

**Kanab City Council Meeting
October 12, 2021
City Council Chambers
26 North 100 East
6:30 PM**

The prayer was offered by Jeff Stott and Michael East led the pledge. Mayor Robert Houston called the meeting to order and roll call was taken.

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 Celeste Meyeres and 2nd by Jeff Yates to approve the October 12, 2021 meeting agenda. Motion passed.

Approval of Minutes: A motion was made by Jeff Yates and 2nd by Byard Kershaw to approve the meeting minutes from September 28, 2021. Motion passed.

Approval of Accounts Payable Vouchers and Check Registers: A motion was made by Byard Kershaw and 2nd by Michael East to approve the accounts payable vouchers and check registers dated October 5, 2021 in the amount of \$64,325.73 and for October 12, 2021 in the amount of \$260,706.85. Motion passed.

Public Comment: None.

Discuss – Vote on request from Peekaboo Canyon Restaurant to allow the temporary patio cover structure: Arlon Chamberlain explained the history of the patio structure. It's been four years and the Planning Commission has allowed them to have the structure with the condition that they report how it has held up. This time it didn't go to Planning Commission, yet every year it is supposed to go to Planning Commission. Joe Decker explained the options for the Council: 1. To not allow the structure. 2. To not allow it and direct Planning Commission to change the ordinance for this type of structure to be allowed. 3. Council could say they can put it up and still give the Planning Commission time to change the ordinance. Francis Battista explained last year it was given a Covid extension to be up and explained that it is a good quality fabric structure. Mayor Houston explained the Council isn't ready to decide on this and thinks the Council should give guidance to the Planning Commission to give them another year to have the structure up and to have time to change the ordinance. Jeff Yates and Byard Kershaw agreed with the Mayor. Michael East thought Planning Commission should address the issue without City Council giving them an extension. Celeste Meyeres explained the ordinance should be modified.

A motion was made by Michael East to not take action and to recommend this to Planning and Zoning. No 2nd motion dropped.

A motion was made by Arlon Chamberlain and 2nd by Michael East to allow temporary use of the patio cover structure for the season and to allow Planning Commission to make a decision about the Patio Cover and on changing the ordinance. Motion passed.

Public Hearing for a Plat Amendment Kanab Creek Ranchos unit 1 adjusting the property line between Parcels 34-15 and 34-13 located at the approximate area of the intersection of 29 East Kanab Creek Drive in Kanab, Utah: A motion was made by Jeff Yates and 2nd by Byard Kershaw to go in and out of Public Hearing at the Mayor's discretion. Motion passed. No public comment. Out of Public Hearing.

Discuss – Vote on Plat Amendment Kanab Creek Ranchos unit 1 adjusting the property line between Parcels 34-15 and 34-13 located at the approximate area of the intersection of 29 East Kanab Creek Drive in Kanab, Utah (Applicant Wayne and Elizabeth Halverson):

Arlon Chamberlain explained they are just joining these lots and there are no easements to be vacated as far as utilities goes.

A motion was made by Arlon Chamberlain and 2nd by Jeff Yates to approve the Plat Amendment in the Kanab Creek Ranchos Unit 1 adjusting the property line between Parcels 34-15 and 34-13 located at the approximate area of the intersection of 29 East Kanab Creek Drive in Kanab, Utah with the findings that the public nor any person will be materially injured by this vacation, alteration and amendment and that there is good cause for this vacation, alteration or amendment. Motion passed.

Public Hearing for a Plat Amendment to the Kanab Creek Ranchos Subdivision – Unit 7 allowing a lot split creating four [4] individual lots on Parcel K-134-720 located in the approximate area of 2265 South Powell Drive in Kanab, Utah: Into Public Hearing. No public comment. Out of Public Hearing.

Discuss – Vote on a Plat Amendment to the Kanab Creek Ranchos Subdivision – Unit 7 allowing a lot split creating four [4] individual lots on Parcel K-134-720 located in the approximate area of 2265 South Powell Drive in Kanab, Utah (Applicant Kanab Hills LLC):

Arlon Chamberlain explained that they have a five-acre parcel and are dividing it up into four lots. Also allowing easements so they can hook to the sewer eventually. Celeste Meyeres declared that she is a neighbor a few blocks away and has no problem with this Plat Amendment. They will hook onto the sewer when they are ready to build on those lots as they are right next to the sewer ponds.

A motion was made by Arlon Chamberlain and 2nd by Celeste Meyeres to approve the Plat Amendment to the Kanab Creek Ranchos Subdivision unit 7 allowing a lot split creating four individual lots on Parcel K-134-720 located in the approximate area of 2265 South Powell Drive with the findings that neither the public nor any person will be materially injured by the proposed vacation, alteration or amendment and that there is good cause for the vacation, alteration or amendment. Motion passed.

Public Hearing for a Plat Amendment to the Sedona Valley Subdivision creating one [1] single lot by combining Parcels K-205-39 and K-205-40 located at the approximate area of the intersection of 10 West and Sedona Valley Road in Kanab, Utah: Into public hearing. Joe Decker explained it is just moving the lot line so it is a Plat Amendment. No public comment. Out of public hearing.

Discuss – Vote on a Plat Amendment to the Sedona Valley Subdivision creating one [1] single lot by combining Parcels K-205-39 and K-205-40 located at the approximate area of

the intersection of 10 West and Sedona Valley Road in Kanab, Utah (Applicant Shih-An Cheng): Joe Decker explained that one house was built too close to the lot line so they are moving the lot line to adjust the set backs.

A motion was made by Arlon Chamberlain and 2nd by Michael East to approve the amendment to the Sedona Valley Subdivision plat by adjusting the lot lines on parcels K-205-39 and K-205-40 located at the approximate area of the intersection of 10 West and Sedona Valley Road with the findings that neither the public nor any person will be materially injured by the proposed vacation, alteration or amendment and that there is good cause for the vacation, alteration or amendment. Motion passed.

Discuss – Vote for a zone change from RR1 [Rural Residential 1 acre] to R-1-8 [single family 8000 sq ft] on Parcels K-56-5 and K-56-6, a combined .87 acres; located in the approximate area of 394 W 200 N in Kanab, Utah. [Applicant; James P Bunting Family Trust]: Arlon Chamberlain explained to be able to use the lots they needed to change the zones of the two parcels. It is smaller than what it is zoned for now, nonconforming currently. A motion was made by Arlon Chamberlain and 2nd by Jeff Yates to approve the zone change from RR1 to R-1-8 on Parcels K-56-5 and K-56-6. Motion passed by roll call vote.

Celeste Meyeres made a motion to adjourn the meeting with Michael East 2nd.

Mayor

Recorder