



**Mayor**

**Nina Laycook**

**City Manager**

**Duane Huffman**

**Treasurer**

**RaeLene Johnson**

**City Council**

**James G. Sorenson**

**Cheryl Brown**

**Ed Meyer**

**Joe B. Wright**

**Kirt Carpenter**

**KANAB CITY COUNCIL**  
November 13, 2012  
76 NORTH MAIN, KANAB, UTAH

- 6:30 P.M. Work Meeting
- Staff Report
  - Discussion on Capital Improvements List Updates
- 7: 00 P.M. Approval of minutes of previous meeting and accounts payable vouchers;
- 7:05 P.M. 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 3-606;
- 7:20 P.M. Consider motion granting local consent to for an On-Premise (non-tavern) Beer License to Bonnie Porter for Walker's Store #525/ 7-Eleven Store #364 located at 301 South Fairway Drive, Kanab;
- 7:30 P.M. Consider a request for Zone Change for Parcel K-6-1-Annex at 476 South 100 East owned by Gary and Terri Glover from **C-2 Commercial to R-1-8 Residential**;
- 7:40 P.M. Consider Cooperative Agency Agreement and Grant Agreement with Aeronautical Operations Division of the Utah Department of Transportation for rotating beacon and record of survey projects;
- 7:50 P.M. Consider Proclamation Designating November 15, 2012 as Kanab Recycles Day
- 7:55 P.M. Consider motions to review or consider the compensation of the city recorder/city manager for the purpose of determining whether or not it should be adopted, changed, or amended, and to set a time and place for a public hearing" to consider adopting, changing, or amending the salary of the city recorder/city manager. These motions are required by UCA 10-3-818 as part of the process for the council's consideration of a new contract with the city manager which will be considered in December.

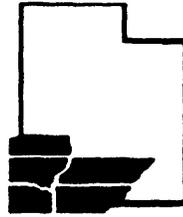
Times listed for each item on the agenda may be accelerated as time permits. If you are planning to attend this public meeting and due to a disability need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting, and we will try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

**– A Western Classic –**

# Five County Association of Governments

1070 West 1600 South, Building B  
St. George, Utah 84770

Fax (435) 673-3540



**SOUTHWEST UTAH**

Post Office Box 1550  
St. George, Utah 84771

Office (435) 673-3548

## **\*\* M E M O R A N D U M \*\***

**TO: COMMISSIONERS, MAYORS, AND REPRESENTATIVES OF SPECIAL DISTRICTS IN THE FIVE COUNTY REGION**

**CC: COUNTY CLERKS; CITY/TOWN MANAGERS AND CLERKS**

**FROM: DIANE LAMOREAUX, COMMUNITY DEVELOPMENT PROGRAM SPECIALIST**  
**GARY ZABRISKIE, CIB REGIONAL PLANNER**

**DATE: OCTOBER 25, 2012**

**SUBJECT: CAPITAL IMPROVEMENTS LIST UPDATES**

It is time once again to update your local Capital Improvements Lists which are used when applying for funding from the U.S. Department of Housing and Urban Development (HUD) and/or the Utah Permanent Community Impact Fund Board (CIB).

**This will be your jurisdiction's only opportunity to submit updated Capital Improvements Lists** to be used for Community Development Block Grant (CDBG) applications submitted in February 2012 and any applications submitted to CIB in June 2013, October 2013 or February 2014.

The regional Consolidated Plan, required by HUD, includes tables identifying all capital improvement priorities in the Five County area. The plan also provides for general regional goals and policies regarding community, economic, and housing development. Jurisdictions and agencies that may apply for funding from HUD are required to participate in the development and updating of the Consolidated Plan.

Additionally, the CIB Regional Planner maintains a database of CIB Capital Improvements Lists for each county. To be eligible to apply to the CIB for funding, a project must be on the current year's CIB prioritized list, unless a bonafide emergency exists.

There are two elements of the Capital Improvements Lists: a **1-year action plan** and a **2-5 year project list**. The 1-year action plan should only include projects that your jurisdiction intends to apply for within the next year. For the 1-year action plan, planned funding sources should be clearly identified with cost estimates shown. Projects on your 2-5 year project list are those anticipated to occur two to five years out. For those projects, the cost estimates may be more generalized with "likely" funding sources shown.

(Over)

**County Commissioners, Mayors, City/Town Managers and Representatives of Special Service Districts**  
**October 25, 2012**  
**Page two**

Your jurisdiction must prioritize projects on your 1-year action plan as “**high**” (H), “**medium**” (M) or “**low**” (L) needs. You can list more than one project as a high, medium or low need, but you must prioritize each one sequentially downward in priority as H-1, H-2, H-3, etc.

We have combined the process so that only one set of lists is necessary to be submitted annually by each jurisdiction. Five County AOG staff will extract information from the lists received to develop separate consolidated lists for CDBG and CIB funding.

If a proposed project is not included in your submitted Capital Improvements Lists, you will not be able to make application for CDBG or CIB funding of that project in the upcoming fiscal year. **A PROJECT MUST BE INCLUDED IN THE CAPITAL IMPROVEMENTS LISTS TO BE ELIGIBLE TO APPLY FOR EITHER CDBG OR CIB FUNDING.**

A public meeting will be scheduled and held in each county in February 2013 in which you or your representative will be invited to attend to review the 1 year CIB list and establish the consensus priorities within your county.

Copies of lists submitted by your jurisdiction last year are enclosed for reference purposes. Blank tables are provided for developing your jurisdiction’s new 1-year action plan and 2-5 year project list. Forms can also be provided to you via e-mail upon request. They are also posted for download on the Five County AOG web site at: [www.fivecounty.utah.gov/cil.html](http://www.fivecounty.utah.gov/cil.html)

Please submit a hard copy or e-mail your updated lists to the Five County Association of Governments office. These lists must be returned to our office ***NO LATER THAN FRIDAY, JANUARY 4, 2013. Lists received after the January 4<sup>th</sup> deadline will not be included.***

**TECHNICAL ASSISTANCE AVAILABLE**

The CDBG Program Specialist and the CIB Regional Planner at the Five County Association of Governments are available upon request to meet with representatives of your jurisdiction to assist in assessing your local capital facilities and infrastructure needs. It is our hope that by meeting and discussing your jurisdiction’s specific needs, applications to both CDBG and CIB will be more mature and of higher quality.

If you have questions or would like to request staff to meet with your jurisdiction, please contact Diane Lamoreaux at 435-673-3548 or via e-mail: [dlamoreaux@fivecounty.utah.gov](mailto:dlamoreaux@fivecounty.utah.gov)

We appreciate your efforts to help update Capital Improvements Lists for jurisdictions in the Five County region. Thank you.

dl  
Enclosures

**One Year Action Plan, Capital Investment Plan**

**Five County Consolidated Plan - Update 2012**

Jurisdiction	Local Priority	Project Description	Estimated Total Cost	Funding Source	Funding Amount	Year Submitted
<b>KANE COUNTY</b>						
Kane County		No information submitted for 1-year list				
Alton		No information submitted for 1-year list				
Big Water	H-1	Sewer Laterals for LMI Households	\$ 150,000	CDBG	\$ 150,000	2012
	M-2	Tax Study / Impact Fee Study	\$ 20,000	PCIFB (Grant)	\$ 10,000 10,000	2012
Glendale		No information submitted for 1-year list				
Kanab City	H-1	City-wide Flood Control Mitigation Project (Including large detention pond north of town and several lines to the Kanab Creek, or smaller phase as funding permits.)	\$ 12,000,000	PCIFB (L/G) NRCS USDA City	\$ 2,750,000 9,000,000 50,000 200,000	2012
	H-1	Siting Determination, Needs Analysis and Financing Study - Replacement of the Senior Citizens Center in Kanab	\$ 60,000	PCIFB Kanab City Kane County	\$ 30,000 15,000 15,000	2012
	H-1	Construction of Replacement Senior Citizens Center in Kanab	To be Determined in Facility Design	PCIFB (L/G) CDBG Kanab City Kane County	\$ TBD TBD TBD	2012
	H-1	New City Tennis Courts	\$ 227,000	State Grants Private Grants Kanab City	\$ 15,000 137,000 75,000	2012
	H-1	Capital Facilities Plan Update	\$ 6,500	City	\$ 6,500	2012
	H-2	Cemetery Expansion	\$ 75,000	City	\$ 75,000	2012
	H-1	<b>Color Country Community Housing, Inc.</b> Mutual Self-help Housing - (12 Units) Kanab City	\$ 2,280,000	USDA HOME	\$ 2,040,000 240,000	2012

**One Year Action Plan, Capital Investment Plan**

**Five County Consolidated Plan - Update 2012**

Jurisdiction	Local Priority	Project Description	Estimated Total Cost	Funding Source	Funding Amount	Year Submitted
Orderville	H-1	Red Hollow Backup Generator	\$ 69,000	CDBG Town	\$ 67,000 2,000	2012
	H-1	Senior Citizens Center Remodel Improvements	\$ 260,000	CDBG PCIFB (Grant) Town	\$ 150,000 100,000 10,000	2012
	H-1	Upgrade cooking area at Town Park	\$ 75,000	PCIFB (Grant) Town	\$ 65,000 10,000	2012
	H-2	Old Rock Church Renovation	\$ 200,000	PCIFB (Grant) Town	\$ 180,000 20,000	2012
	H-2	Acquisition of Property for Town Park	\$ 50,000	PCIFB (Grant) Town	\$ 45,000 5,000	2012
	H-2	Orderville Ballpark Improvements / Acquisition of Property	\$ 150,000	PCIFB (Grant) Town	\$ 140,000 10,000	2012
<b>KANE COUNTY WATER CONSERVANCY DISTRICT</b>						
Kane Co. Water Conservancy District		No information submitted for 1-year list				
<b>SOUTHWEST UTAH MENTAL HEALTH AUTHORITY</b>						
Southwest Utah Mental Health Authority	H-1	<u>Southwest Behavioral Health Center</u> Homeless Rental Assistance (Five Year Funding)	\$ 200,000* *all 5 counties	HUD	\$ 200,000*	2012
<b>SOUTHWEST UTAH PUBLIC HEALTH DEPARTMENT</b>						
Southwest Utah Public Health Department		No projects listed on 1-year list				

**Five year action plan, Capital Investment Plan**

**Five County Consolidated Plan - Update 2012**

Jurisdiction	Local Priority	Project Description	Estimated Total Cost	Funding Source	Funding Amount	Year Submitted
<b>KANE COUNTY</b>						
Kane County		No projects submitted for 2-5 year list				
Alton		No information submitted for 2-5 year list				
Big Water	H-1	Community Center	\$ 300,000	PCIFB (G/L)	\$ 300,000	2013-14
	H-2	Assume Glen Canyon Special Service District	Not Yet Determined	PCIFB (G/L)	Not Yet Determined	2013-14
Glendale		No information submitted for 2-5 year list				
Kanab City	M-1	Trails Project - Phase II	\$ 25,000	State Parks Kanab City	\$ 12,500	2013
	H-2	General Plan Update and Recreation Center Planning	\$ 50,000	PCIFB (Grant) City	\$ 25,000	2013
	H-3	Culinary Water Storage	\$ 1,000,000	BWR City	\$ 800,000	2014
	H-4	Convert Parks and Cemetery to Secondary Water	\$ 200,000	PCIFB	\$ 175,000	2015
	M-2	Trails Project -Phase III	\$ 25,000	State Parks City	\$ 12,500	2014
	M-3	TEA-21 Downtown Beautification Project	\$ 650,000	UDOT City	\$ 575,000	2015
	M-4	Trails Project - Phase IV	\$ 25,000	State Parks City	\$ 12,500	2016

**Five year action plan, Capital Investment Plan**

**Five County Consolidated Plan - Update 2012**

Jurisdiction	Local Priority	Project Description	Estimated Total Cost	Funding Source	Funding Amount	Year Submitted
Kanab City (Continued)	H-1	<u>Color County Community Housing, Inc.</u> Mutual Self-Help Housing (14 Units) in Kanab	\$ 2,660,000	USDA HOME	\$ 2,410,000 250,000	2013-17
	H-2	<u>Color County Community Housing, Inc.</u> New Construction Multi-Family (24 Units) in Kanab	\$ 4,200,000	CDBG UHC HOME	\$ 150,000 3,600,000 450,000	2013
	H-3	<u>Color County Community Housing, Inc.</u> CROWN Lease-to-own homes (8 Units) in Kanab	\$ 1,520,000	UHC HOME	\$ 1,320,000 200,000	2014
Orderville	H	New Fire Station - Mt. Carmel Area	\$ 250,000	Not Yet Determined	Not Yet Determined	2013
	H	Shooting Range	\$ 75,000	Not Yet Determined	Not Yet Determined	2013
	H	New/Remodel Town Offices & Justice Court	\$ 250,000	Not Yet Determined	Not Yet Determined	2014
	H	Agricultural Barn at High School	\$ 200,000	Not Yet Determined	Not Yet Determined	2014
	L	Skate Park	\$ 200,000	Not Yet Determined	Not Yet Determined	2015
	L	Auditorium	\$ 1,000,000	Not Yet Determined	Not Yet Determined	2016

KANE COUNTY COMMUNITY IMPACT BOARD (PCIFB) CONSOLIDATED LOCAL CAPITAL IMPROVEMENT LIST 1 YEAR(LIST WAS OPENED, AMENDED RE-PRIORITIZED AT A PUBLIC MEETING SEPTEMBER 20, 2012)

Kane County 1 Year List									
Applicant Priority	County Area Priority	Entity	Project Description	Estimated Total Cost	Revenue Sources/Shares	Loan	CIB Request	CIB Submission Date	
H-1	A	Kane County (Kane County MBA)	North Kane Events Center (in Orderville)	\$950,000	PCIFB \$400,000	Loan	\$200,000	Jun-12	
H-1	A	Long Valley Sewer Improvement District	Sewer System Improvement Project	\$4,000,000	PCIFB \$4,000,000	Loan	\$2,000,000 Grant	Oct-12	
H-1	B	Orderville Town	Old Rock Church Renovation	\$275,280	PCIFB \$225,000	Loan	\$88,000 Grant	Oct-12	
H-1	B	Alton Town	Road Rehabilitation Project	\$225,000	PCIFB \$225,000	Loan	Grant	Feb-13	
H-2	C	Kane County (Kane County MBA)	Architectural Design for Replacement Senior Citizens Center in Kanab	\$50,000	PCIFB \$25,000	Loan	Grant \$25,000	Feb-13	
H-1	C	Big Water Municipal Corporation	Drainage and Road Improvement Project	\$575,000	Town \$25,000	Loan	Grant \$225,000	Feb-13	
H-1	D	Kane County (Kane County MBA)	Vermillion Cliffs Flood Control Study/Design	\$60,000	Kane County \$50,000	Loan	Grant \$30,000	Oct-12	
H-1	D	Big Water Municipal Corporation	Assume Glen Canyon Special Service District Responsibilities and Liabilities	\$800,000	PCIFB \$800,000	Loan	Grant \$800,000	Feb-13	
H	E	Kane County (Kane County MBA)	Improvements to Alton Road	\$ Amount TBD	PCIFB \$TBD	Loan	\$ TBD Grant	Feb-13	
H-2	E	Kanab City	Kanab City Hall Retrofit	\$500,000	PCIFB \$500,000	Loan	Grant \$500,000	Feb-13	
H-1	F	Kanab City	Citywide Flood Control Mitigation Project (Large detention pond N of town & several lines to Kanab Creek, or smaller phase as funding permits)	\$75,000	NRCS \$9,250,000	Loan	Grant \$2,750,000	Feb-13	
H-2	F	Orderville Town	Park Improvements (Upgrade Cooking area at old park; Property Acquisition for New Park and Baseball Fields)	\$250,000	Town \$25,000	Loan	Grant \$225,000	Feb-13	
H-3	G	Kane County (Kane County MBA)/Kanab City	Acquisition &/or renovations of a building for a replacement Senior Citizens Center in Kanab if determined as preferred alternative by locally conducted study.	\$TBD	City/County MBA \$TBD	Loan	\$TBD Grant	Feb-13	

PERMANENT COMMUNITY IMPACT FUND BOARD (PCIFB) CONSOLIDATED LOCAL CAPITAL IMPROVEMENT LIST 2-5 Year

KANE COUNTY

Year 2-5 List Kane County												
Applicant Priority	County Area Priority	Entity	Project Description	Estimated Total Cost	Revenue Sources/Shares	CIB Request			CIB Submission Date			
						Loan	Grant	Grant				
H-1	N/A	Big Water Municipal Corporation	Tax Study/ Impact Fee Study	\$20,000	PCIFB \$10,000	Loan	Grant	Grant	\$10,000	2013-16		
H-2	N/A	Big Water Municipal Corporation	Construction of Community Center	\$300,000	PCIFB \$300,000	Loan	Grant	Grant	\$150,000	2013-14		
H-1	N/A	Kanab City	General Plan Update and Recreation Center Planning	\$50,000	PCIFB \$25,000	Loan	Grant	Grant	\$25,000	2013		
H-2	N/A	Kanab City	Convert Parks and Cemetery to Secondary Water	\$200,000	City \$25,000 PCIFB \$175,000	Loan	Grant	Grant	\$87,500	2013		
H-1	N/A	Orderville Town	Upgrade Cooking Area at Town Park	\$65,000	PCIFB \$65,000	Loan	Grant	Grant	\$65,000	2013-16		
H	N/A	Orderville Town	New Fire Station - Mr. Carmel Area	\$250,000	PCIFB \$250,000	Loan	Grant	Grant	\$125,000	2013		
H	N/A	Orderville Town	Shooting Range	\$75,000	PCIFB \$75,000	Loan	Grant	Grant	\$75,000	2013		
H-2	N/A	Orderville Town	Acquisition of Property for Town Park	\$45,000	PCIFB \$45,000	Loan	Grant	Grant	\$45,000	2013-16		
H-2	N/A	Orderville Town	Orderville Ballpark Improvements/Acquisition of Property	\$140,000	PCIFB \$140,000	Loan	Grant	Grant	\$140,000	2013-16		
H	N/A	Orderville Town	New/Remodel Town Offices & Justice Court	\$250,000	PCIFB \$250,000	Loan	Grant	Grant	\$125,000	2014		

KANE COUNTY

PERMANENT COMMUNITY IMPACT FUND BOARD (PCIFB) CONSOLIDATED LOCAL CAPITAL IMPROVEMENT LIST 2-5 Year

2 of 2

H	N/A	Orderville Town	Agricultural Barn at High School	\$200,000	Not Yet Determined	Not Yet Determined	Loan	NYD	Grant	NYD	2014
M	N/A	Orderville Town	Skate Park	\$200,000	Not Yet Determined	Not Yet Determined	Loan	NYD	Grant	NYD	2015
L	N/A	Orderville Town	Auditorium	\$1,000,000	Not Yet Determined	Not Yet Determined	Loan	NYD	Grant	NYD	2015
M	N/A	Kane County/Kane County MBA	Vermillion Cliffs Flood Control Project	\$ TBD from 2012 Flood Study	Not Yet Determined	Not Yet Determined	Loan	NYD	Grant	NYD	2013-16
M	N/A	Kane County/Kane County MBA	Kane County Multipurpose Facility	\$ NYD	Not Yet Determined	Not Yet Determined	Loan	NYD	Grant	NYD	2013-16
M	N/A	Southwest Utah Mental Health Authority	Supportive Housing - Minimum of four units in Kane County	\$5,400,000	LIHTC, OWHLF, AHP, HUD, CDBG \$5,300,000	PCIFB \$100,000	Loan	\$100,000	Grant		2016

**KANAB CITY COUNCIL MEETING  
OCTOBER 23, 2012  
KANE COUNTY COMMISSION CHAMBERS**

**PRESENT:** Mayor Nina Laycook, Council Members Kirt Carpenter, Cheryl Brown, James Sorenson, Joe B. Wright, and Ed Meyer, City Manager/Recorder Duane Huffman and City Treasurer RaeLene Johnson.

Prayer was offered by Ed Meyer.

**SITE VISIT:** The Council traveled up to the old BLM office building located at 318 North 100 East for a site visit. After the visit, the Council returned to the Commission Chambers for the remainder of their meeting.

**WORK MEETING:** City Manager Huffman gave a budget report to the Council. He presented a view of the first quarter of FY 12 and the first quarter of this year. Sales tax is better this year than last year. Operational expenditures are fairly constant. Attorney services have gone down. Mr. Huffman also updated the Council on the water project that has been going on. Mr. Huffman said that Public Works Director Keith Robinson has done a great job keeping water on or having it off for a short period of time during this project. Mayor Laycook told Mr. Huffman to express her appreciation to Mr. Robinson.

Mayor Laycook expressed her desire for an AD-HOC committee for the Airport. Since the Ordinances state that there is an airport advisory board, but there has been little interest expressed by residents in filling seats on the board, she felt that a smaller the ADHOC committee with a specific purpose could work with the current County enhancement team. Mr., John Rheinhart was concerned about not letting County residents serve on the airport board. Mayor felt that the idea of an interlocal agency that would work on goals for the City's and County's mutual interest should be explored. After discussion by the Council related to the need of an airport board, Council Member Carpenter said he would ask the Recreation and Transportation Board to see if they would like to serve on the airport board established by ordinance.

**APPROVAL OF MINUTES & VOUCHERS:** A motion was made by Council Member Wright and 2<sup>nd</sup> by Council Member Brown to approve the minutes of October 9 and October 19 with corrections and also the vouchers. Motion passed unanimously.

**PUBLIC COMMENT PERIOD:** No comments.

**CONSIDER ADOPTION OF RESOLUTION 10-2-12 R RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A RECYCLING MARKET DEVELOPMENT**

**ZONE APPLICATION:** Council Member Meyer presented the Recyclable Market Development Zone application to the Council. Some of the elements of the Recycling Plan are: The City will incorporate a section on solid and hazardous waste handling including recycling in its revision of the General Plan. Kanab City will include information about recycling on its website and promote tax incentives available through the Recycling Market Development Zone. A motion was made by Council Member Meyer to adopt Resolution 10-2-12 R authorizing the

City Manager to submit a Recycling Market Development Zone Application. Motion 2<sup>nd</sup> by Council Member Carpenter. Motion passed unanimously by roll call vote.

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

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MAYOR

NINA LAYCOOK

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RECORDER

DUANE HUFFMAN



**KANAB**  
UTAH

76 North Main  
Kanab, Utah 84741  
Phone: (435) 644-2534  
Fax: (435) 644-2536  
www.Kanab.Utah.Gov

# Application for Beer License

On-Line Version

KCFmABRL-Ver-1.0.04

*Note: If you require a Beer License, you must first apply for a Kanab City Beer License, ( this application ). Complete this application, submit and pay all local fees, then make application to have the Kanab City Council hear your request. If this application is approved you can then make application to the state for all of the state requirements and pay all state fees.*

*\* When applying for a NEW Beer License you will obtain the Beer License from the City Office after the state approves your application. For renewals just enter in the number that appears on your Kanab City Beer License.*

- I am applying for a New Beer License\*      Date requested (mmddyyyy) 10-12-2012
- I am renewing my Beer License

*Note: All Beer License Fee renewal(s) are due April 1 of each year. Late fees charged thereafter.*

### Applicant(s)

Provide information for Applicant(s) listed below. Use button to add additional applicant(s).

Name BONNIE PORTER      Phone (435) 899-9272      0

Address 790 SOUTH HWY. 89A      P.O. Box \_\_\_\_\_

City KANAB      State Utah      Zip Code 84741

Driver's License # D05945779      DL Expiration Date (mmddyyyy) 08-05-2029

State Arizona

Applicant SSN 527-89-5659      Applicants Birthday (mmddyyyy) 08-05-1964

### Prior Address

Address 215 NORTH MAIN STREET      P.O. Box \_\_\_\_\_

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**KANAB**  
UTAH

# Application for Beer License

On-Line Version

76 North Main  
Kanab, Utah 84741  
Phone: (435) 644-2534  
Fax: (435) 644-2536  
www.Kanab.Utah.Gov

KCfmABRL-Ver-1.0.04

Prior Address - continued

City FREDONIA State Arizona Zip Code 86022

Address 215 NORTH MAIN STREET P.O. Box \_\_\_\_\_

City FREDONIA State Arizona Zip Code 86022

Business Information:

Name WALKER'S STORE #525 / 7-ELEVEN STORE #364 Phone (435) 644-3488

Address 301 SOUTH FAIRWAY DRIVE P.O. Box \_\_\_\_\_

City KANAB State Utah Zip Code 84741

Type of Business  
 General Business  
 Professional Business  
 Other

Place mouse over the Business Types shown to the left to get a brief description.

Zoning Information -

Select the current Zone District that the business is located in. If not sure refer to the Kanab City Zoning Ordinance Map.

- C - 1     M - 1     R1 - 8     RA - 2     RR - 1     RM - 7     RM - 9
- C - 2     M - 2     R1 - 10     RA - 5     KCR-720     RM - 11     RM - 13
- C - 3     M - 3     R1 - 15     RA - 10     RM - 15
- CPD     R1 - 20

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**KANAB**  
UTAH

76 North Main  
Kanab, Utah 84741  
Phone: (435) 644-2534  
Fax: (435) 644-2536  
www.Kanab.Utah.Gov

# Application for Beer License

On-Line Version

KCfrmABRL-Ver-1.0.04

Zoning Information - continued

Zone District you selected: (C-3) Commercial - min 12,000 sqft parcels

### Convenience Store (P)

Select the appropriate approved use allowed in the zone district you selected. -----^

NOTE: (C) = Conditional Use permit required to conduct business. Refer to the On-Line Conditional Use Permit Application.  
(P) = Permitted Use. (\*) = Special requirements - see Land Use Chart found in the Kanab City Land Use Ordinance.

### Beer License Information

If you will be applying for Business License at the same time answer YES.  Yes  No  
( When applying for a Business License at the same time as this application you will not be shown a charge due on this application. It will be necessary to complete this application and receive a state beer licence number before applying for your Business License ).

- Class "A" ( Original Containers, consumption off premises. -----> 125.00
- Class "B" Original Containers, consumption on and off premises.\* -----> 250.00
- Class "C" Draft Beer, consumption on and off premises. \* -----> 375.00
- Class "D" Original containers, consumption on premises. \* -----> 125.00
- Seasonal Beer License --> 25.00 per Day

\* Class B, C, and D Beer License(s) must be licensed with the State of Utah.

Have you ever been convicted of a felony?  Yes  No

continued on Next Page



**KANAB**  
UTAH

76 North Main  
Kanab, Utah 84741  
Phone: (435) 644-2534  
Fax: (435) 644-2536  
www.Kanab.Utah.Gov

# Application for Beer License

On-Line Version

KCfrmABRL-Ver-1.0.04

Convictions - continued

Have you ever been convicted of any alcohol related offense?

Yes  No

### Prior Beer License Information

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Fees:

Fees Required \$0.00 Deposit Req'd \_\_\_\_\_

NOTE: The above listed fees must be paid in full before this application is considered complete. After submitting this form the applicant will have an opportunity to pay the required fees/deposits by either making payment on-line, by mail or by hand delivery to the Kanab City Office in the form of a check or money order.

Any business that requires a Class "B" (original containers - consumption on/off premises) or "C" (draft beer - consumption on/off premises) or "D" (original containers - consumption on premises) Beer License - must be licensed by the State of Utah. You can contact the Department of Alcoholic Beverage Control at the following address to obtain the license:

Department of Alcoholic Beverage Control  
1625 South 900 West  
Salt Lake City, Utah 84104  
Phone - (801) 977 6800

Before applying to the state you must have your Kanab City Beer License. The state also requires an application fee, the license fee, a bond, liability insurance and a criminal background check.

For the criminal background check packet contact:  
The Bureau of Criminal Identification  
Phone: (811) 965-4445

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2012-02-01 10:12:10:000 PM MDT

For assistance with this form, call 435-644-2534 or email [kcoffice@kanab.net](mailto:kcoffice@kanab.net) or  
Printed copies may be submitted by fax to 435-644-2536



**KANAB**  
UTAH

76 North Main  
Kanab, Utah 84741  
Phone: (435) 644-2534  
Fax: (435) 644-2536  
www.Kanab.Utah.Gov

# Application for Beer License

On-Line Version

KCfrmABRL-Ver-1.0.04

Contact Information: - continued

Contact Information:

Applicant must provide at least one email address for correspondence with City Administrative Staff.

Primary Email store525@tetco.com 2nd Email - optional \_\_\_\_\_

Applicant(s) Requesting Beer License:

I understand that falsifying any information on this application constitutes sufficient cause for rejection of my application or revocation of my license. I also understand that the City License Officer may require additional information as permitted by Ordinance, and I agree to supply the name upon request as part of this application.

NOTE: The application must be accompanied by a Criminal Background Check from (BCI) Bureau of the Criminal Information ( Phone - 801-965-4446 ) on the Applicant(s) listed on this application. You may hand deliver the BCI along with this application or Email a copy of the BCI to the Kanab City Office, if using an email attach the BCI to the email notification you received after submitting this application on-line.

NOTE: Filling in Signature Name and Date and submitting form will serve as a valid signature. Form will be date and time stamped when submitted.

Warning - once form has been submitted the form information can not be edited. If you need to change any information please contact the Kanab City Office.

Signature BONNIE PORTER Date ( mmddyyyy ) 09-26-2012 0

For City USE ONLY

Accepted \_\_\_\_\_ Date ( mmddyyyy ) \_\_\_\_\_

APPLICATION FOR BEER LICENSE  
POLICE DEPARTMENT APPROVAL

Applicant must contact the following departments: The department head must sign before a beer license will be issued.

continued on Next Page



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# Application for Beer License

On-Line Version

KCfrmABRL-Ver-1.0.04

Approvals - continued

Police Department - 140 East 100 South, Kanab, Utah 84741 Phone: 435-644-5854 Fax: 435-644-2403

Signature \_\_\_\_\_ Date (mmddyyyy) \_\_\_\_\_ 0

Notes

### APPLICATION FOR BEER LICENSE CITY COUNCIL APPROVAL

The Kanab City Council will hear the request for this Application when all required information has been received by the Kanab City Administration Office. This includes this application, all fees paid and a BIC.

City Council Approval

Signature \_\_\_\_\_ Date (mmddyyyy) \_\_\_\_\_ 0

Notes



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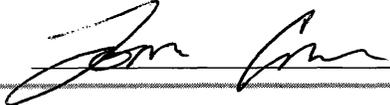
# Application for Beer License

On-Line Version

KCfrmABRL-Ver-1.0.04

Approvals - continued

Police Department - 140 East 100 South, Kanab, Utah 84741 Phone: 435-644-5854 Fax: 435-644-2403

Signature  Date (mmddyyyy) 10-12-12 0

Notes

### APPLICATION FOR BEER LICENSE CITY COUNCIL APPROVAL

The Kanab City Council will hear the request for this Application when all required information has been received by the Kanab City Administration Office. This includes this application, all fees paid and a BIC.

City Council Approval

Signature \_\_\_\_\_ Date (mmddyyyy) \_\_\_\_\_ 0

Notes

**Planning Commission Report from 11-6-12.**

**PUBLIC HEARING TO CONSIDER A ZONE CHANGE APPLICATION FOR PARCEL K-6-1-ANNEX AT 476 SOUTH 100 EAST OWNED BY GARY AND TERRI GLOVER FROM C-2 COMMERCIAL TO R-1-8 RESIDENTIAL:** Member Avant made a motion to recommend to City Council a Zone Change to Parcel K-6-1-Annex from C-2 Commercial to R-1-8 Residential with the findings that it abuts a current residential, it wouldn't have an overly burden impact on the a-joining commercial and that it has been used as a residential lot since 1973. And that it needs to be confirmed by Building Inspector Russ Keller that the house meets the current setbacks in any permanent structures on the a-joining commercial lots. Motion 2<sup>nd</sup> by Member Day. Motion passed unanimously.

**Mayor**

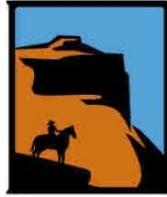
**Nina Laycook**

**City Manager**

**Duane Huffman**

**Treasurer**

**RaeLene Johnson**



**KANAB**  
— UTAH —

**City Council**

**James G. Sorenson**

**Cheryl Brown**

**Ed Meyer**

**Steven R. Mower**

**Anthony Chatterley**

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**KANAB CITY PLANNING COMMISSION STAFF REPORT- November 6, 2012**

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**I. ITEM:**

**Proposed zoning change from existing C-2 (Commercial) to R-1-8 (Single Family Residential) for parcel K-6-1 Annex**

**II. BACKGROUND:**

The property owners of parcel K-6-1 Annex, located at 476 South 100 East, have submitted an application for a zone change from the existing C-2 (commercial) designation to a R-1-8 (residential) designation. The 0.51 acre parcel is currently of single family residential use, and has been used as a residence since 1973. Adjacent property uses include a veterinary clinic to the south, a vacant lot to the north, a high school to the west, and a R.V. park to the east. The applicant is currently researching refinancing options and is experiencing difficulty finding a lender who is willing to refinance due to the commercial zoning status. Below are possible reasons to approve or reject this zoning amendment request.

**Reasons to approve zoning amendment request**

1. The zoning designation is creating a financial hardship to the property owners
2. The current and past use of the property is single family residential
3. The current use of the property does not conflict with surrounding land uses. The transitional commercial corridor includes a mix of commercial and residential uses. Surrounding parcels are of residential use.
4. Based upon the low intensity of commercial development in the corridor and the presence of several vacant lots in the vicinity, the use of the property does not appear to inhibit the potential for commercial development in this part of the city.

**Reasons to reject zoning amendment request**

1. All properties adjacent to Hwy. 89-A on this corridor are currently zoned commercial. Changing the zoning designation would create an exception to this characteristic.

**— A Western Classic —**

2. The Future Land Use Map in the Kanab City General Plan displays this parcel as “transitional commercial overlay.”
  
3. Although the zoning designation is creating financial hardship for the property owner, the current zoning designation is not inhibiting the inhabitants from maintaining a residential use. If the zoning designation were changed to residential, a future commercial developer would have to request a rezone before approval for the development.

### **III. STAFF RECOMMENDATION:**

Kanab City Land Use Ordinance Section 1-17 (Zoning Amendments) stipulates that “proposed (zoning) amendments shall first be submitted to the Planning Commission for recommendations.” Staff proposes that the Planning Commission discuss the above items before submitting a recommendation of approval or rejection to the City Council pertaining to the aforementioned zoning designation change to Kanab City Land Use Ordinance.



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# Application for Zone Change

On-Line Version

KCfrmAZC-Ver-1.0.20

## Application:

Application is hereby made to the City Council of Kanab City, Utah, to amend the Kanab City Zoning Map by reclassifying the following property:

## Applicant Information:

Name Gary and Terri Glover Phone (435) 689-1385  
Address 476 S.100 E. P.O. Box \_\_\_\_\_  
City Kanab State Utah Zip Code 84741

## Acres:

0.51 Acres Existing Zone C - Commercial  
No acreage charge for total acres under 1. Proposed Zone R-1-8 (Single Family Residential 8,000sf)  
Parcel ID K-6-1 Annex

NOTE: When applying for a Zone Change and the proposed zoning classification does not match the General Plan Future Land Use Map classification then a Application for General Plan Amendment will be required to be submitted and approved prior to submitting a Zone Change Request.

Property Location: Indicate approximate property location using ( East-West / North - South ) street address

476 S. 100 E. Kanab, Utah 84741

## Existing Use of Property

Residence



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# Application for Zone Change

On-Line Version

KCfrmAZC-Ver-1.0.20

## Use of Adjacent Property

Commercial-Vet Clinic, Vacant lot

## Development Time Table: State the time table for development.

n/a

## Intended Use of Property:

This property has been and will continue to be a primary residence since 1973 when it was built. We would like it zoned residential as we are having difficulty finding a lender that will take the loan as we are trying to refinance. Also, down the road, if we were to ever want to sell our property, a buyer would run into the same problem, therefore making it difficult to find a buyer. We are also having to pay a higher interest rate on our mortgage because of it being zoned commercial. The legal description of the property follows: Legal BEG AT A PT 1,708.61 FT W & 1,191.84 FT N FROM THE SE COR OF SEC 28 T43S R6W SLB&M, SAID PT BEING ALSO E 676.30 FT & S 1,108.41 FT FROM A PERMANENTLY ESTABLISHED STREET MONUMENT AT THE INTERSECTION OF MAIN STREET & 3RD SOUTH; TH N 89\*43'16" W 197.09 FT; TH N 0\*15' E 123.96 FT; TH S 89\*43'16" E 158.0 FT TO THE W R/W LINE OF US HWY 89A; TH S 17\*15' E ALG SAID R/W LINE 130.0 FT TO THE PT OF BEG. CONT 0.51 AC,M/L.

## Describe All Sensitive Lands Impacts: (Refer to Kanab City Land Use Ordinance - Sensitive Lands Section)

n/a

continued on Next Page



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# Application for Zone Change

On-Line Version

KCfrmAZC-Ver-1.0.20

Sensitive Lands Impacts - continued

Developers Address:  Same As Applicant

Name Gary and Terri Glover Phone (435) 689-1385  
Address 476 S.100 E. P.O. Box \_\_\_\_\_  
City Kanab State Utah Zip Code 84741

Adjacent Property Owner(s) Notification:

A list of names, street addresses and mailing addresses for owners of property within 140 feet from the outer boundary of the subject property. ( Note: this includes 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. To add additional Adjacent Property Owner press the button below.

Name Kanab Veterinary Clinic Phone (435) 644-2400 0  
Mailing Address 484 S. 100 E.  
Street Address same  
P.O. Box \_\_\_\_\_  
City Kanab State Utah Zip Code 84741

Name Kanab RV Corral Phone (435) 644-5330 1  
Mailing Address 483 S. 100 E.  
Street Address same

continued on Next Page



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# Application for Zone Change

On-Line Version

KCfrmAZC-Ver-1.0.20

### Adjacent Property Owner(s) - continued

P.O. Box \_\_\_\_\_

City Kanab State Utah Zip Code 84741

Owner/Manager:  1st listed Owner/Manager - Same As Applicant

Provide information for Owner(s)/Manager(s) below. Use button to add additional owner(s)/manager(s).

Name Gary and Terri Glover Phone (435) 689-1385 0

Address 476 S.100 E. P.O. Box \_\_\_\_\_

City Kanab State Utah Zip Code 84741

### Exhibits:

These items maybe required before processing of Application can begin:

**A. Development Plan** - 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 and pedestrian circulation, parking, public uses, landscaping and other open spaces.

Refer to the Kanab City Land Use Ordinance and the Kanab General Plan for additional information.

You must submit these Exhibits by email, mail or hand delivery to the Kanab City Office.



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# Application for Zone Change

On-Line Version

KCfrmAZC-Ver-1.0.20

## Exhibits:

These items are required before processing of Application can begin:

B. Covenants and Deed Restrictions - if there are any covenants or deed restrictions in effect relative to any of the subject property.

You must submit these Exhibits by email, mail or hand delivery to the Kanab City Office.

## Exhibits:

These items are required before processing of Application can begin:

C. Legal Description of subject property. Certified by a licenced land surveyor in the State of Utah.

You must submit these Exhibits by email, mail or hand delivery to the Kanab City Office.

## Fees:

Fees Required \$0.00 Deposit Req'd \$100.00

The calculated fees that are shown above are required before processing of this application can begin. After submitting this form the applicant will have an opportunity to pay the required fees/deposits by either making payment on-line , by mail or by hand delivery to the Kanab City Office in the form of a check or money order.

NOTE: Additional deposits will be required when initial deposits are fully expended. Any unused portion of deposits will be refunded to applicant upon completion of the project.

## Contact Information:

Applicant must provide at least one email address for correspondence with City Administrative Staff.

Primary Email terrigrvr@yahoo.com 2nd Email - optional gloverg@kanab.net



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# Application for Zone Change

On-Line Version

KCfrmAZC-Ver-1.0.20

### Signature of Property Owner(s) within the Subject Property:

Each Owner(s) of property within this requested Change Amendment must enter his/her name and date. Owner(s) understand that this change application may require a public hearing before the Kanab City Planning Commission and/or the Kanab City Council. If a publication notice is required ( Refer to Utah State Land Use Code for the requirements ).

NOTE: Filling in Signature Name and Date and submitting form will serve as a valid signature. Form will be date and time stamped when submitted.

Warning - once form has been submitted the form information can not be edited. If you need to change any information please contact the Kanab City Office.

Signature Gary Glover Date ( mmddyyyy ) 10-10-2012 0

Signature Terri Glover Date ( mmddyyyy ) 10-10-2012 1

### For City USE ONLY

Accepted \_\_\_\_\_ Date ( mmddyyyy ) \_\_\_\_\_

## COOPERATIVE AGENCY AGREEMENT

THIS AGREEMENT by and between the Aeronautical Operations Division of the State of Utah, Utah Department of Transportation, hereinafter called the "Division", and **City of Kanab**, hereinafter called the "Sponsor",

### WITNESSETH:

WHEREAS, the Sponsor, with the approval of the Division, intends to apply for Federal Funds in aid of an airport project under title 49, Subtitle VII, Part C of the United States Code, dated February 14, 2012, known as "FAA Modernization and Reform Act of 2012"; and

WHEREAS, under the provisions of Title 72, Chapter 10, Part 3, Federal Airport Funds Act, as amended, the Sponsor appoints the Division its agent for the purpose therein stated,

NOW, THEREFORE, it is agreed by the respective parties: The Sponsor appoints the Division as agent for the Sponsor and the Division agrees to act as agent of the Sponsor for the purpose of accepting, receiving, and receipting for, and disbursing Federal monies and other public monies other than those of the Sponsor made available to finance in whole or in part the planning, construction, and improvement of **Kanab Municipal Airport** in connection with airport project No. **3-49-0013-11**.

Federal regulations require the Utah Department of Transportation to insure audit coverage of all federal funds passing through the Department to other agencies, the Sponsor agrees to provide the Department with an audit report in conformance with the United States General Accounting Office Standards for Audit of Governmental Organizations, Programs, Activities, and Functions; Guidelines for Financial and Compliance Audits for Federally Assisted Programs; Office of Management and Budget Circular A-133, and compliance supplements approved by the Office of Management and Budget. Audit reports in compliance with the above regulations are required for any fiscal year during which costs covered by this agreement are incurred. The audit reports are to be submitted to

the Utah Department of Transportation, Office of Internal Audit, 4501 South 2700 West, Salt Lake City, Utah 84119-5998, within 180 days (6 months) of the close of the fiscal year.

The Division does hereby acknowledge its approval of the Federal Aid for the improvement of the airport. Upon receipt of federal funds under this agreement, the Division shall deposit said funds with the State Treasurer from which a state warrant will be issued to the sponsor.

The sponsor shall process and submit to the Division for its approval and/or execution all proper documents, including the project application, plan set, specifications, applications for payment and project completion documentation.

This Agreement shall remain in full force and effect until the present project for the airport development under the FAA Modernization and Reform Act of 2012 herein before referred to shall have been either substantially accomplished or abandoned by the Sponsor. It shall not apply to any subsequent or additional projects, nor to any program for development in which the United States does not participate financially.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures and official seals.

\_\_\_\_\_  
City

\_\_\_\_\_  
Mayor (Date)

Attest:

\_\_\_\_\_  
Recorder  
(Seal)

State of Utah  
Department of Transportation  
Aeronautical Operations Division

\_\_\_\_\_  
Director (Date)

Attest:

\_\_\_\_\_  
Division of Aeronautics

F.D. No. \_\_\_\_\_

**UTAH DEPARTMENT OF TRANSPORTATION**

**AERONAUTICAL OPERATIONS DIVISION**

**PROJECT APPLICATION AND GRANT AGREEMENT  
FOR STATE AID FOR DEVELOPMENT OF PUBLIC AIRPORTS**

**Part 1 - Project Information**

**Kanab City** (hereinafter called the “Sponsor”) hereby makes application to the Utah Department of Transportation (hereinafter called the “State”) for a grant of state funds pursuant to Title 72, Chapter 10, Aeronautics Act, for the purpose of aiding in financing an improvement project (hereinafter called the “project”) for the development of **Kanab Municipal Airport**, (hereinafter called the “Airport”) located in **Kanab City, Kane County**.

It is proposed that the Project consists of the following described airport improvements or development:

**Install Miscellaneous NAVAIDS [Beacon], Install Perimeter Fencing [Record of Survey]**

as shown on the attached map accompanied by a detailed engineering cost estimate showing each item in the Project by description, quantity, unit cost, total cost, engineering and contingencies. [The map will show (1) the boundaries of the Airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the Sponsor for airport purposes, and proposed additions thereto: (2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars, and roads), including all proposed extensions and reductions of existing airport facilities; (3) the location of all existing and proposed non-aviation areas and of all existing and proposed improvements thereon including the access road; and (4) airport vicinity zoning.] It is understood that the State will approve in writing the project plans and specifications before start of construction.

The estimated total project is \$ **90,170**. The requested State share of the project is \$ **4,085**, which is **4.53%** of the project.

Other governmental agencies granting money to the project are

---

The Project engineer is intended to be \_\_\_\_\_.  
The FAA Project No. is **AIP 3-49-0013-11** (if applicable)

**Part II - Representations**

The Sponsor hereby represents and certifies as follows:

1. Legal Authority - The Sponsor has the legal power and authority to :
  - (1) do all things necessary in order to undertake and carry out the Project in conformity with applicable statutes;
  - (2) accept, receive, and disburse grants of funds from the State in aid of the Project;
  - (3) carry out all of the provisions of Parts III and IV of this document.
  
2. Funds - The Sponsor now has \$ **4,085** available for use in defraying its share of the Project. The present status of these funds is as follows:

### **Part III – Sponsor’s Assurances**

In consideration for grant monies made available to the airport, the Sponsor hereby covenants and agrees with the State, as follows:

1. The Sponsor will operate the Airport as such for the use and benefit of the public throughout the useful life of the facilities developed under this Project, but in any event for at least ten (10) years from the date hereof. The furtherance of this covenant, (but without limiting its general applicability and effect) the Sponsor specifically agrees that it will keep the airport open to all types, kinds, and classes of aeronautical use on fair and reasonable terms without discrimination between such types, kinds, and classes; provided, that the Sponsor may establish such fair, equal, and not unjustly discriminatory conditions to be met by all users of the Airport; and provided further, that the Sponsor may prohibit or limit any given type, kind or class of aeronautical use of the Airport if such action is necessary - (a) For safe and efficient use of the Airport; (b) To keep operation activities within acceptable noise levels; To serve the civil aviation needs of the public.

2. The Sponsor covenants and agrees that, unless authorized by the State, it will not either directly or indirectly, grant or permit any person, firm, or corporation the exclusive right at the Airport or at any other Airport now or hereafter owned or controlled by it, to conduct any aeronautical activities, including, but not limited to, charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity.

3. The Sponsor agrees that it will operate the Airport for the use and benefit of the public, on fair and reasonable terms, and without unjust discrimination. In furtherance of this covenant (but without limiting its general applicability and effect), the Sponsor specifically covenants and agrees:

a. That in its operation and the operation of all facilities on the airport, neither it nor any person or organization occupying space of facilities thereon will discriminate against any person or class of persons by reason of race, color, creed, or national origin in the use of any of the facilities provided for the public on the Airport.

b. That in any agreement, contract, lease, or other arrangement under which a right or privilege at the Airport is granted to any person, firm, or corporation to render to the public any service (including the furnishing or sale of any aeronautical parts, materials, or supplies) essential to the operation of aircraft at the Airport, the Sponsor will insert and enforce provisions requiring the contractor:

(1) To furnish said service on a fair, equal, and not unjustly discriminatory basis to all users thereof, and

(2) To charge fair, reasonable, and not unjustly discriminatory prices for each unit or service; Provided, that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

c. That it will not exercise or grant any right or privilege which would operate to prevent any person, firm, or corporation operating aircraft on the Airport from performing any services on its own aircraft with its own employees (including, but not limited to maintenance and repair) that it may choose to perform.

d. In the event the Sponsor itself exercises any of the rights and privileges referred to in subsection b, the services involved will be provided on the same conditions as would apply to the furnishing of such services by contractors or concessionaires of the Sponsor under the provisions of such subsection b.

4. Nothing contained herein shall be construed to prohibit the granting or exercise of an exclusive right for the furnishing of non-aviation products and supplies or any service of a non-aeronautical nature or to obligate the Sponsor to furnish any particular non-aeronautical service at the Airport.

5. The Sponsor will operate and maintain in a safe and serviceable condition the Airport and all facilities thereon and connected therewith which are necessary to serve the aeronautical users of the Airport other than facilities owned or controlled by the United States, or the State, and will not permit any activity or uses thereon which would interfere with its use for airport purposes; Provided that nothing contained herein shall be construed to require that the Airport be operated for aeronautical uses during temporary periods when snow, flood, or other climatic conditions interfere with such operation and maintenance; and provided further, that nothing herein shall be construed as requiring the maintenance, repair, restoration or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the Sponsor.

6. Insofar as it is within its power and reasonably possible, the Sponsor will, either by the acquisition and retention of easements or other interests in or rights for the use of land or airspace or by the adoption and enforcement of zoning regulations, prevent the construction, erection, alteration, or growth of any structure, tree, or other object in the approach areas of the runways of the Airport, which would constitute an obstruction to air navigation according to the criteria or standards prescribed in Part 77 of the Federal Aviation Regulations. In addition, the Sponsor will not erect or permit the erection of any permanent structure or facility which would interfere materially with the use, operation, or future development of the Airport, in any portion of a runway approach area in which the Sponsor has acquired, or may hereafter acquire, property interests permitting it to so control the use made of the surface of the land. In addition the Sponsor will clear said area or areas of any existing structure or any natural growth that constitutes an obstruction to airspace within the standards established by said Part 77 unless exceptions to or deviations from the aforementioned obligations have been granted to it in writing by the State.

7. The Sponsor will furnish the State with such annual or special airport financial and operational reports as may be reasonably requested. Such reports may be submitted on forms furnished by the State, or may be submitted in such manner as the Sponsor elects as long as the essential data is furnished. The Airport and all Airport records and documents affecting the Airport, including deeds, leases, operation and use agreements, regulations, and other instruments will be made available for inspection and audit by the State, or his duly authorized representative upon reasonable request. The sponsor will furnish to the State a true copy of any such documents.

8. The Sponsor will furnish Utah's Division of Aeronautics on a semi-annual basis a list of all aircraft which have been based at the airport for more than 6 months, out of the last 12 months. The list shall include the aircraft tail numbers with the owner's current name and address.

9. The Sponsor will not enter into any transaction which would operate to deprive it of any of the rights and powers necessary to perform any or all of the covenants made herein, unless by such transaction the obligation to perform all such covenants is assumed by another public agency found by the State to be eligible to assume such obligations and having the power, authority, and financial resources to carry out all such obligations. If an arrangement is made for management or operation of the Airport by any agency or person other than the Sponsor or an employee of the Sponsor, the Sponsor will reserve sufficient rights and authority to insure that the Airport will be operated and maintained in accordance with these covenants.

10. The Sponsor will keep up to date, by amendment, the attached map of the Airport showing:

- (1) The boundaries of the Airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the Sponsor for airport purposes, and proposed additions thereto;
- (2) The location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars, and roads), including all proposed extensions and reductions of existing airport facilities; and
- (3) The location of all existing and proposed non-aviation areas and of all existing improvements thereon, including the access road, said attached map, and each amendment, revision, or modification thereof, shall be subject to the approval of the State which approval shall be evidenced by the signature of a duly authorized representative of the State on the face thereof. The Sponsor will not make or permit the making of any changes or alterations in the Airport or any of its facilities that might adversely affect the safety, utility, or efficiency of the Airport.
- (4) Airport vicinity zoning.

11. Insofar as is within its power and to the extent reasonable, the Sponsor will take action to restrict the use of land adjacent to or in the immediate vicinity of the Airport to activities and purposes compatible with normal airport operations including landing and takeoff of aircraft.

12. The Sponsor will not dispose of, or abandon in any manner, any portion of the Airport shown on the approved map without the written consent of the State.

13. It is understood and agreed that as to the land acquired or to be acquired for future development of the airport, the Sponsor will construct and complete thereon a useful and usable facility consistent with the State Airport System Plan not later than the time of forecasted need; and if the land so acquired or any part thereof, is not used within the forecast period for the purpose for which it was acquired, the Sponsor will refund the State share of acquisition cost or fair market value of the land, whichever is greater, plus the State share of net revenue, at the time of sale or expiration of the period stated in this agreement. It is further understood and agreed that the Sponsor will deposit all net revenues derived from the interim use of the land into a special fund to be used exclusively for approved items of airport development, but in no case may the State share of such funds be used to match State aid funds in future grants. It is still further understood and agreed that the Sponsor will not dispose of the land by sale, lease, or otherwise without the prior consent and approval of the State.

14. The Sponsor will maintain, at its own expense, the following aeronautical use items and activities:

- (1) A standard, mounted windsock for observation of wind direction and velocity from the ground and while airborne together with a standard segmented circle, both in good repair.
- (2) Enforcement of zoning in the vicinity of airports to minimize environmental problems associated with aeronautical uses.
- (3) A current license issued by the State designating the Airport for public use.
- (4) Runway or boundary lights in good repair and on from dusk to dawn of each calendar day.
- (5) The runway, taxiways, and apron in a state of good repair which would include annual crack filling and mowing of vegetation at least 15 feet outside of hard surfaced areas as necessary to maintain a weed height of not more than 12 inches.
- (6) The boundary fence, when in place, in a state of good repair.
- (7) The main runway, associated taxiway and apron to be cleared of snow as soon as practical after a snowstorm and the airport to remain open for use during these months.

15. It is understood that the State will participate in the amount of grant monies herein mentioned

in the engineering estimate or in the herein mentioned per cent share of the actual project cost, whichever is least.

16. In the event the State does not grant monies under this application, the covenants herein mentioned shall not become effective.

17. Sponsor shall have no authorization to bind the State of Utah or the Utah Department of Transportation, or its Aeronautical Operations Division to any agreement, settlement, liability or understanding whatsoever, nor to perform any acts as agent for the State of Utah, except as herein expressly set forth.

18. Sponsor hereby agrees to indemnify and save harmless the State of Utah, Utah Department of Transportation, and Aeronautical Operations Division, and their officers, agents, and employees from and against any and all loss, damages, injury, and liability, and any claims therefore, including claims for personal injury or death, damages to personal property and liens of workmen and materialmen, howsoever caused, resulting directly or indirectly from the performance of this agreement or from the use or operation of the airport improvements and facilities being purchased, constructed or otherwise developed under this agreement.

**Part IV - Project Agreement and Acceptance**

If the Project or any portion thereof is approved by the State, and State aid for such approved Project is accepted by the Sponsor, it is understood and agreed that all airport development included in such Project will be accomplished in accordance with the plans and specifications for such development, as approved by the State, and the herein assurances with respect to the Project and the Airport.

IN WITNESS WHEREOF, The parties hereto do hereby ratify and adopt all statements, representatives, warranties, covenants, and agreements contained or referenced herein and do hereby cause this document to be executed in accordance with the terms and conditions here of.

Executed for the Sponsor this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
(Name of Sponsor)

By \_\_\_\_\_

Title \_\_\_\_\_

Attest \_\_\_\_\_

Recorder

**CERTIFICATE OF SPONSOR'S ATTORNEY**

I, \_\_\_\_\_, acting as Attorney for \_\_\_\_\_  
(herein referred to as the "Sponsor") do hereby certify:

That I have examined the foregoing document and the proceedings taken by said Sponsor relating thereto, and find that the Acceptance thereof by said Sponsor has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of Utah, and further that, in my opinion, said Agreement constitutes a legal and bind obligation of the Sponsor in accordance with the terms thereof.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Title \_\_\_\_\_

AERONAUTICAL OPERATIONS DIVISION

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Director

APPROVED:

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UDOT Legal Counsel

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Finance

## Proclamation

### Designating November 15, 2012 as Kanab Recycles Day

**WHEREAS** November 15, 2012 has been designated nationally as America Recycles Day and is the only nationally-recognized day and community-driven national awareness initiative dedicated to promoting and celebrating recycling in the United States;

**WHEREAS** Kanab City supports efforts to set aside one day to educate and motivate citizens about the importance of recycling;

**WHEREAS** Kanab City supports efforts to set aside one day to get neighbors, friends and colleagues excited about what can be accomplished when we all work together voluntarily to recycle local products;

**WHEREAS** Kanab City feels that the designation of Kanab Recycles Day encourages citizens to make recycling bigger and better 365 days a year;

**WHEREAS** Kanab City wants to share key recycling information provided through the America Recycles Day website with Kanab's citizens including the following:

1. The value lost by discarding packaging rather than recycling is estimated to be \$11.4 billion dollars each year;
2. Recycling 75 percent of the nation's waste would create nearly 1.5 million jobs by 2030;
3. Recycling mixed paper can save the energy equivalent of 165 gallons of gasoline for every ton of mixed paper;
4. America currently recycles an estimated 34% of products each year which is the equivalent of annually removing car emissions from more than 36 million cars;
5. Recycling one aluminum can saves the energy needed to operate a 46-inch LED TV for 3 hours;

**WHEREAS** extensive information about recycling locations, strategies and events is available from the Southern Utah Recycling Coalition at <http://southernutahrecycling.org>;

**NOW LET IT BE THEREFORE PROCLAIMED THAT** November 15, 2012 is herewith designated as Kanab Recycles Day.