

**Mayor**

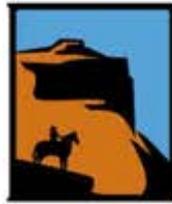
**Robert Houston**

**City Manager**

**Joseph Decker**

**Treasurer**

**RaeLene Johnson**



**KANAB**  
— UTAH —

**City Council**

**Brent Chamberlain**

**Cheryl Brown**

**Kirt Carpenter**

**Joe B. Wright**

**Kent Burggraaf**

**KANAB CITY COUNCIL**

November 25th, 2014

76 NORTH MAIN, KANAB, UTAH

**NOTICE** is hereby given that the Kanab City Council will hold its regular council meeting on the 25th day of November, 2014, at the Commission Chambers at the Kane County Courthouse at 76 North Main, Kanab, Utah. The Council Meeting will convene at 6:30 p.m., and the agenda will be as follows:

6:30 P.M. Work Meeting

**Business Meeting**

1. Call to Order and Roll Call
2. Approval of Agenda
3. Approval of minutes of previous meeting
4. Approval of Accounts payable vouchers
  
5. Public Comment Period – Members of the public are invited to address the Council. Participants are asked keep their comments to 3 minutes and follow rules of civility outlined in Kanab Ordinance 3-60
  
6. Public hearing to receive input from the public with respect to the issuance of the Bonds for the Tom's Canyon flood control project. The purpose of the meeting is to receive input from the public with respect to the issuance of the Bonds and any potential economic impact to the private sector from the construction of the Project to be funded by the Bonds
  
7. Discuss Engineering contract with Sunrise Engineering for the Tom's Canyon Flood Control project
  
8. Closed Session:
  - Discuss the character, professional competence, or physical or mental health of an individual.
  - Discuss pending or reasonably imminent litigation.
  - Discuss the purchase, exchange, or lease of real property.

Times listed for each item on the agenda may be accelerated as time permits. If you are planning to attend this public meeting and due to a disability need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting, and we will try to provide whatever assistance may be required. Please contact RaeLene Johnson at the Kanab City offices.

– A Western Classic –

## **KANAB CITY COUNCIL MEETING**

**NOVEMBER 11, 2014**

### **KANE COUNTY COMMISSION CHAMBERS**

**PRESENT:** Mayor Robert D. Houston, Council Members Kirt Carpenter, Cheryl Brown, Kent Burggraaf, and Joe B. Wright, City Recorder Joe Decker and City Treasurer RaeLene Johnson. Council Member Brent Chamberlain excused.

**WORK MEETING:** Work Meeting was opened at 6:35 p.m. Impact fees were discussed. Council Member Wright stated there should be impact fees, but they need to be reasonable. The last impact fees were based on a 50,000 population. Impact fees can be used to create infrastructure. Council Member Burggraaf stated he was concerned about impact fees. He said that impact fees are what are litigated the most. He thinks they need to be re-visited annually and have legal council's advice. The fees should also correlate to what is needed. Council Member Brown agrees that there needs to be impact fees, but it needs to be a reasonable amount. Council Member Carpenter wanted to make sure impact fees could not be paid until they have a building permit and are ready to start to build. Mayor agreed to start to do some research on impact fees.

Mr. Alan Alldredge, Emergency Manager for Kane County, addressed the Council. He passed out invitations to the 2014 Kane County Elected Officials Meeting. There will be a dinner served. There will be discussions about emergency services and talk about the plans needed for emergencies.

Mayor Houston opened the regular City Council at 6:45 p.m. He called the meeting to order and roll call was taken. Council Member Chamberlain was excused.

Prayer was offered by Pastor Doug Hounshell and Pledge was led by Council Member Wright. There was a moment of silence for all the veterans since it is Veteran's Day.

**APPROVAL OF AGENDA:** A motion was made by Council Member Wright and 2<sup>nd</sup> by Council Member Carpenter to approve the minutes of October 14, 2014 as amended. Motion passed unanimously. Council Member Chamberlain absent.

**APPROVAL OF ACCOUNTS PAYABLE VOUCHERS:** A motion was made by Council Member Wright and 2<sup>nd</sup> by Council Member Brown to approve the following accounts payable: October 28, 2014, \$54,409.30, November 6, 2014, \$128,483.58 and November 10, 2014 \$128,956.13. Motion passed unanimously. Council Member Chamberlain absent.

**PUBLIC COMMENT PERIOD:** Mr. Leland Freeborn addressed the Council. He wanted to warn the City about World War III. He said there will be a surprise attack between December 17 and December 22. He asked everyone to get prepared with the necessary supplies before Las Vegas is nuked in December.

**CONSIDER RESOLUTION 11-1-14 R FOR ADOPTION OF A VEHICLE LEASE PURCHASE AGREEMENT WITH ZIONS BANK:** Council Member Burggraaf would like the agreement to be

double indemnity. He feels it is one-sided. A motion was made by Council Member Wright and 2<sup>nd</sup> Council Member Carpenter to adopt Resolution 11-1-14 R approving the form of the Equipment Lease Agreement with Zions First National Bank, Salt Lake City, Utah. Finding that it is in the best interests of the City of Kanab, Utah to enter into said Agreement, and authorizing the execution and delivery thereof, after legal council's approval. Motion passed unanimously by roll call vote. Council Member Chamberlain absent.

**CONSIDER RESOLUTION 11-2-14 R APPROVAL OF SUBMISSION OF UTAH ENTERPRISE**

**ZONE APPLICATION:** Mr. Kelly Stowell addressed the Council asking for the City to support local businesses qualifying them access to certain state income tax credits where an Enterprise Zone is created. A motion was made by Council Member Burggraaf and 2<sup>nd</sup> by Council Member Wright to adopt Resolution 11-2-14 R approving submission of a Utah Enterprise Zone Application. Motion passed unanimously by roll call vote. Council Member Chamberlain absent.

**CONSIDER ORDINANCE 11-1-14 O AN ORDINANCE AMENDING KANAB CITY LAND USE**

**ORDINANCE CONCERNING SENSITIVE LANDS:** Council Member Burggraaf explained about the changes in the Sensitive Lands Ordinance that the Planning Commission has been reviewing. He said an engineering firm had been hired to help draw up the ordinance. The slope was changed from 10% to 20%. The Planning and Zoning Commission recommended approval. Council Member Carpenter suggested changing Geotechnical Engineer to Geological Engineer. Council Member Wright stated he would like to have a notice put on the Sensitive Lands Overlay map that expansive soil layer is not intended to be inclusive. Utah is a "Buyer Beware" State, and there needs to be some individual accountability. Council Member Wright expressed appreciation to the Planning Commission for all the work and time that has gone into this Ordinance. It is more understandable. A motion was made by Council Member Burggraaf to adopt and approve Ordinance #11-1-14 O, amending Kanab City's land use ordinance based on staff's findings and recommendations which includes the Sensitive Lands chapter as well as the other correlated chapters that were modified. Changing Geotechnical Engineer to be Geological Engineer, and changing geologist to geotechnical engineer and where geotechnical engineer is noted throughout the ordinance have it changed to be geological engineer, and fix the formatting on pages 19 and 20 and direct staff to put notice on map that expansive soils layer is not intended to be inclusive of all lands as recommended by the Planning and Zoning Commission. Motion 2<sup>nd</sup> by Council Member Wright. Motion passed unanimously by roll call vote. Council Member Chamberlain absent.

**DISCUSS ENGINEERING CONTRACT WITH SUNRISE ENGINEERING FOR THE TOM'S CANYON FLOOD CONTROL PROJECT:** Tabled.

A motion to adjourn was made by Council Member Wright and 2<sup>nd</sup> by Council Member Brown. Motion passed unanimously. Council Member Chamberlain absent.

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MAYOR ROBERT D. HOUSTON

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RECORDER JOE DECKER

