

**Mayor**

**Nina Laycook**

**City Manager**

**Duane Huffman**

**Treasurer**

**RaeLene Johnson**



**KANAB**  
— UTAH —

**City Council**

**James G. Sorenson**

**Cheryl Brown**

**Kirt Carpenter**

**Joe B. Wright**

**Brent Chamberlain**

**KANAB CITY COUNCIL  
JANUARY 22, 2013  
76 NORTH MAIN, KANAB, UTAH**

- 6:30 P.M.      Work Meeting
  - Report from Councilwoman Cheryl Brown regarding recreation
  - Staff Report/Agenda Review
  
- 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 adoption of Ordinance 1-2-13 O An Ordinance Amending the Definition of Kennels in the Kanab City Land Use Ordinance;
  
- 7:30 P.M.      Consider consenting to the following appointments:
 

<u>Appointee</u>	<u>Office</u>	<u>Term Expires</u>
Kent Burgraff*	Planning Commission Member	Dec. 2016
Joan Thacher*	Planning Commission Alternate	Dec. 2016
Margaret Browning*	Heritage Board Member	Dec. 2016
Robert Aiken*	Heritage Board Member	Dec. 2016
Kendall Brooksby	Heritage Board Member	Dec. 2015
GeorgeAnn Brooksby	Heritage Board Member	Dec. 2015
Norman Nash	Heritage Board Member	Dec. 2014
Lonnie Wright Kirby	Heritage Board Member	Dec. 2014
Winifred Barney	Heritage Board Member	Dec. 2013
Deanna Glover	Heritage Board Member	Dec. 2013

\* denotes first-time appointments to the respective office
  
- 7:40 P.M.      Consider approval of 2013 meeting schedule;
  
- 8:00 P.M.      Executive Session:
  - Discussion of pending or reasonably imminent litigation

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 8, 23013  
KANE COUNTY COMMISSION CHAMBERS**

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

Prayer was offered by Pastor Houndshell.

Oath of Office was administered to newly appointed Council Member Brent Chamberlain by Judge Gary Johnson. Mayor Laycook thanked Kathy Chamberlain for supporting her husband in this service.

**WORK MEETING:** Mayor Laycook turned the time over to City Manager Huffman for the annual open meeting training and projects updates. Mr. Huffman updated the Council on current construction projects. Mayor Laycook stated appreciation to the public for their understanding in having the road torn up and closed. UDOT will be having a pre-construction meeting next week on the Highway 89 project. Mr. Huffman also discussed potential dates for a Council retreat as well as joint meetings with the County. Mr. Huffman presented the Utah Open Meeting Act training. There was a discussion on the kennel definition in the Land Use Ordinance as it relates to the Additional Dog Household Permit. Mayor Laycook welcomed Danika Rasmussen and Sabrina Cox candidates for Girls State that were chosen by the American Legion.

**APPROVAL OF MINUTES & VOUCHERS:** A motion was made to approve the minutes of the December 11 (with correction) and December 18 meetings and the vouchers by Council Member Carpenter and 2<sup>nd</sup> by Council Member Wright. Motion passed. Council Member Chamberlain abstained since he was not a member of the Council at the time of the meetings.

**PUBLIC COMMENT PERIOD:** No comments received.

**PRESENTATION OF KANAB CITY ARTIST OF THE YEAR AWARD TO BOB KACZOWKA AND KANAB CITY CONTRIBUTION TO THE ARTS AWARD PAULA ZUTES AND THE CRESCENT MOON THEATER:** Mayor presented Bob Kaczowka architect for Mesa Design to be the 2012 Kanab City Artist of the Year. Mr. Kaczowka designed the restrooms at the Jacob Hamblin Park, the new Kanab City Terrace, and Lumber Plus to name a few. Mayor Laycook presented Paula Zutes to be the 2012 Contribution to the Arts recipient. She has used her Crescent Moon Theater for a variety of productions from poetry, musical productions and talent shows. A motion was made by Council Member Brown to award Bob Kaczowka the 2012 Artist of the Year and present Paula Zutes and the Crescent Moon Theater the 2012 Contribution to the Arts Award. Motion 2<sup>nd</sup> by Council Member Carpenter. Motion passed unanimously.

**DOCUTAH RECAP AND SPECIAL PRESENTATION BY CHRISTINA SCHULTZ, DIXIE STATE COLLEGE OF UTAH:** Ms. Christina Schultz addressed the Council and presented the City with a framed poster in thanks for the support and sponsoring of DocUtah. She said that after the 3<sup>rd</sup> year of DocUtah, there was a 55% growth in attendance. That was more than 5,000 people who attended the festival. Mayor Laycook expressed appreciation on being partnered with Dixie State College. The College will be getting university status later this month. It will be determined at that time what the University's name will be. Ms Schultz said that the end of this month there will be a special screening

orientation for volunteers who are interested in screening films.

**CONSIDER APPOINTMENT OF JOAN THACHER TO THE KANAB CITY BEAUTIFICATION COMMISSION:** A motion was made by Council Member Brown and 2<sup>nd</sup> by Council Member Carpenter to approve the Mayor's appointment of Joan Thatcher to serve on the Beatification Commission. Motion passed unanimously.

**CONSIDER RESOLUTION 1-1-13 R A RESOLUTION RE-AUTHORIZING FEES FOR DOG LICENSES AND ANIMAL CONTROL SERVICES AND PERMITS:** Mr. Huffman stated that these fees must be reasonably related to the service. Mr. Huffman presented his research on costs of providing the permits and licenses to find what costs were needed to provide this service. Mr. Jeff Frey commented that the fees shouldn't be so high that people can't afford to pick up their dog from the pound. Council Member Wright made a motion to adopt Resolution 1-1-13 R re-authorizing fees for dog licenses and animal control services and permits. Motion 2<sup>nd</sup> by Council Member Sorenson. Motion passed unanimously by roll call vote.

**CONSIDER ORDINANCE -1-13 O AN ORDINANCE AMENDING THE KANAB CITY BEAUTIFICATION COMMISSION:** Council Member Brown made a motion to adopt Ordinance 1-13-O an Ordinance amending the Kanab City Beautification Commission. Motion 2<sup>nd</sup> by Council Member Wright. Motion passed unanimously by roll call vote. It was noted that the Shade Tree Committee will be merged with the Beautification Commission.

A motion to go into Executive Session to discuss pending or reasonably imminent litigation was made by Council Member Wright and 2<sup>nd</sup> by Council Member Sorenson. Motion passed unanimously. A motion to go out of Executive Session was made by Council Member Brown and 2<sup>nd</sup> by Council Member Sorenson. Motion passed unanimously.

Council Member Brown informed the Council that interviews had been done for Recreation Director. It was narrowed down to two applicants. These two applicants were given an assignment to bring to the next interview.

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

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MAYOR

\_\_\_\_\_  
NINA LAYCOOK

\_\_\_\_\_  
RECORDER

\_\_\_\_\_  
DUANE HUFFMAN

KANAB CITY ORDINANCE NO. 1-2-13 O

AN ORDINANCE AMENDING THE DEFINITION OF KENNELS IN THE KANAB CITY  
LAND USE ORDINANCE

WHEREAS, U.C.A. 10-9a-102 provides that Kanab City may enact and modify ordinances it considers necessary or appropriate for the use and development of land within the municipality; and,

WHEREAS, the Kanab City Council recently amended the General Ordinances related to the keeping of dogs, specially creating the Additional Dog Household Permit and amending the definitions related to Kennels; and,

WHEREAS, the Kanab City Council finds that the definitions related to Kennels should be consistent through all affected ordinance; and,

WHEREAS, the Kanab City Planning Commission conducted the necessary Public Hearing on June 19, 2012 and recommended to the City Council that the Land Use Ordinance be ammended:

**NOW THEREFORE, BE IT ORDAINED** that the Kanab City Land Use Ordinance is amended to state as reflected in the attachments affixed to this ordinance.

All former codes or parts thereof conflicting or inconsistent with provisions of this Ordinance or of the Code hereby adopted are hereby repealed.

The provisions of the code shall be severable, and if any provision thereof, of the application of such provision under any circumstance is held invalid, it shall not affect any other provisions of this code or the application in a different circumstance.

This ordinance shall be effective upon the required posting.

Passed and ordered posted this 26th day of June, 2012.

KANAB CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
RECORDER

# KANAB

## Land Use Ordinance

### Chapter 1

#### GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008  
Revised March 27, 2012

~~**Kennel** - Any premises where three (3) or more dogs or four (4) or more cats older than four (4) months old are kept.~~

**Kennels, Private** - ~~Any kennel where three or more household pets are owned and kept by the owner on his/her private property~~ Any residential property where more than two (2) dogs, or more than four (4) dogs if the residence has an Additional Dog Permit (as defined and permitted in the Kanab City General Ordinances), or three cats are raised, kept, or housed; or any residential premises wherein any person engages in the business of breeding, buying, letting for hire, training for a fee, or selling dogs or cats.

**Kennels, Public** - ~~Any kennel where household pets are boarded commercially~~ Any commercial premises where any dogs or cats are raised, kept, housed, or boarded; or any commercial premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs or cats.

**Lane, Private** - A thoroughfare upon land owned in fee simple or by way of an easement, upon which a lot has the frontage required by this Ordinance, which lane has been approved by the Planning Commission and City Council, as fulfilling the frontage requirements of this Ordinance.

**Local Attorney** - The attorney employed by or officially representing the City of Kanab.

**Local Building Inspector** - The Kanab City Building Inspector employed by or officially representing the City of Kanab.

**Local Engineer** - The engineer employed by or officially representing the City of Kanab.

**Local Health Officer** - The health officer or department employed by or officially representing the City of Kanab.

**Local Jurisdiction** - The City of Kanab.

**Local Planner** - The planner employed by or officially representing the City of Kanab.

**Lodging House** - A building designed for or occupied by fifteen (15) or less individuals who are lodged, with or without meals for less than 30 days for compensation.

Kent A. Burggraaf  
575 N. 140 E.  
Kanab, Utah 84741  
(801) 657-7500  
kburggraaf@gmail.com

January 9, 2013

Mayor Nina Laycook  
76 North Main No. 14  
Kanab, Utah 84741

Re: Letter of Interest – Kanab City Planning Commission Vacancy

To Mayor Laycook:

I would like to express my interest in filling the vacancy on the Kanab City Planning Commission. I am a Kanab City resident, own property within the City, and am willing to commit to a four (4) year term, if appointed. I feel that my experience, education background, and personal interest in the relevant issues will significantly assist the Planning Commission in carrying out its responsibilities.

Over the past year and a half, as a Deputy Kane County Attorney, I have frequently dealt with issues related to planning and zoning. During that time I have negotiated and mediated with interested parties and attorneys over land use and zoning problems. I have had the opportunity to litigate and appear before the Utah Court of Appeals for a case based upon local land use and subdivision ordinances. This experience has made me intricately aware of the importance of a planning commission that follows the correct procedures and makes good decisions, based on the applicable law.

Since moving to Kanab, I have also had the opportunity to advise the County Planning Commission on multiple occasions. Currently, advising the County Planning Commission is not my responsibility, but filling in for Robert Van Dyke from time to time, has helped me become acquainted with some of the local land use and planning issues. Furthermore, this past May I attended a two day planning and zoning conference where the latest planning and land use issues were discussed.

I have become familiar with and recognize the importance of the dual roles the Planning Commission plays, in decision making and advising the City Council. I believe my ability to think critically through issues, and my experience in dealing with questions where a decision has legal ramifications, will be an asset to the Planning Commission and Kanab City. I recognize that the Planning Commission is faced with difficult problems, from time to time, and that teamwork plays an essential part in dealing with those problems. I believe my work experience has provided me with a unique set of skills that would help in working together with the other members of the Planning Commission, and hopefully assisting in limiting the liability to the City.

Though I am a licensed attorney, I am not seeking to be the City's or Planning Commission's legal advisor in seeking this appointment. However, the skills used in my profession would naturally assist me in evaluating the issues presented and bringing a different perspective to the conversation. I am acquainted with a few of the members of the Planning Commission and would not have any difficulty fostering a good working relationship with all of the members.

Kanab is the place that my wife and I have determined to call "home," and with that comes a desire to be involved in the difficult issues our community faces. Being appointed to the Planning Commission would give me the opportunity and pleasure to assist in the City's continued growth and success.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kent A. Burggraaf". The signature is written in a cursive style with a large, stylized initial "K".

Kent A. Burggraaf

11 January 2013

*via hand-delivery*

**TO: Mayor Nina Laycook**

**FROM: Joan Thacher**

**Re: Opening on Planning Commission**

Dear Mayor Laycook:

I would like to submit my name for consideration for the vacancy on the Kanab City Planning Commission.

I realize you have just appointed me to the Beautification Commission, but I believe I have unique qualifications to offer the city in both these capacities.

First and foremost I have attended every Planning Commission meeting for the last two years (with the exception of two or three) and am familiar with the current issues. I also have a good, working knowledge of most the Land Use Ordinances along with the General and Master Plans.

Being a long-term resident (20 years in Alton and 15 in Kanab), I am very empathetic to local resident's desire to preserve the heritage, lifestyle and freedoms of Kanab. I also bring with me the perspective of having lived in a large metropolitan area and of being a "newcomer" to Kane County and Kanab.

I believe I am in a unique position to bring more diverse perspectives to the Commission and also to represent a broader spectrum of the citizenry. I feel these different views would not diminish but enhance the effectiveness of the Commission.

I appreciate the opportunity to be considered for this position. I would be honored to serve the people of this very special place that I care about deeply.

Sincerely,



Joan Thacher  
899-1269

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Margaret Browning  
751 Hillside Dr.  
Kanab, Utah 84741

Dear Mayor, City Council and City Manager,

I would like to apply for a position on the Historical Society Board. I'm a native of Kanab and love the people, area, and history.

My husband and I have retired and returned to live here.

I feel it would be an honor to serve on the board and am willing to help and serve in any way I can.

Sincerely,

*Margaret Browning*

Kanab City

Nov 18, 2012

To whom it may concern:

I, Robert Aiken, would like to volunteer my services to the Kanab Heritage Board. Being a life time residence of the area, I am interested in preserving the history of Kanab and the surrounding area so that everyone can enjoy the history of our town.

My father ( Dr. Aiken) started the Heritage House and I would like to follow in his footsteps and help with the museum and the History of Kanab. I have skills in photography, scanning pictures, slides and negatives and some restoring of them.

Thank you

Robert Aiken

Kanab.Utah

435-644-3216

rca1@kanab.net

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**Duane Huffman**

**Treasurer**

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— UTAH —

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**2013 ANTICIPATED MEETING SCHEDULE\***

KANAB CITY COUNCIL

2<sup>nd</sup> & 4<sup>th</sup> Tuesdays of Each Month at 7:00PM (Work Meeting at 6:30PM) – 76 N Main St.

KANAB CITY PLANNING COMMISSION

1<sup>st</sup> 3<sup>rd</sup> Tuesday of Each Month at 6:30PM – 76 N Main St.

KANAB CITY LIBRARY BOARD

1<sup>st</sup> Thursday of Each Month at 5:00PM – 374 N Main St.

Excluding August and December

KANAB CITY ARTS COUNCIL

2<sup>nd</sup> Monday of Each Month at 5:00PM – 374 N Main St.

KANAB CITY PARKS AND RECREATION BOARD

1<sup>st</sup> Tuesday of Each Month at 7:00PM – 76 N Main St.

KANAB CITY BEAUTIFICATION BOARD

As Needed

KANAB CITY HERITAGE COUNCIL

As Needed

\*Meetings may be canceled due to Holidays or for lack of agenda/quorum

– A Western Classic –