

**Kanab City Council Meeting
September 14, 2021
City Council Chambers
26 North 100 East
6:30 PM**

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

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

Approval of Agenda: A motion was made by Celeste Meyeres and 2nd by Arlon Chamberlain to approve the agenda for September 14, 2021 with only discussing item number eight. Motion passed.

Approval of Minutes: A motion was made by Celeste Meyeres and 2nd by Byard Kershaw to approve the August 24, 2021 meeting minutes with the correction. Motion passed.

Approval of Accounts Payable Vouchers and Check Registers: A motion was made by Byard Kershaw and 2nd by Celeste Meyeres to approve the accounts payable vouchers and check registers dated August 31, 2021 in the amount of \$66,165.09; September 7, 2021 in the amount of \$523,219.02 and September 14, 2021 in the amount of \$156,169.75. Motion passed.

Public Comment: None.

Discuss – Vote on acceptance of a petition to annex approximately 4.9-acre Parcel # 3-6-32-1, located in Kane County abutting Kanab City limits. Applicant Barbara Andrews: Joe Decker explained this is a section in the Ranchos that butts up to Lee Circle and the detention basin on Hamblin. The Parcel was purchased by Barbara Andrews, it was a SITLA parcel and is out on a point. When it was purchased, they had a boundary issue and a building was built over the property line so they were able to purchase that lot, once it is annexed in they want to tie it to their existing parcel. Jeff Stott explained the process when someone wants to petition the City to annex their property. They sent notices out to property owners close by and then the Planning Commission takes a look at it and recommends to City Council to accept the petition. Once the petition for annexation is accepted, the City certifies it, requirements are met, it then goes back out to any property owners nearby and they have thirty days to object. Once that is complete, it goes back to City Council for a vote. A motion was made by Byard Kershaw and 2nd by Arlon Chamberlain to accept the petition to annex approximately 4.9-acre parcel #3-6-32-1, located in Kane County abutting Kanab City limits. Motion passed by roll call vote.

Discuss – Vote on acceptance of a petition to annex approximately 109-acre Parcel # 3-6-29-1, located in Kane County abutting Kanab City limits. Applicant Rocky Canyon Properties: Joe Decker explained this is the parcel between Cedar Heights and the Ranchos. Arlon Chamberlain talked about Planning Commission having Garkane annex their piece of land

near this parcel so it wouldn't leave it as an island, yet Garkane hasn't made a decision as of yet.

A motion was made by Arlon Chamberlain and 2nd by Byard Kershaw to accept the petition to annex approximately 109-acre Parcel #3-6-29-1, located in Kane County abutting Kanab City limits, Applicant Rocky Canyon Properties. Motion passed by roll call vote.

Discussion – Vote on the elimination of Chapter 2 of the General Ordinances, so as to instead rely on State Code regarding Annexations, and to add a fee amount to the fee schedule regarding annexation petitions: Jeff Stott explained that the State Code regarding Annexations is pretty clear on what to do. Chapter 2 of the General Ordinances sets a fee of \$500, before the City can look at and accept a petition, Planning Commission has to look at it and send it to City Council for acceptance. Instead of going back and forth, State Code says to just have it go to City Council twice. State Code says City Council can decide if Planning Commission gives recommendation of what they think it should be zoned or not.

A motion was made by Celeste Meyeres and 2nd by Arlon Chamberlain to eliminate Chapter 2 of the General Ordinances, to rely on State Code with regard to annexations. With the exception to add a fee amount to the fee schedule regarding annexation petitions; adding that the City Council has discretion to call on the Planning Commission for recommendation on zone allocation. With the amendment to add a fee amount to the fee schedule and add the sentence about City Council discretion. Motion passed by roll call vote.

Discuss – Vote on Ordinance 9-1-21 O “An Ordinance amending Kanab City Land Use Ordinance concerning Chapter 4-22 Temporary Lodging”: Arlon Chamberlain explained this would allow someone to have an RV onsite while they are building on a residential or commercial lot. Striking the words “mobile home” and changing it to recreational vehicle. Eliminate the extra words. This also allows the Land Use Coordinator to make these decisions instead of having it come through Planning Commission.

A motion was made by Arlon Chamberlain and 2nd by Byard Kershaw to change the ordinance 9-1-21 O as written concerning Chapter 4-22 Temporary Lodging. Motion passed by roll call vote.

Discuss – Vote on Ordinance 9-2-21 O “An Ordinance amending Kanab City Land Use Ordinance concerning Chapter 4-33 Short Term Leases of Residential Properties”: Arlon Chamberlain talked about striking out the 10-foot setback requirement in sections 3-2 and 3-3. The problem they are having is that some zones don't require a 10-foot setback. It would be better to have it follow the zone that they are in rather than having a specific 10-foot setback. A motion was made by Celeste Meyeres and 2nd by Byard Kershaw to vote on Ordinance 9-2-21 O, An Ordinance amending Kanab City Land Use Ordinance concerning Chapter 4-33 Short Term Leases of Residential Properties. Motion passed by roll call vote.

A motion was made by Byard Kershaw and 2nd by Celeste Meyeres to adjourn the meeting.

Mayor

Recorder