

**Kanab City Council Meeting
September 22, 2020
City Council Chambers
26 North 100 East Kanab, UT
6:30PM**

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

Jeff Stott offered the prayer and the pledge was led by Joe Decker. Mayor Houston called the meeting to order and roll call was taken.

Approval of Agenda: A motion was made by Jeff Yates and 2nd by Byard Kershaw to approve the agenda of September 22, 2020. Motion passed.

Approval of Minutes: A motion was made by Celeste Meyeres and 2nd by Jeff Yates to approve the September 8, 2020 meeting minutes. 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 September 15, 2020 in the amount of \$181,335.85, September 21, 2020 in the amount of \$39,049.04 and September 22, 2020 in the amount of \$17,523.23. Motion passed.

Public Comment: Donna Huntsman talked about the sign ordinance. Last meeting, the decision was to take out what was in the sign ordinance regarding lighting. She wanted to point out, should the Council move forward with that decision they would be making a regressive decision as there was some verbiage in the ordinance about lighting. She also wanted to acknowledge and thank the Council for leaving in the section on electronic messaging signs as this section is helpful. Mrs. Huntsman once again wanted to say that saying no to what the Planning and Zoning put in the ordinance about lighting, they are now saying yes to any type of sign lighting. She suggested options for existing businesses to become in compliance with the sign ordinance.

Alan Alldredge asked a few questions on Commercial Zones and where they are classified. The ordinance talks about window signs and needing a permit for those. Mr. Alldredge wondered if he has to have a permit for that and within 30 days, he would need to get it. He wondered if it says somewhere that window signs are not allowed in those.

Dave Shakespear, owner of Kanab Drug, explained he is not well versed in this ordinance but he went and built a new building and it was approved by Planning and Zoning. He expressed it would be a big expense if he had to change his lighting to be night sky compatible. Mr. Shakespear thinks they should allow businesses to be grandfathered in regarding the night sky lighting.

Rich Csenge, representing the Stellar Vista Observatory Board of Directors, wanted to express their support and concern for the proposed changes to the sign ordinance. They support the regulation of outdoor signs. They believe it is wise and forward looking to assure that lighted signs do not unnecessarily contribute to unwanted ambient light for residents living in or near commercial zones. Glare from improperly illuminated signs can reduce safety and night time visibility for motorists and pedestrians. And increase sky glow over the City. Which adversely affects the ability to enjoy our stary night skies. Seeing the night sky should be cherished and there is no cost to preserve it. Stary skies are easily becoming an economic driver for our community. Stellar Vista Observatory is a local 501C3 non-profit, collaborating with Kane County to bring about the creation and operation of an educational astronomical observatory in Kanab. The multi-purpose facility will benefit the residents, their children, students of south west Utah and northern Arizona and travelers. They are concerned that the following sections of the sign ordinance should remain in tact and not removed: section 7.1, 7.75, 7.18, 7.9 and 7-2210. They suggest instead that signs be grandfathered with a period of compliance of eight years they then are replaced. They urge Kanab City Council to affirm it's support in for preserving the visibility of the night sky.

Kevin Glazier expressed his appreciation for all of the work done. Speaking about the stary night, he loves being able to look up at the stars. He doesn't think the community is that bad off to not be able to see the stars. The thing he is concerned about as a business owner is that if they were to replace their signs in eight years it is expensive to do that. He has tried to uphold the Night Sky Ordinance by changing out some lights and he just wanted them to keep in mind that Kanab is a tax driven community. For the most part businesses are trying to make things look good because if it doesn't then they won't receive the business.

Discuss – Vote on Minor Subdivision located at 751 South Hillside Drive for Edward and Margaret Browning: Arlon Chamberlain explained they had voted on this before and then they decided to make another lot as they have room to do it and still remain the R-1-20 lot size. The Planning Commission didn't find any issues with it and believes it fits in with the neighborhood. Celeste Meyeres commented on the ground is very sloped on this property so it is not like every inch of the ground would be covered with building as it would be difficult.

A motion was made by Arlon Chamberlain and 2nd by Jeff Yates to approve the Minor Subdivision located at 751 South Hillside Drive for Edward and Margaret Browning. Motion passed.

Consideration for and adoption of a Parameter Resolution authorizing the issuance of Sales Tax Revenue Refunding Bonds of Kanab City and calling of a public hearing to receive input with respect to the issuance of such Bonds and any potential impact to the private sector: Joe Decker explained he has been working on this with Zions Bank for about two months. It is a refinance on two of the City's bond specifically the Swimming Pool and the Fire Station. The interest rate on the pool is 3.58% and owe 18 years left on it. The fire Station is 2.5% and owe 14 years left on it. This combines the two bonds into one and makes the payment \$800 more a year, drops the interest rate to 1.9% and puts it as a 15-year term. It will save the City close to \$360,000 at the end of the life of the bond. After the Public Hearing, the bond is set to close on November 4, 2020.

A motion was made by Celeste Meyeres and 2nd by Arlon Chamberlain to adopt Resolution 9-2-20 R authorizing the issuance of Sales Tax Revenue Refunding Bonds of Kanab City and calling of a public hearing to receive input with respect to the issuance of such Bonds and any potential impact to the private sector. Motion passed by roll call vote.

Discuss – Vote on Resolution 9-1-20 R “Resolution Authorizing City Pick up of Public Safety and Firefighter Employee Retirement Contributions”: Mayor Houston explained this came from the last session of the Legislature increased the Tier 2 employee amount by 2%. Then the discussion was where will that 2% come from, since the amount is insignificant City’s are picking up the 2%. This Resolution is to authorize the City to do just that. Joe has already included it in the budget that was already passed.

A motion was made by Jeff Yates and 2nd by Byard Kershaw to pass Kanab City Resolution 9-1-20 R a Resolution Authorizing City Pick up of Public Safety and Firefighter Employee Retirement Contributions. Motion passed by roll call vote.

Discuss – Vote on Ordinance 9-1-20 O “An Ordinance amending Kanab City Land Use Ordinance concerning Chapter 7 Signs”: Mayor Houston explained his intent was that they were just going to vote on this Ordinance. Celeste Meyeres explained she was fine with voting. Arlon Chamberlain wanted to talk about a few sections as he feels like they need to have some limitations on types of lighting. He doesn’t think the businesses should have to change their signs, thinks they should be changed out if they do a remodel and go over the lighting then. But to have them change out the sign in eight years just to comply isn’t a good idea. Byard Kershaw agreed with Arlon and doesn’t think they should be making anyone change their signs and they should be grandfathered in. Jeff Yates wondered what changes Arlon wanted to make. On section 7-10 Window Signs, if anybody puts up a sign for a day those should be exempt from permitting. Window signs and sandwich board signs shouldn’t need a permit since their temporary and can be changed out. Arlon Chamberlain expressed they need to leave section 7-19 the Outdoor Lighting Ordinance in the chapter. Mayor Houston recommended voting on this now then if they want to make any changes to it to bring it to the next meeting to discuss. Mayor Houston read the Ordinance.

A motion was made by Jeff Yates and 2nd by Byard Kershaw to pass Ordinance 9-1-20 O An Ordinance amending Kanab City Land Use Ordinance concerning Chapter 7 Signs, with the amendment that window signs are exempted from permits and with the caveat that an amendment can be brought to the next City Council meeting as desired. Byard Kershaw voting aye, Jeff Yates voting aye, Celeste Meyeres voting aye and Arlon Chamberlain voting nay. Motion passed.

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

Mayor

Recorder