

Mayor

Robert Houston

City Manager

Joseph Decker

Treasurer

RaeLene Johnson



KANAB
— UTAH —

City Council

Brent Chamberlain

Joe B. Wright

Jeff Yates

Michael East

Byard Kershaw

KANAB CITY COUNCIL

February 9th, 2016

76 NORTH MAIN, KANAB, UTAH

NOTICE is hereby given that the Kanab City Council will hold its regular council meeting on the 9th day of February, 2016, in the Commission Chambers at the Kane County Courthouse, 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

- Annual Audit presentation from Hinton Burdick

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 3-601
6. Appoint Lara Clayson to the Parks & Rec Board with a term ending 12/31/2019
7. Appoint Lloyd DeAngelas to the Heritage Board with a term ending 12/31/2019
8. Award RFP for construction of a new electrical vault building plus equipment and replace PAPI equipment at the Kanab Municipal Airport to Hamilton Bros Electric Inc. in the amount of \$103,411.50
9. Approval of zone change on parcel K-16-15A-Annex from RA-5 to RR-1. Address of property is 856 S 1000 E.
10. Decision on penalties for the Tom's Canyon project
11. Closed Session:
 - Discuss pending or reasonably imminent litigation.
 - Discuss the purchase, exchange, or lease of real property
 - Discuss the character, professional competence, or physical or mental health of an individual.

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
JANUARY 26, 2016
KANE COUNTY COMMISSION CHAMBERS

PRESENT: Mayor Robert D. Houston, Council Members Brent Chamberlain, Jeff Yates, Joe B. Wright and Michael East, Attorney Jeff Stott and Treasurer RaeLene Johnson. Council Member Byard Kershaw and City Manager Joe Decker excused.

WORK MEETING: Mayor Houston opened the work meeting at 6:30 p.m. Attorney Jeff Stott presented the annual open and public meeting training. He explained to the Council that he prefers not to interject while the Council is deliberating. He wants them to be self regulating. Actions and deliberations should always be in front of the public. This only applies when you have a meeting of three Council Members or more. Public needs to be aware of meetings. If there happens to be a chance meeting of three Council Members, avoid discussing City business. E-mails are included. Make sure you don't reply to an email as a group discussing anything in particular. That would start a deliberation thus the open and public meeting rules would apply. The public wouldn't have notice of such emails. Closed sessions still need to be recorded. You can go into closed sessions to discuss pending litigation, purchase, exchange or lease of property or discuss personnel.

Prayer was offered by Joe B. Wright and the pledge was led by Robert D. Houston. Mayor Houston called the meeting to order and took roll call. Mayor reported that Council Member Kershaw and Manager Joe Decker were excused.

APPROVAL OF AGENDA: A motion was made by Council Member Wright and 2nd by Council Member Chamberlain to approve the agenda of the January 26th meeting. Motion passed unanimously. Council Member Kershaw absent.

APPROVAL OF ACCOUNTS PAYABLE VOUCHERS: A motion was made by Council Member Wright and 2nd by Council Member East to approve the check register and accounts payable vouchers for January 26, 2016 in the amount of \$397,878.77. Motion passed unanimously. Council Member Kershaw absent.

APPROVAL OF MINUTES: A motion was made by Council Member Wright and 2nd by Council Member Chamberlain to approve the minutes of January 12th as amended. Motion passed unanimously. Council Member Kershaw absent.

PUBLIC COMMENT PERIOD: Jeff Frey asked in reference to public notification, he felt that the wording to discuss concerns with the Tom's Canyon flood control project didn't give the public enough information on what would be discussed at the meeting. Mayor Houston said that

was an error. It wasn't the Council's intent to just discuss, but they wanted to act on the request from Jackson Excavation. Mr. Charlie Soba suggested putting on the agenda whether something was an action item or discussion only.

CITY COUNCIL ASSIGNMENTS: Mayor Houston presented the following Council Members with their assignments:

Michael East	Joe B. Wright
Public Works Dept. Facilities	Library
Parks & Recreation	Kane County Water Conservancy
Cemetery	
Jeff Yates	Byard Kershaw
Airport	Arts Council
Police Department	Beautification Committee
Fire Department	Swimming Pool
Disaster Response	
Heritage Board	
CEBA Board	
Brent Chamberlain	Mayor Houston
Planning & Zoning Commission	CEBA
Building Department	Kanab City Administration
Western Legends	Kanab City Manager & Departments
Mayor Pro-Tem	Five County Association of Governments
	Emergency Op Center (Committee)
	Western Kane County Special Service District

APPOINTMENT TO PLANNING COMMISSION: A motion was made by Council Member Chamberlain and 2nd by Council Member Wright to ratify the Mayor's appointment of Melvin Watson to serve on the Planning Commission with a term ending 12/31/2020. Motion passed unanimously. Council Member Kershaw absent.

DISCUSS CONCERNS WITH THE TOM'S CANYON FLOOD CONTROL PROJECT: Mayor Houston said he and Russ Funk and Joe Decker met and discussed the progress of the project. Mr. Funk presented a progress report letter to the Council. (Letter on file in the City Office). He said there are numerous reasons why consideration should be given to crediting some of this lost time back to the Contractor. In the meeting they considered eliminating the penalty of not having the project completed by November 14, 2015 as long as there are not any extra charges or change orders for soil pumping issues on the embankment as long as the project is completed by February 13th. The cost of the project will still be recouped within funds that are

available for the project. No action can be taken since the agenda listed this item as a discussion item.

A motion to go into Closed Session to discuss pending or reasonably imminent litigation was made by Council Member Wright and 2nd by Council Member Yates. Motion passed unanimously. Council Member Kershaw absent.

Out of Closed Session

A motion was made by Council Member East to authorize Joe Decker to discuss the possibility of eliminating the penalty if the project is completed by February 13th and the requested additional cost will be offset by the penalty amount. Motion 2nd by Council Member Chamberlain. Motion passed unanimously. Council Member Kershaw absent. The Council won't sign any agreement or change orders until next meeting.

A motion to adjourn was made by Council Member Yates and 2nd by Council Member Chamberlain. Motion passed unanimously. Council Member Kershaw absent.

MAYOR ROBERT D. HOUSTON

RECORDER JOE DECKER

February 5, 2016

Chief Joseph Decker
City Manager
Kanab City
76 North Main
Kanab, UT 84741

RE: Kanab Municipal Airport
UDOT Project #169770, FY-16
Schedule I - Construct Electrical Vault Building
Schedule II - Replace PAPI Equipment

Letter of Recommendation

Dear Mr. Decker:

Bid proposals for the above referenced project were received and opened on Tuesday, February 2, 2016, at the Kanab City Offices, 76 North Main, Kanab, Utah. Three qualified contractors submitted a formal bid. The bids were tabulated for mathematical correctness and checked for completeness. The Bids are summarized in the following table:

Bid Summary Item	Engineer's Estimate	Blackburn & Associates	Larry Rose Construction, LLC	Hamilton Bros. Electric Inc.
Schedule I - Construct Electrical Vault Building	\$ 107,000.00	\$ 115,905.00	\$ 106,825.50	\$ 84,211.50
Schedule II - Replace PAPI Equipment	\$ 16,000.00	\$ 11,500.00	\$ 11,845.00	\$ 19,200.00
Total Cost	\$ 123,000.00	\$ 127,405.00	\$ 118,670.50	\$ 103,411.50

*Red Text indicates that errors were found in the bid and the numbers revised for correctness.

The mathematical errors indicated by red text and corrected in the table above were:

- A correction to the total cost for Larry Rose Construction, LLC to reflect the sum of Schedules I and II rather than the cost of Schedule I only.
- A correction reducing one of the bid items by a total of \$4.00 for Hamilton Bros. Electric Inc.

Neither of these errors had any effect on the outcome of the bid, and all bids proposals were complete and responsive.

Hamilton Brothers Electric Inc. was the lowest bidder for the overall project. Their overall bid was \$103,411.50, approximately 16% lower than the Engineer's estimate.

During bidding, the bid was advertised in the Southern Utah News, 11 qualified contractors were individually notified of the upcoming bid, and a total of 15 prime and subcontractors obtained plans.

There is no Disadvantaged Business Utilization goal for this project.

Our office has reviewed the bid proposal for compliance with the "Instructions to Bidders." Hamilton Brothers Electric submitted all of the required forms, including the Contract Proposal, Bid Bond, Contractor Information, Subcontractor/Material Supplier List. We have reviewed the contractor's qualifications and consider this firm capable of completing the proposed work.

Based on the bid proposal by Hamilton Brothers Electric, we recommend that Kanab City award all schedules of work for the construction improvements under UDOT Project #169770, FY-16 to Hamilton Brothers Electric, for the amount of \$103,411.50.

The following documents have been enclosed for your records:

Planholder's List
Bid Tabulation

If you need additional information, please feel free to contact us.

Sincerely,



Samuel Roth, P.E.
Project Manager

Enclosures

cc: Mr. Matt Swapp, UDOT Aeronautics
Mr. Craig Ide, UDOT Aeronautics
Mr. Jeff Turner, Kanab Airport Manager

KANAB MUNICIPAL AIRPORT

KANAB, UTAH

UDOT PROJECT 169770, FY-16

BID OPENING

DATE: TUESDAY, FEBRUARY 2, 2016

TIME: 4:00 P.M. (LOCAL TIME)

Schedule I - Construct Electrical Vault Building

Schedule II - Replace PAPI Equipment

BID SUMMARY ITEM	Engineer's Estimate	Blackburn & Associates	Larry Rose Construction, LLC	Hamilton Bros. Electric Inc.	
Contract Proposal (Division 2-1)	X	X	X	X	
Received Addendum 1 (Division 2-2)	X	X	X	X	
Received Addendum 2	X	X	X	X	
Received Addendum 3	X	X	X	X	
Bid Bond (Division 2-3)	X	X	X	X	
Contractor Information (Division 2-5)	X	X	X	X	
Subcontractor/Material Supplier List (Division 2-7)	X	X	X	X	
Schedule I Bid Proposal	\$ 107,000.00	\$ 115,905.00	\$ 106,825.50	\$ 84,211.50	
Schedule II Bid Proposal	\$ 16,000.00	\$ 11,500.00	\$ 11,845.00	\$ 19,200.00	
TOTAL COST - ALL SCHEDULES	\$ 123,000.00	\$ 127,405.00	\$ 118,670.50	\$ 103,411.50	\$ -

* Red Text indicates that errors were found in the bid and the numbers revised for correctness.

BID TABULATION - SCHEDULE I

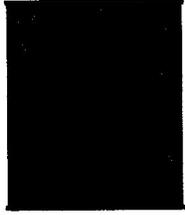
SCHEDULE I BID TAB				Engineer's Estimate		Blackburn & Associates		Larry Rose Construction, LLC		Hamilton Bros. Electric Inc.	
Item No.	Description	Unit	Estimated Quantity	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
GP-105a	MOBILIZATION/DEMOBILIZATION	LS	1	\$ 18,305.00	\$ 18,305.00	\$ 25,000.00	\$ 25,000.00	\$ 9,000.00	\$ 9,000.00	\$ 15,000.00	\$ 15,000.00
02317a	EXCAVATION	CY	130	\$ 20.00	\$ 2,600.00	\$ 35.00	\$ 4,550.00	\$ 43.00	\$ 5,590.00	\$ 11.00	\$ 1,430.00
02056a	GRANULAR EMBANKMENT	CY	130	\$ 30.00	\$ 3,900.00	\$ 50.00	\$ 6,500.00	\$ 81.00	\$ 10,530.00	\$ 36.20	\$ 4,706.00
D-701a	12-INCH RCP CULVERT	LF	16	\$ 80.00	\$ 1,280.00	\$ 175.00	\$ 2,800.00	\$ 50.00	\$ 800.00	\$ 32.00	\$ 512.00
L-108a	#8 L-824 TYPE C, 5KV CABLE	LF	400	\$ 3.50	\$ 1,400.00	\$ 3.00	\$ 1,200.00	\$ 3.75	\$ 1,500.00	\$ 1.10	\$ 440.00
L-108b	#6 L-824 TYPE C, 5KV CABLE	LF	400	\$ 4.50	\$ 1,800.00	\$ 3.00	\$ 1,200.00	\$ 4.05	\$ 1,620.00	\$ 1.10	\$ 440.00
L-108c	#8 L-824, 600V CABLE	LF	340	\$ 3.00	\$ 1,020.00	\$ 2.00	\$ 680.00	\$ 1.75	\$ 595.00	\$ 1.10	\$ 374.00
L-108d	#10 L-824, 600V CABLE	LF	170	\$ 2.50	\$ 425.00	\$ 2.00	\$ 340.00	\$ 1.15	\$ 195.50	\$ 0.75	\$ 127.50
L-108e	COUNTERPOISE WIRE	LF	180	\$ 4.00	\$ 720.00	\$ 2.00	\$ 360.00	\$ 4.00	\$ 720.00	\$ 0.75	\$ 135.00
L-109a	ELECTRICAL VAULT BUILDING	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 28,500.00	\$ 28,500.00	\$ 16,000.00	\$ 16,000.00
L-109b	15kW CONSTANT CURRENT REGULATOR	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 28,750.00	\$ 28,750.00	\$ 15,000.00	\$ 15,000.00
L-109c	ELECTRICAL VAULT EQUIPMENT	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 7,500.00	\$ 7,500.00	\$ 5,175.00	\$ 5,175.00	\$ 22,000.00	\$ 22,000.00
L-110a	4 - 2" PVC DUCT, CONCRETE ENCASED	LF	75	\$ 50.00	\$ 3,750.00	\$ 50.00	\$ 3,750.00	\$ 35.00	\$ 2,625.00	\$ 40.00	\$ 3,000.00
L-110b	4 - 2" PVC DUCT, DIRECT EARTH BURIED	LF	120	\$ 20.00	\$ 2,400.00	\$ 30.00	\$ 3,600.00	\$ 25.00	\$ 3,000.00	\$ 15.60	\$ 1,872.00
L-110c	1 - 2" PVC DUCT, DIRECT EARTH BURIED	LF	30	\$ 5.00	\$ 150.00	\$ 10.00	\$ 300.00	\$ 25.00	\$ 750.00	\$ 10.00	\$ 300.00
L-115a	L-867 JUNCTION BOX, SIZE E	EA	5	\$ 850.00	\$ 4,250.00	\$ 625.00	\$ 3,125.00	\$ 1,495.00	\$ 7,475.00	\$ 575.00	\$ 2,875.00
TOTAL SCHEDULE I					\$ 107,000.00		\$ 115,905.00		\$ 106,825.50		\$ 84,211.50

* Red Text indicates that errors were found in the bid and the numbers revised for correctness.

BID TABULATION - SCHEDULE II

SCHEDULE II BID TAB				Engineer's Estimate		Blackburn & Associates		Larry Rose Construction, LLC		Hamilton Bros. Electric Inc.	
Item No.	Description	Unit	Estimated Quantity	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
GP-105a	MOBILIZATION/DEMOBILIZATION	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,725.00	\$ 1,725.00	\$ 1,200.00	\$ 1,200.00
L-125a	REPLACE PAPI EQUIPMENT	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,120.00	\$ 10,120.00	\$ 18,000.00	\$ 18,000.00
TOTAL SCHEDULE II					\$ 16,000.00		\$ 11,500.00		\$ 11,845.00		\$ 19,200.00

* Red Text indicates that errors were found in the bid and the numbers revised for correctness.



Kanab City

76 N Main, Kanab, Utah 84741

435-644-2534

Land Use Coordinator

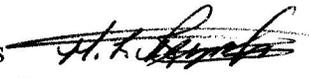
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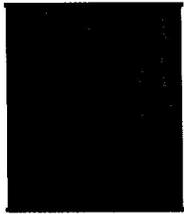
Staff Report

Date: January 25, 2016
To: City Manager, Joe Decker
From: Mike Reynolds, Land Use Coordinator
Subject: Parcel K-16-15 A-ANNEX zone change

On January 19, 2016, the Kanab City Planning Commission conducted a public hearing on a request a for a zone change to Parcel K-16-15A- ANNEX from RA-5 to RR-1 on 2.5 acres. The property is located next to 856 S 1000 E, Kanab, Utah. Shirley Shumway is the applicant. Alpha Engineering and Bob Nicholson conducted reviews on the application and prepared staff reports. Both staff reports had no concerns. There were no objections or concerns voiced during the public hearing. I received no objections or concerns from the public and surrounding neighbors.

At the conclusion of the public hearing, Arlon Chamberlain made a motion to recommend to Kanab City Council a zone change of parcel K-16-15A-Annex from RA-5 to RR-1. Marty Ott seconded the motion. Motion passed unanimously.

Mike Reynolds 
Land Use Coordinator
Kanab, Utah 84741



Kanab City
Planning Commission
76 N Main, Kanab, UT 84741
435-644-2534

Date: January 22, 2016
To: Kanab City Council,
City Manager, Joe Decker
From: Joan Thacher, Planning Commission Chairperson
Subject: Parcel K-16-15 A-ANNEX zone change

On January 19, 2016, the Kanab City Planning Commission conducted a public hearing on a request a for a zone change to Parcel K-16-15A- ANNEX from RA-5 to RR-1 on 2.5 acres. The applicant, Shirley Shumway, and her representative, Duane Barnson, were present during the discussion and public hearing. There were no objections or concerns voiced during the public hearing.

Arlon Chamberlain made a motion to recommend to Kanab City Council a zone change of parcel K-16-15A-Annex from RA-5 to RR-1. Marty Ott seconded the motion. Motion passed unanimously.

Joan Thacher 
Planning Commission Chairperson
Kanab, Utah 84741

Kanab City

From: noreply@civicplus.com
Sent: Thursday, October 29, 2015 11:04 AM
To: zoning@kanab.net; kanabcity@kanab.net
Subject: Online Form Submittal: Zone Change Application

Zone Change Application

Fees

The calculated fees for a Zone Change of \$100 + Acreage Charge are required before processing of this application can begin. After submitting this application, the applicant will have the opportunity to pay by mail or hand deliver to the Kanab City Office.

Applicant Information

First Name	Shirley
Last Name	Shumway
Address1	856 S. 1000 E.
Phone	435-899-0223
City	Kanab
State	UT
Zip	84741
Property Location	Approximately 860 S. 1000 E. Kanab, UT 84741
Existing Use of Property	Agricultural
Use of Adjacent Property	Residential and Agricultural

(Section Break)

Select the current Zone District that you are requesting to change FROM.	RA-5 (Agriculture 5 acre)
--	---------------------------

Select the current Zone District that you are requesting to change TO.	RR1 - (Rual Residential 1 acre)
--	---------------------------------

Acres	2.5
-------	-----

Parcel ID	K-16-15A-ANNEX
Development Time Table	At the will of the new owner
Intended Use of Property	Rural Residential/Agricultural
Describe All Sensitive Lands Imacts	None that I am aware of.
Developer Address (if different than applicant)	
First Name	<i>Field not completed.</i>
Last Name	<i>Field not completed.</i>
Address1	<i>Field not completed.</i>
Phone	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>
A list of names, street addresses and mailing addresses for owners of property within 140 feet from the outer boundary of the subject property. This includes the property owners across the street and in the rear of the subject property. In determining the 140 feet, the width of any intervening street or alley shall not be included.	Sheldon Willardson 985 S. Hillside Dr. Kanab, UT 84741 Property located on 1000 E. John C. & Pearl L. Trust 170 S. 200 W. #5 Kanab, UT 84741 Property located on 1000 E. Terrel Billy E. & Juanita 66 W. 200 S. Kanab, UT 84741 Property located on 1000 E. Shirly Shumway 856 S. 1000 E. Kanab, UT 84741 Property located on 1000 E.
Provide information for Owner(s)/Manager(s) if different than applicant.	<i>Field not completed.</i>
The following items may be required before processing of Application can begin:	
A. Development Plan <i>Two (2) copies of a development plan with necessary sketches drawn to scale showing the subject property and the surrounding properties within 140 feet of subject property and where pertinent, the use or uses, dimensions and locations of proposed and existing structures (including signs), area to be reserved for vehicular</i>	

and pedestrian circulation, parking, public uses, landscaping and other open spaces.

B. Covenants and Deed Restrictions

If there are any covenants or deed restrictions in effect relative to any of the subject property.

C. Legal Description of Subject Property, certified by a licensed land surveyor in the State of Utah.

Email sshumway24@gmail.com

Date 10/29/2015

Signature of All Property Owner's (if more than one) *Field not completed.*

Shirley Shumway

Email not displaying correctly? [View it in your browser.](#)

Dewayne 689-0220

Account 0061849

<u>Location</u>	<u>Owner</u>	<u>Value</u>		
Parcel Number K-16-15-ANNEX	Name SHUMWAY SHIRLEY R	Market (2015)	\$157,822	
Tax District 02 - KANAB CITY	856 S 1000 E	Taxable	\$103,902	
Acres 2.50	KANAB, UT 84741-3824	Tax Area: 02	Tax Rate: 0.011907	
Situs Address 856 S 1000 E		Type	Actual	Assessed Acres
Legal BEG AT A PT 1,270.0 FT E & 1,396.55 FT S FROM THE N 1/4 COR OF SEC 34 T43S R6W SLB&M & RUN TH W 526.5 FT; TH S 206.85 FT; TH E 526.5 FT; TH N 206.85 FT TO THE PT OF BEG. CONT 2.5 AC, M/L. *THIS IS A REMAINING DESCRIPTION*		NON-PRIMARY LAND	\$38,000	\$38,000 1.500
Child Accounts		PRIMARY BUILDING	\$78,822	\$43,352 0.000
Child Parcels		PRIMARY LAND	\$41,000	\$22,550 1.000
Parent Accounts				
Parent Parcels 3-6-34-3E				

Transfers

Instrument Date

08/26/2006

B: 0375 P: 0468

Tax

Images

<u>Tax Year</u>	<u>Taxes</u>	
*2015	\$1,237.16	
2014	\$1,278.60	
* Estimated		

- [Google Maps](#)
- [Photo](#)
- [GIS](#)
- [Map](#)

Name SHUMWAY SHIRLEY R

856 S 1000 E
KANAB, UT 84741-3824

Parcel Number K-16-15A-ANNEX

Tax District 02 - KANAB CITY

Acres 2.50

Situs Address

Legal BEG AT A PT 1,270.0 FT E & 1,189.70 FT S FROM THE N/4 COR OF SEC 34 T43S R6W SLB&M & RUN TH W 526.5 FT; TH S 206.85 FT; TH E 526.5 FT; TH N 206.85 FT TO THE PT OF BEG. CONT 2.5 AC M/L.

Child Accounts

Child Parcels

Parent Accounts

Parent Parcels k-16-15-ANNEX
3-6-34-3E



Account 0149628

Location

Parcel Number K-16-15A-ANNEX

Tax District 02 - KANAB CITY

Acres 2.50

Situs Address

Legal BEG AT A PT 1,270.0 FT E & 1,189.70 FT S FROM THE N/4 COR OF SEC 34 T43S R6W SLB&M & RUN TH W 526.5 FT; TH S 206.85 FT; TH E 526.5 FT; TH N 206.85 FT TO THE PT OF BEG. CONT 2.5 AC M/L.

Child Accounts

Child Parcels

Parent Accounts

Parent Parcels k-16-15-ANNEX

3-6-34-3E

Transfers

Owner

Name SHUMWAY SHIRLEY R

856 S 1000 E

KANAB, UT 84741-3824

Value

Market (2015) \$38,000

Taxable \$38,000

Tax Area: 02 Tax Rate: 0.011907

Type Actual Assessed Acres

NON-PRIMARY \$38,000 \$38,000 2.500 LAND

Instrument Date

08/26/2006

B: 0375 P: 0468

Tax

Images

Tax Year

Taxes

*2015	\$452.47
2014	\$495.55

- Photo
- GIS
- Map

* Estimated

Binned maps ea.

Planning Commission agenda report for 1/5/16; Public hearing to consider a zone change request from RA-5 to RR-1 on 2.5 acres located at approximately 860 S. 1000 East. Shirley Shumway, applicant.

Present Zone: Residential-Agricultural RA-5 (5 acres minimum lot size)

Existing use of property: Agricultural

Proposed Zone: Rural Residential RR-1 (1 acre minimum lot size)

Applicant: Shirley Shumway, property owner

Parcel #: K-16-15A-Annex

Current General Plan designation for property: MDR (Medium Density Residential 3.3-5 du/ac)

Acres: 2.5 acres

Location: Approximately 860 S. 1000 E.

Request: Approval of a zone change from RA-5 (5 ac min lot size) to RR-1 (1 acre min lot size) on 2.5 acres. The property fronts on 1000 East Street, and the applicant owns a home on 2.5 acres located immediately north of the subject parcel. The property is located in an area designated in the General Plan as MDR (3.3 to 5 du/ acre) so smaller lots are planned in the future for this general area. At present, without a public sewer line in the immediate area the home will need to have a septic tank and drainfield for the wastewater treatment. The RR-1 zone is presently located just to the northwest of the subject property. The applicant should be aware that based on the City General Plan, the subject area may have lots ranging in size from 8,000 sq ft to 10,000 sq ft or larger when sewer service is extended to the area.

Staff recommendation: No particular concern with the rezone request with the understanding that the applicant is aware that smaller lots are proposed in the future for this general area. Because this is a zone change request, a public hearing is required prior to the PC making a recommendation on the request.

FROM WR.
BOB NICHOLSON



43 South 100 East, Suite 100 T 435.628.6500
St George, Utah 84770 F 435.628.6553

alphaengineering.com

November 24, 2015

Kanab City
Attn: Mike Reynolds
76 North Main
Kanab, UT 84741

RE: Shumway Zone Change Review

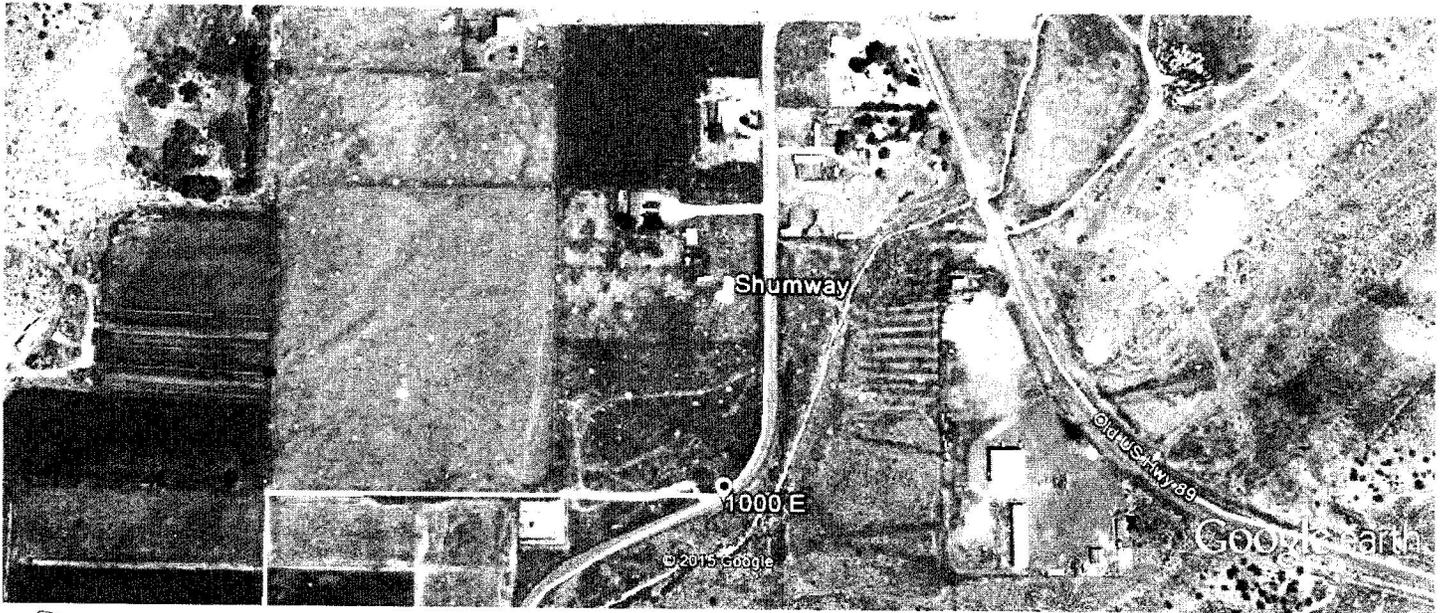
Dear Mike,

We have reviewed the Initial Application and Legal Description provided for the proposed Zone Change for the 2.5 Acre parcel located at approximately 856 South 1000 East in Kanab, Utah. The legal description provided is a complete description of the subject property and it appears to be a complete application. We recommend the application be forwarded to Planning Commission and City Council for consideration.

Please let us know if you have any questions regarding this review.

Sincerely,

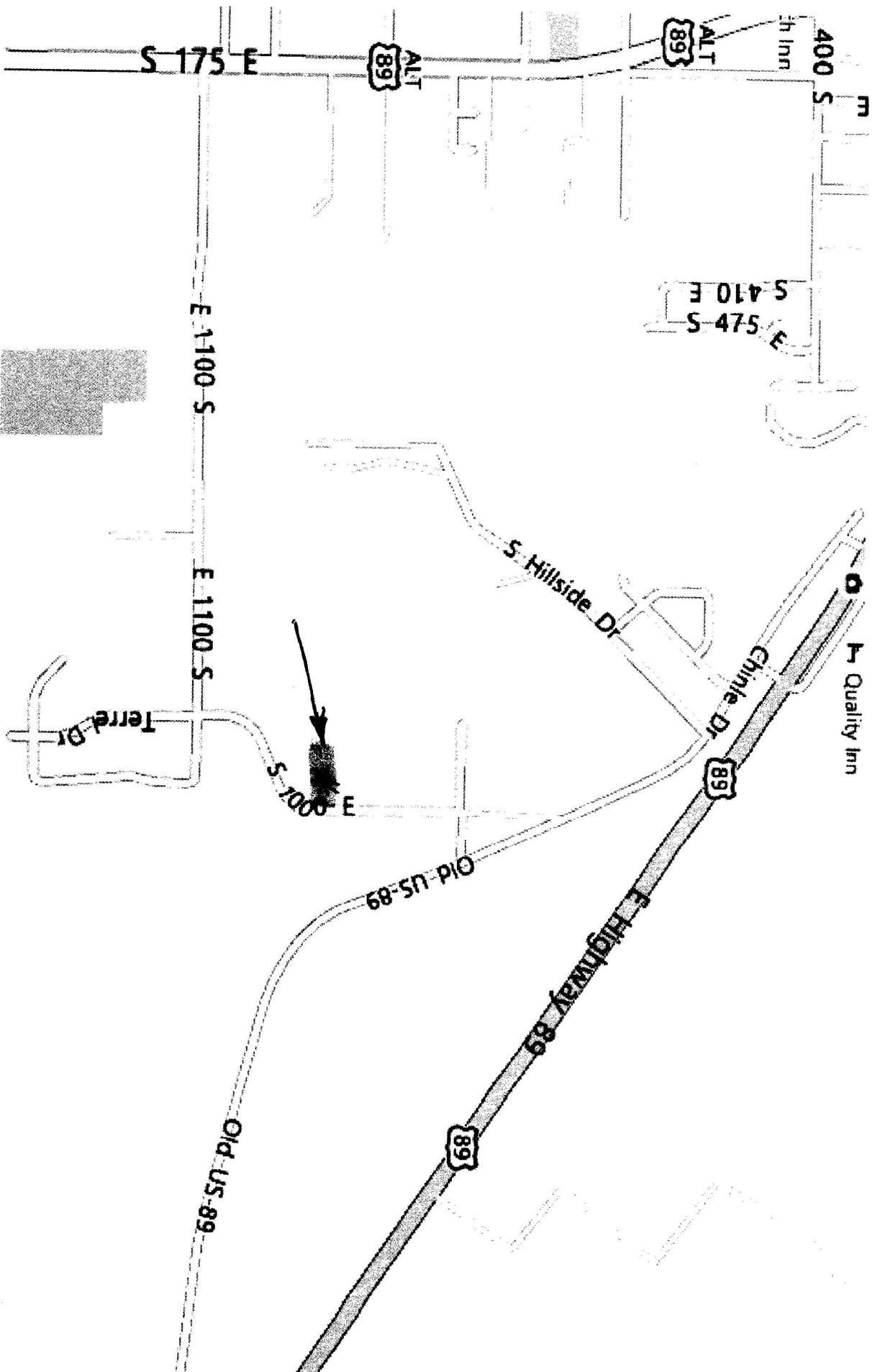
Glen Carnahan, P.E.
ALPHA ENGINEERING COMPANY



Shumway



Windows Maps



Jackson Excavation Inc.



P.O. Box 187 / 925 West Propane Lane
Bicknell, UT 84715
Phone: 435-425-3354 / Fax: 435-425-3631
jacksone@iwebconn.com

January 21, 2016

Here is a brief explanation of some of the extra costs that have been incurred by Jackson Excavation:

Jackson Excavation began to put in soil lifts at the dam on Monday, 12/28/2015 and had placed 8'-9' of soil through Wednesday. All lifts met the requirements for compaction and moisture, however the soil was pumping. After discussion with Russ Funk and the City, the decision was made to stop building the dam and remove some of the pumping soil until we could get to a stable lift where the soil was not pumping. Jackson Excavation ended up removing approximately 7'-8' of soil.

After a discussion with Russ Funk, we determined to try to put soil in at a moisture content of 9%–10% instead of the 12% that we were previously directed to do. Jackson Excavation and Sunrise were interested to see if it would eliminate the pumping conditions. We mixed the wet soil with dry material and put about 7' of the soil back in. The process of getting approval from Dam Safety and the engineers on the lower moisture content took several days. Dam Safety ultimately said they could not accept the dryer moisture.

After talking to Russ Funk, Dam Safety had decided to meet with us on-site to look at different methods of placing the material. Dam Safety later decided that they did not want to meet with us on-site and their decision was that we were over-compacting the material. Several ideas were discussed, but it was up to us to decide how to place the material. So we, Jackson Excavation, did some experimenting on our own to determine how to place the material. We decided that we could not travel on the material with any equipment with rubber tires to keep the material from pumping. We again removed the 7' of soil previously placed and replaced it with the higher moisture content of 12%. This method has worked, but we have had to build the entire Dam by pushing the material out there with dozers instead of hauling it out there and placing it with Loaders.

The time and cost for equipment to remove and replace soil process:

921 Loader	45 hrs x 150.00=\$6,750.00
744 Loader	45 hrs x 150.00=\$6,750.00
644 Loader	45 hrs x 140.00=\$6,300.00
320 Excavator	45 hrs x 150.00=\$6,750.00
700 Dozer	45 hrs x 140.00=\$6,300.00
Compactor	25 hrs x 100.00=\$2,500.00
<u>Mobilization & Labor</u>	<u>\$200 x 6 men x 5 days=\$6,000.00</u>
Total:	\$41,350.00

Extra costs incurred to push material onto Dam:

D-7 Dozer	100 hrs x 140.00=\$14,000.00
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Also, Dura Crete could not make to boxes to the engineers specifications. They tried many different times. They had acquired extra costs because of not understanding the difficulty of the design to build these boxes. Their original quote went up by \$22,451.32

Total of these 3 lines: \$77,801.32

Another unexpected cost is for the air vents that go on the boxes. We did not understand from the plans or bid schedule that there are 3 vents required, and only planned on 1 vent. Our total bid on this item is \$3,500.00. The cost of materials alone for these vents, labor not included is \$7,950.00. This is a difference of \$4,450.00, that we will have to come up with.

The total unexpected cost that Jackson Excavation has incurred on the project is \$82,251.32.

We hope the city will look closely at this and realize that Jackson Excavation has already encountered many unanticipated costs associated with this project. We have also been working 5-6 days a week with 6-8 men trying to get this project completed. This many men and overtime hours also adds expenses that we were not anticipating. We appreciate your willingness to read this and to consider all the facts that there are to consider. We hope to be able to work things out without this costing anybody additional money.

Tony Jackson
President / Owner

PROGRESS REPORT



PROJECT NAME: KANAB CITY – TOM'S CANYON FLOOD CONTROL PROJECT

PROJECT NUMBER: 05049

TO: MAYOR HOUSTON & CITY COUNCIL

FROM: RUSSELL FUNK

DATE: 1/21/2016

Mayor Houston & Council,

Per your request, I have prepared this progress report to provide some of the key details you have requested as you make some important decisions relating to the Tom's Canyon Flood Control Project. The following points summarize some of the key dates and occurrences so far on the project.

- The original construction period was 75 calendar days commencing on August 31st and running through November 14th.
- Jackson Excavation started the project on time and progress was on schedule until they were notified about the delay from Dura-Crete. Because there was not much work to do until the box culverts were ready, during a progress meeting on September 22nd, they proposed pulling off the job until the boxes were completed.
- They resumed work on October 26th to install some standard boxes that had been delivered by Dura-Crete. The pressure rated boxes were not available at this time.
- Based on several commitments from Dura-Crete with regard to delivery of the boxes, a revised schedule was established targeting December 19th as an updated completion date. Jackson Excavation committed to working 6 days a week and maintaining a larger work force to meet this schedule.
- Unfortunately, Dura-Crete was not able to keep their commitment due to manufacturing problems. Jackson Excavation made every effort to be productive and demonstrate their commitment to the project, but without the pressure rated boxes, there was only so much work that could be completed.
- We held a meeting on November 12th with Jackson Excavation and Dura-Crete. During this meeting Dura-Crete informed us that they would not be able to provide the gasketed boxes as specified. We discussed the options, including using another manufacturer, and considering a variance or alternate to the box requirements. Ultimately, following negotiations, performance testing verification, and coordination with Dam Safety, an alternate proposal was accepted.
- Following the final approval from Dam Safety for the change which took place on December 1st, manufacturing and delivery of the boxes was expedited and the boxes were all installed. The final box was installed on Monday, December 14th. Construction of the shot-crete batter required on the outside of the boxes was completed on Friday, December 18th.
- A Dam Safety inspection was completed on the box culvert outlet on Tuesday, December 22nd. Fill work on the dam resumed on Monday, December 28th after providing time for the concrete to cure and due to the Christmas Holiday. A revised schedule was requested from Jackson Excavation which projected a completion date of January 30th.
- After 3 days of fill work around the box culverts, Sunrise was notified about the extreme pumping conditions. Almost two weeks of time was lost in experimenting with the soil and coordination between Sunrise Engineering, Kanab City, Jackson Excavation, and Dam Safety. All material that had been placed during this time needed to be removed.
- After determining the cause of the challenges with the soil, effective fill work on the embankment was able to resume beginning on Thursday, January 7th. However, in order to avoid overworking of the soil which would lead to pumping concerns, Jackson Excavation resumed work using Dozers to push and spread the soil rather than hauling loads out on to the embankment. This method requires more time for construction. Considering this loss of time and the more time consuming construction techniques, a revised estimate for completion of Saturday, February 13th has been established.

Comparing the projected completion date of February 13th to the original completion date of November 14th indicates a difference of 91 calendar days. However, there are numerous reasons why consideration should be given to crediting some of this time back to the Contractor. These include the following:

- 2 days to account for the large rainstorm which occurred on September 14th and flooded the excavation.

- 7 days to account for the addition of a collar filter, drain, and manhole system to the project.
- 4 estimated weather days when no work was occurring on site while waiting on the pressurized boxes.
- 3 days for weather prior to shot-crete placement (colder than recommended for placement).
- 10 days to account for time lost due to pumping soil conditions.
- 7 days to account for slower construction methods moving forward to avoid further pumping.
- It is possible that they still may finish earlier than February 13th.

Assuming they do complete the project on February 13, approximately 33 of the overage days may be justified. This would leave approximately 58 days to be attributed to the delay with the box culverts, etc.

The council has also requested to know what additional engineering construction expenses the delay may have cost the City. Assuming a completion date of February 13th, I have projected that due to extended construction timeline, the Construction Administration budget will be exceeded by approximately \$12,000. This is partially due to the delay with the boxes and partially due to the reasons listed above for justified delays. I don't think breaking this amount up proportionally based on days would be completely accurate because of the variance in work required for a solution to the soil pumping issue vs. when no work was occurring on site, etc.

I don't believe that the delay has caused a significant increase to the material testing costs for the project because when no work was occurring on site, no testing was required. In addition, we originally intended the testing on the dam to coincide with the testing on the City storm drain project. However, very little testing was requested during the City project, so the fact that the projects weren't completed at the same time has had very little impact on the testing budget.

Jackson Excavation reported in the last Council work meeting that they estimate that the work and time required to determine the solution for the soil pumping challenges cost them somewhere between \$35,000 and \$40,000. I understand that they have based this estimate on equipment and man-hours during the applicable time period.

As a means of comparing this cost, I have also estimated the yardage of material placed and removed during this time period. Based on a length of 165 ft, a width of 30 ft, and a depth of 8 ft, a rough volume of 1,467 cubic yards was calculated. They placed and removed this volume of material twice during that time period. Based on their bid prices of \$6/cy for embankment construction and \$4/cy for excavation, the total cost for this work would be \$29,300. They also constructed a small test pad to experiment with construction methods during this time which wouldn't be included in these calculations.

I want to be clear that I have provided this information just as a means of comparison, and not to indicate that I agree that the cost is justified. Jackson Excavation did much of this work on their own without direction. However, their efforts were very helpful in determining how to proceed.

Another clarification is that this estimated cost does not include the potential claim for additional time due to the construction methods they used to construct the embankment. It is estimated that this method would have taken approximately another week, if they had not increased their labor and equipment force as they have. Again, I am not confirming that this claim is justified, just that there is the potential for another change order request that could potentially close the gap on the difference between the charges for the delay vs. the change order claims.

Jackson Excavation has indicated that they would not pursue the claims for additional work if the City would waive the potential penalty for liquidated damages. This also seemed to be the general direction the Council was leaning during our discussion during the work meeting held on January 12th.

It is my opinion that pursuing this course would be the cleanest and best approach for all parties involved. I also feel that the proposal is fair based on the extra effort expended by Jackson Excavation. Consequently, I have prepared a change order outlining the details of this proposal. It is my recommendation that the Council move forward with approval of the change order.

I want to reiterate that other than the difficulty with the box culverts, my experience with Jackson Excavation has been very positive. I feel that they have done everything within their power to get the project back on track in spite of the delays caused by their supplier.

It is anticipated that construction of the project will be completed by February 13th, and that the City will be happy with the final result. Overall, I think the City will consider the project to be a great success.

We want you to know that we appreciate the opportunity to have joined with the City on this Project and hope that our experience has been positive for you. Please let me know if you have any questions or concerns and I will do my best to address them.

Mayor
Robert D. Houston
City Manager
Joseph M. Decker
Treasurer
RaeLene Johnson



City Council
Brent Chamberlain
Joe B. Wright
Jeff Yates
Michael East
Byard Kershaw

January 25, 2016

RE: Staff recommendation on Tom's Canyon

To: City Council

From: Joe Decker

After close review of the documents provided, history of the project and speaking with colleagues for some time, it is my recommendation to try and negotiate with Jackson Excavation on moving the Final completion date to February 13th, after that date penalties of One Thousand Dollars (1000.00) per day will begin. In concurrence with the above we will also need to negotiate with Jackson to absorb all additional cost that they have shown in their letter in exchange for eliminating current penalties accrued. If the later cannot be negotiated than we do not need to worry about changing the date and stay with the original contract.

Yes there has been some increase in the cost of engineering and administration of the project, but we have also had a decrease in staking and on site work from the engineers. This will still leave us with an amount that we can do reimbursements for costs that the general fund has absorbed on the storm drain part of the project.

Attached are letters with estimates on additional costs from Jackson Excavation and a progress report from Sunrise engineering.

– A Western Classic –