

Kanab City Council Meeting
September 13, 2022
City Council Chambers
26 North 100 East
6:30 PM

Work Meeting

1. *Liaison Report*

Chris Heaton thanked the Police and Fire Departments for all of the work they do for our community and also for their September 11th program they had Sunday morning. The Wildland truck is available to go out yet it is lucky it hasn't gone out due to how busy the Fire/EMS Department has been. Mr. Heaton also mentioned the Police Department received an Excellence in Law Enforcement and Policy Management award from Lexipol for year 2021. The Police Department is down two officers and they are making it work. The Heritage Board held a day of service for the community and one of the projects that was completed was painting of the fence around the Heritage House which was a big success. Michael East expressed that the Parks and Rec Board is functioning quite nicely and have their next meeting Monday. There is a recreation survey that is out now and he encouraged everyone to participate in that and he is looking forward to seeing the results.

Celeste Meyeres expressed that the Arts Board is down a member, so they are looking for a new board member. If interested contact Mrs. Meyeres, or you can send a letter of intent to the mayor asking to be appointed to the Arts Board. Still planning on the October 15th Red Rocktoberfest at the Kanab Center. The library multi-purpose room is back to available to be rented. Kanab City Rec Department has started offering Yoga classes in the multi-purpose room.

Arlon Chamberlain reported on Planning Commission which a lot of what they discussed at their latest meeting will be discussed tonight at City Council. They also discussed the "right-to-farm" and what that entails with all of the details.

2. *City Manager Report*

Kyler Ludwig explained that this week the auditors are in the office working hard. They will give their report in the next two months or so on our audit from last year. Trail fest is coming up September 29 – October 1st. There are a few places in the grass of the baseball fields where they have taken some sod out and will be hydroseeding next week. In the packet for tonight's meeting there was an RFQ for the airport, which won't be discussed this evening but the RFQ will be sent out. This is a result of a few changes to the capital plan at the airport. When that plan is changed, they have to do another RFQ. Mr. Ludwig read two letters of appreciation of Jeff Turner the Airport Manager. He also thanked Mr. Turner for everything he does. Superintendent Ben Dalton will be at the next City Council meeting with an update on the new elementary school. Also anticipating talking about mutual aid agreement with the Police Department at the next meeting. Also talking about the pool liner next meeting in which they have a bid for. The Planning Commission is talking about domesticated farm animals which might bring some policy changes.

Business Meeting

1. Call to Order and Roll Call

The prayer was offered by Chris Heaton and the pledge was led by Celeste Meyeres. Mayor Pro Tem Arlon Chamberlain called the meeting to order and roll call was taken.

In Attendance: Mayor Pro Tem Arlon Chamberlain, Council Members Celeste Meyeres, Michael East, Chris Heaton, Treasurer Katherine Ohlwiler, City Manager Kyler Ludwig, Attorney Kent Burggraaf, Building Inspector/Land Use Coordinator Janae Chatterley and Public Works Director Jake Dutton. Council Member Scott Colson excused and Mayor Colten Johnson was also in attendance.

2. Approval of minutes from previous meeting (8/17/22; 8/23/22)

A motion was made by Celeste Meyeres and seconded by Chris Heaton to approve the City Council Meeting Minutes of August 17, 2022 and August 23, 2022. Motion passed unanimously.

3. Approval of Accounts Payable Vouchers and Check Registers (8/30/22 - \$240,743.31; 9/7/22 - \$15,029.38)

A motion was made by Michael East and seconded by Celeste Meyeres to approve the accounts payable vouchers and check registers dated August 30, 2022 in the amount of \$240,743.31 and for September 7, 2022 in the amount of \$15,029.38. Motion passed unanimously.

4. Public Comment Period:

Morgan Wood, Coordinator for the Kane County Youth Coalition, briefly talked about their objectives and the ways they are helping kids create a healthy and prosperous life.

Jim Sanford presented to the council his issues he has had over the years with storm drain runoff and his property in the Ranchos that need to be addressed.

5. Discussion and consideration of a minor subdivision located at 146 North 100 East (Parcel K-26-7):

Chris Heaton expressed that his company Iron Rock represented the client and he will still participate in the discussion and vote. Janae Chatterley went over the details of the minor subdivision to which Steve and Emily Shrope would like to subdivide their property taking a 0.58-acre parcel and splitting it into two separate lots. Proposed lot 1 will be 0.24 acres and proposed lot 2 will be 0.33 acres. Lot #2 will be accessed through a private lane. The only condition of approval is the approval of a conditional use permit or the private lane.

A motion was made by Michael East and seconded by Celeste Meyeres to approve the minor subdivision of parcel K-26-7 located approximately at 146 North 100 East based on the findings and conditions of approval as outlined in the staff report for file #2022031. Motion passed unanimously by roll call vote.

6. Discussion and consideration of a conditional use permit for a private lane located at 146 North 100 East (Parcel K-26-7):

Janae Chatterley explained this was the application for a conditional use permit for the private lane pertaining to the previous item. The proposed lot #2 will be accessed through a private lane, a 34' easement for utilities and egress. Kanab City Land Use Ordinance Chapter 4 section 4-21, regulates

private lanes allowing residential development without frontage upon public streets access through a private lane provided recommendation by the Planning Commission and approval by City Council. This will also have to meet the four proposed findings.

A motion was made by Celeste Meyeres and seconded by Michael East to approve the conditional use permit for a private lane based on Staff's conditions and the findings in Chapter 8, section 8-6 (B) listed in the staff report, file #2022029. Motion passed by roll call vote unanimously.

7. Discussion and consideration of a conditional use permit for a private lane located (Parcel K-33-4-ANNEX):

Janae Chatterley explained the location of this which is down by Western Rock Products, parcel K-33-4-ANNEX. The application for a conditional use permit to allow for a private lane which would provide access and street frontage to the parcel for a single-family residence. A fire hydrant which was required has already been put in and for the house it meets the requirements.

A motion was made by Chris Heaton and seconded by Michael East to approve the conditional use permit for a private lane based on Staff's findings and conditions in the staff report file #2022027 and the findings in Chapter 8, Section 8-6 (B). Motion passed by roll call vote unanimously.

8. Discussion and consideration of Resolution 9-1-22 R, A Resolution Approving the Development Agreement with Vermillion LLC:

Kent Burggraaf explained this development agreement provided in the packet. There is a home that is proposed to built that is not within city limits, whenever this occurs, the city is approached to see if they are willing to serve them with water utilities. Specific conditions are requested as they are outside of city limits. There are several things required by the developer to meet fire flow especially which the developer will bear the cost and also be responsible for maintaining and replacement until they decide it is dedicated to the city. One minor change was to paragraph three, which was clarifying language.

A motion was made by Michael East and seconded by Chris Heaton to approve Resolution 9-1-22 R, A Resolution approving the Development Agreement with Vermillion LLC. Motion passed by roll call vote unanimously.

9. Discussion on a policy regarding the process and criteria utilized to consider applications for Public Infrastructure Districts within Kanab City:

Kyler Ludwig explained last City Council meeting PID's were talked about. This is an economic development tool that allows for a developer to create a government entity where the City Council is the one to establish that. That entity would seek out bonds to pay for public infrastructure that would then be turned over to the city. There is no financial risk to the city by doing this but they want to proposed a policy to protect future residents, following state law and that there is a public benefit to the community. Mr. Ludwig explained the process that would go through the PID. The council discussed in length the process and proposed policy.

10. Discussion and consideration of the purchase of water pumps, motors, and equipment:

Kyler Ludwig explained during the FY23 budget process the City Council set a budget of \$110,000 for well maintenance. The wells that need maintenance is the West Fork Well #1, which needs a new motor and 200 feet of pipe replaced. Well #5 needs a new pump and 180 feet of pipe replaced and well #12

needs a new motor. Staff went out for bids on these three projects with the Gardner Bros having the lowest bid and the work is estimated to cost \$43,961.33.

A motion was made by Chris Heaton and seconded by Michael East to approve the bids from Gardner Brothers Drilling and Pump Services to complete the repair projects at Well #5, Well #12 and West Fork Well #1. Motion passed unanimously.

11. Discussion and consideration of the purchase of lighting for two baseball fields:

Mayor Johnson explained a few months ago he had a member of the community approach him and they wanted to make a very generous donation to provide lights on the baseball fields. Because of this donation it will be no cost to the city. There are also others like Garkane who is willing to donate equipment and labor and also South Central will do the same. It has gone out for bid and we've gone with the lowest cost and have had electricians and Garkane give the nod that the infrastructure is there and ready to go. There will be a Conditional Use Permit that will need approval for the outdoor lighting. The two south fields will be the ones to receive the lights.

A motion was made by Michael East and seconded by Chris Heaton to approve the purchase of equipment and lighting supplies from Diamond Mountain Marketing LLC after the baseball lighting donation is received. Motion passed unanimously.

12. Discussion on the Kanab City General Plan (Chapters 1–3):

Kyler Ludwig explained that they printed out copies of the first three chapters for the Council to go over. There have been a few minor changes since this was last seen. The council discussed in length the changes they provided to the first three chapters of the General Plan each and one by one.

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