Vermillion, LLC.:** This item was tabled.

A motion to adjourn was made by Scott Colson with Celeste Meyeres seconding. Motion passed unanimously.