

**MOAB CITY COUNCIL MINUTES--DRAFT
REGULAR CITY COUNCIL MEETING
August 27, 2019**

The Moab City Council held its regular meeting on the above date in the Council Chambers at the Moab City Center, located at 217 East Center Street. An audio recording of the evening meeting is archived at: <https://www.utah.gov/pmn/index.html> and a video recording is archived at: <https://www.youtube.com/watch?v=IT5nPWNw1fY&t=2779s>.

Workshop Meeting for Special Presentation:

At 12:056 PM, Mayor Emily Niehaus called a workshop meeting to order for a special presentation by Utah Department of Transportation regarding the Possible Night Work Provisions for the Highway 191 Widening Project. UDOT representatives were Ryan Anderson, Monte Aldridge, Region Four Deputy Direction for UDOT, Jered Beard, District Engineer for UDOT, Chris Blanchard, Resident Engineer for UDOT and Tony Brianholt, Consultant. In attendance were Mayor Emily Niehaus, Councilmembers Kalen Jones, Karen Guzman-Newton, Mike Duncan, Rani Derasary and Tawny Knuteson-Boyd. Also in attendance were City Manager Joel Linares, City Attorney Chris McAnany Sustainability Director Rosemarie Russo, Communications Director Lisa Church, City Engineer Chuck Williams, Streets Superintendent Jeff Galley, Executive/Administrative Assistant, Carmella Galley, Deputy Recorder II Kerri Kirk and Deputy Recorder I Joey Allred. Thirteen members of the press and public were present. Anderson gave a presentation about the impacts of the project and UDOT's goal to do their work and fulfil the needs of the taxpayers in the area with as minimal an impact as is reasonable. They discussed potential concerns and any mitigation requirements that they believe need to be included. They need to acquire a temporary noise permit from the City to allow the necessary night work. Jones requested that Williams get them a list of more specific options of time frames that the night work could be done. Williams agreed. A video recording of the workshop is archived at <https://youtube/watch?tv=707PF220kN4>.

Motion and Vote: Councilmember Jones moved to recess the meeting until 6:00 PM. Councilmember Knutson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Knutson-Boyd, Derasary, Guzman-Newton and Duncan voting aye. Mayor Niehaus recessed the meeting at 1:09 PM.

Executive Closed Session:

Councilmember Rani Derasary moved to enter an Executive Closed Session to Discuss Reasonably Imminent and/or Pending Litigation and an Executive Closed Session to Discuss the Deployment of Security Personnel, Devices or Systems. Councilmember Tawny Knutson-Boyd seconded the motion. The motion passed 5-0 aye, with Councilmembers Derasary, Knutson-Boyd, Jones, Guzman-Newton, and Duncan voting aye. Mayor Emily Niehaus called the Executive Session to order at 6:02 PM. Councilmember Rani Derasary moved to end the Executive Closed Session. Councilmember Kalen Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Derasary, Jones, Knuteson-Boyd, Guzman-Newton and Duncan voting aye. Mayor Niehaus ended the Executive Closed session at 6:23 PM.

Pre-Council Workshop:

Mayor Niehaus called the Pre-Council Workshop to order at 6:30 PM for discussion regarding sewer rates for churches and non-profits. A video recording of the workshop is archived at: <https://www.youtube.com/watch?v=WAEt39raD1A>. City Manager Linares opened the discussion by presenting a historical timeline back to 1977 so they could see where they had been, talk about their current state of affairs and how they would proceed going forward. Historically, sewer rates for churches were done as commercial rates. In 1995 an ordinance was

adopted that classified them as institutional. The rate was lower than commercial, but higher than residential. How they can be amended and changed. In 2017 they were adopted as other non-residential that no longer used the winter average and that led to an increase. Churches and non-profits don't really fit in the existing categories for rates. Linares proposed a new rate study to create another category to the existing chart that will, in essence, be a not-for-profit, non-taxable entity provision, let the study determine what rate would be fair and create a category for them. His recommendation is for the City to put out a bid, get an engineering firm to provide them a new rate study analysis, get a category for non-profit/non-taxable entities and then adopt that rate for them. Such a study would probably cost around \$50,000. However, the fees collected from adopted rates are called Enterprise Funds and they are separate from the normal tax funds. He also recommended that the City not set new fees with hiring a firm to set their rates. There was further discussion on other possible options. Linares proposed that the City allow he and City Engineer Williams to prepare information for a study to determine cost, and to determine the number of churches and not-for-profit's that the City has in their system for them to look to at to see if they can calculate their use. Linares will get a quote for the study and get it back to the Council.

Regular Meeting—Call to Order and Attendance:

Mayor Niehaus called the meeting to order at 7:03 PM and led the Pledge of Allegiance. In attendance were Councilmembers Kalen Jones, Karen Guzman-Newton, Mike Duncan, Rani Derasary and Tawny Knuteson-Boyd. Also in attendance were City Manager Joel Linares, City Attorney Chris McAnany, Police Chief Bret Edge, Finance Director Rachel Stenta, City Engineer Chuck Williams, Deputy Recorder II Kerri Kirk and Deputy Recorder I Joey Allred. Thirteen members of the public and media were present.

Approval of Minutes:

Councilmember Duncan moved to approve the minutes of the August 13, 2019 meeting. Councilmember Guzman-Newton seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Mayor and Council Reports: Mayor Niehaus began by stating that they will be getting a new policy intern from the high school in the Mayor's office. She attended several meetings with a recap of the state legislative session and noted several bills the City and individual Council members had been tracking. The Mayor also reported on a meeting of the Utah League of Cities and Towns (ULCT) that she participated in along with Councilmember Derasary. She mentioned a meeting of the Southeastern Utah Association of Local Governments (SEUALG) at which decisions were made regarding Permanent Community Impact Board (CIB) grants as well as Community Development Block Grants (CDBG). Also noted were the Mayor's attendance at the rural caucus meetings and Housing Day at the capitol, a Webelos visit to City Hall, the Planned Affordable Development (PAD) workshop with City Council, and a tour of the Uranium Mill Tailings Remedial Action (UMTRA) site. She updated Council on a meeting of the Utah State University (USU) Advisory Board and mentioned \$2.5 million had been raised locally and groundbreaking would likely be after the completion of the entry road in the summer. Mayor Niehaus noted USU continues to secure funding for the Moab campus project at the state level. She was involved in interviews for Assistant City Manager. She and Linares met with Cara Dora Ren regarding fire mitigation efforts along the creek. Attended Interim meetings at the Utah State Legislature and was joined in several meetings with Councilmembers Duncan and Guzman-Newton. The Legislative Policy Committee meeting was with President Adams as part of the Utah League of Cities. She also attended a meeting with the Governor's Deputy Chief of Staff Mike Mower, Director of the Utah office of Tourism Vicki Varela, and Director of the

Office of Outdoor Recreation Tom Adams regarding the steps Moab is taking to mitigate the impacts of outdoor recreation, the City's recreation economy, their tourism based economy, the steps the City is taking and the City's partnership with the Governor's Office of Economic Development who shared their support of that and they intend to be legislative advocates for Moab in this matter. Member of the City and County Councils met to show a unified front with legislature regarding overnight accommodations and other matters that deal with Moab's increasing tourism. She attended a Zion's Bank, meeting with City Manager Joel Linares, City Finance Director Rachel Stenta and Alex Buxton, Vice President and Municipal Securities Representative for Zion's Bank regarding the City's debt policy. She also attended a USU property meeting where she was asked if the City was interested in furthering a conversation about buying the existing USU building.

Councilmember Derasary reported that she watched the ULCT meeting online on August 21st and sat in on one of the interviews that Linares had for the Assistant City Manager position with other Councilmembers.

Councilmember Duncan thanked Grand County's Water Agency. They had an audit and were very proud of the fact that they've only lost 6% of their water in their culinary pipelines. What they didn't talk about was Ken's Lake, which is used for irrigation, which leaks terribly. He also attended the Interim session which was an eye opener for him because he saw that fiscal conservatism was prevalent there. They talked a lot about Wasatch growth and the new ideas that came from that, including more roads and denser housing. He was happy to see that they have a Quality of Growth Initiative.

Councilmember Knutson-Boyd reported that she discovered a letter from the United States Conference of Mayors that had been signed by over 250 mayors and the letter went to Senator McConnell encouraging him to pass the gun legislation that the House passed back in February, which included universal background checks and "red flag" laws among other things. Mayor Niehaus was able to sign on to that letter, which made her happy because she was one of only two mayors in Utah that signed on. She met with one of the candidates for the Assistant City Manager position last week. She also attended the Housing Authority's Board meeting. The Land Trust was going to go to the County Council for the approval of their infrastructure loan. They also discussed the MAPS project. She attended the Utah State University meeting where they discussed the City being offered right of first refusal for the current property and she wonder if they should put it on the agenda for a future meeting to discuss where they sit and if they want to seriously look at possibly partnering some other way with another entity. Linares asked if they had a time frame of when they are wanting to sell it. They have an appraisal that they will share with Council. It will be put on the agenda for discussion at the August 9, 2019 City Council Meeting.

Councilmember Guzman-Newton also attended the UTCT meeting with State President Adams where the City and County tried to explain the reasonings for the Moratorium on Overnight Accommodations and the goals for the community and setting higher standards. She attended the tax reform meeting where they were trying to figure out the issue of the flow of funding and the fact that the State of Utah is the only state in America to set income tax for education. As 100% of the City's income tax currently goes to education. They are looking at possibly doing a constitutional amendment for the state budget so that some of the income tax can be moved to the general fund. Education isn't going to lose money, but it needs to be distributed differently. She attended a transportation meeting where UDOT was trying to get funding with state legislators. The Aeronautical Program is trying to purchase two new airplanes and UDOT was trying to set goals for next year. They are planning for unmanned aerial vehicles and to connect

autonomous vehicles and road use charges. They explained that UDOT was trying to set goals for this year and discussed the fact that 94% of crashes are human error, so autonomous vehicles are the future and they trying to get ready for that. It's another reason that they are trying to set up 5G in all communities. She also attended a meeting with Mike Mower, Vicki Varela and Tom Adams. They were set the task getting legislators to come here to get an understanding of what the Council is trying to do for the community.

Councilmember Jones reported that he attended the CAST Summer Conference that started with the Sustainable Tourism Panel. Breckenridge presented some of their work on their Destination Management Plan that included a community survey to try to gauge some of the community's relationship with their tourist economy and despite having a strong tourism focus, their residents were largely alright with the direction of the town and their events, but that the areas that they felt crowding on was parking, sidewalks and the supermarket. Aspen's parking is even more constrained than ours. They also have a short optional training for hospitality workers, many of whom are seasonal and may not return. The training gives them the basics about where to send people and what to recommend to tourists. In exchange they get things like a meal or coupon tour. They are looking at their travel carbon impacts, trying to have more direct flights, encouraging vehicle rental companies to have more electric vehicles and more shuttles. He was aware there are Friends Boards of national parks, but there are Friends Boards of other public land management agencies, as well. They provide an interface and support for those agencies. They do visitor surveys every two years to try to understand the evolving characteristics of the people visiting. Colorado tourism office has a campaign making core principles of visitors not harming the outdoors or themselves into bite-sized ads. They have a partnership with the Leave No Trace Organization, so the local tourism offices use the Leave No Trace materials and they have a development program to help emerging destinations clarify their vision and focus. It's competitive and comes with a starter implementation grant. There were a number of presenters on Community Engagement on Climate action. Colorado passed a number of bills, include the Colorado Just Transition Office to help extractive economies transition to other means of support. The High-Country Conservation Center working with Summit County Colorado and its cities and ski resorts published a climate action plan specifically focusing on that aspect of sustainability. He sent the Councilmembers a link to that. They are also engaging other local government entities, such as school districts, as partners as both sources of emissions and possible solutions participants. He and Grand County Community and Economic Development Director, Zacharia Levine, presented on their local work on an Outdoor Lighting and Dark Sky advocacy.

Mayor Niehaus mentioned a few conferences that were coming up and wanted to know if anyone was going to attend. She said that she will be speaking on the panels of the Outdoor Recreation Summit October 21 – 24, 2019 and the Rural Business Summit in Price on September 6, 2019. She will also speak on the panel at the Rural Summit in Cedar City. She wanted the Council to consider who all could attend. Knutson-Boyd, Guzman-Newton and Derasary will attend the LPC.

Administrative Report: City Manager Linares reminded everyone of the ribbon cutting event for the new road that goes out to the new campus area across from the Millcreek extension on September 19th at 9:00 a.m. He attended the interim session and appreciated them taking the time to meet with the City rather than just reacting towards them. It goes a long way to have open dialog. He looks forward to attending other interim sessions and showing them what the City is doing as they move forward with overnight accommodations and work with them in the league to solve Moab's problems and make this city awesome. Still working on Walnut Lane. He's continuing to reach out to the City's partners through land exchanges and tring to continue

to keep working on a way to start the development. They should also have the burned trailers gone this week as they signed an agreement with an individual who is going to remove them. He thanked the staff on Walnut Lane because they are really working hard and not hesitating. They are taking a lot of pride in it and it's so outside of what they normally do. He reminded the Council that their next meeting will be on September 9th and that there will be a longer workshop that day, probably from noon to 3:00 pm. The Public Works and Engineering Departments will be there and they will go through the infrastructure and the things they talked about at that day's earlier workshop.

Police Chief Bret Edge reported that they had had a difficult week last week. Multiple officers were involved in both of the critical incidents and performed absolutely flawlessly in very difficult situations and he was proud of them. He said that they are working on a program to offer them the support that they need following critical incidents. It's something that has been long overdue. He also mentioned that jaywalking is an issue in the community, and they will be doing education and enforcement as much as possible. They will have officers on Main Street making contact with people who are walking outside of the crosswalks and educating them about the dangers involved and, at some point, they will also start issuing citations. They are planning to work with Communications Manager, Lisa Church to develop some education material to push out into the community. He also notified them that he will be out of the office for a couple of weeks, possibly longer, and Assistant Chief Mike Thurston will be acting in his place. If Thurston is absent, Sergeant Jerry Niemeier will take the reins. Linares thanked both the Sheriff's Department and Highway Patrol for their assistance in the critical incidents. The highway patrol had stepped in and did the on-scene investigation with aid from the other departments, but they have other technology and equipment that the Police Department doesn't have. He also thanked the Police Department as they have been taking on some roles that, historically, haven't been their function.

Citizens to be Heard:

Marc Thomas urged the Council to approve Resolution 45-2019 Adopting the Sustainability Action Plan for Moab. Up the road in Salt Lake City, the three-day United Nations Civil Society Conference with attendees from around the world is pointing out that only with aggressive policies can humankind stem climate change. The Conference discussions have centered on the UN Sustainable Goal #11, which if achieved, would make cities inclusive, safe, resilient and sustainable by 2030 while increasing access to renewable energy, affordable housing, transportation alternatives and green spaces. In fact, one panel was titled Local and Regional Governments Leading the Way to Sustainable Communities. He said that Moab adopted a Resolution in 2017 calling for the transitioning, community-wide, to 100% renewable energy by 2030 plus significantly reducing greenhouse emissions over time. To get there, initiatives including lighting, retrofitting citywide recycling, bike sharing, dark skies, and participation in the Watt Smart Communities Program are already underway, but to achieve a Moab that is inclusive, safe, resilient and sustainable by 2030 as outlined in the UN Sustainable Goal #11. More action is needed, and the 2019 Sustainable Action Plan points the way forward with necessary and achievable initiatives. He, therefore, employed the Council to adopt Resolution 45-2019.

Sara Melnicoff also wanted to talk about sustainability and wanted to remind the Council that in 2007 she created a petition that was signed by hundreds of people in the community, before the word sustainability was in common usage, calling for a recycling, conservation and healthy community specialist. Highlighting the fact that it would save the city a lot of money while encouraging the public to do healthy things that were good for the planet and the community, including green spaces, protecting wildlife, protecting domestic animals, encourage green

business startups and encourage recycling city wide. She said that the recycling actually has to be recycled for it to count and, that in a lot of ways, that's not happening with single stream. She wanted to highlight some the partnerships that she's been building. She's been working with someone at the ballpark. She's been checking it every week and cleans the bin. Everything is working well over there now, because there's teamwork and cooperation. She dislikes single stream recycling, but she's putting stuff in the single stream can and making sure it's clean. She said that she's doing it because "you have to use every tool in the toolbox". She said that the Sustainability Plan does not mention Moab Solutions even though she's been working on this for 20 years, and the Recycle Center is never mentioned. She doesn't think it's getting the respect it's due and it's going to be 29 years old soon. She's started recycling at the Virginian Motel and all the guests and owners are loving it as they don't need to have their trash picked up as often. She said that it takes her seven minutes to load it in her truck and take it to the Center where it gets source separated and sent to Salt Lake. She was very upset regarding Monument Waste. She said that have brought no cardboard to the Center since July 31st. Monument doesn't take shredded paper, but the Recycle Center does. She encouraged the Council to try to talk to people about working together. An example is that the "three to seven" everyone puts in their single streams is getting land-filled in Denver. That is according to a broker who was there and talked to senior staff. It's great to feel like to you're doing something that makes a difference, but it only counts when you are really doing something that makes a difference. The Recycling Center is in its best shape thanks to the new management and staff deserves some respect and to be included in a sustainability recommendation report, because the only way we're going to solve the climate crisis, or any other crisis is by working together.

Special Events:

Approval of a Request for Amplified Music at Old City Park on September 7, 2019.

Discussion: none

Motion and Vote: Councilmember Derasary moved to approve the Request for a Amplified Music at Old City Park for a marriage celebration on September 7, 2019. Councilmember Knutson-Boyd seconded the motion. The motion carried 5-0. Councilmembers Jones, Knutson-Boyd, Derasary, Guzman-Newton and Duncan voting aye.

Old Business:

Proposed Resolution 46-2019: A Resolution Authorizing the Execution of a Restated and Amended Subdivision Improvements Agreement for the MAPS Subdivision, Phase II

Special Events Sponsorship—Approved

Discussion: City Attorney McAnany presented a revised version of the Agreement. He had emailed a red-line version earlier in the day so that they could see the changes. The plat for the subdivision was previously approved by the Council in March of 2019. However, the developer had to make some changes to its plans due to some financing changes. The City has an existing subdivision improvements plan with the Housing Authority of Southeastern Utah, but a different entity.

Motion and Vote: Councilmember Knutson-Boyd moved to approve the Resolution Authorizing the Execution of a Restated and Amended Subdivision Improvements Agreement for the MAPS Subdivision, Phase II. Councilmember Jones seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Proposed Resolution 45-2019: Adopting the 2019 Sustainability Action Plan

Discussion: Russo was thanked for all of her work on the plan. Councilmember Jones was concerned about the spelling and grammatical errors contained in the document. He had made

some corrections and sent them out to the Council but wondered if there was someone else that could be a part of the team that vets the documents before they get to the council, because the document doesn't look like it's quite ready. He said that he could make a motion to approve subject to those identified errors. Mayor Niehaus asked him to share documents with corrections with Russo to have the staff make the necessary corrections. Councilmembers Derasary and Guzman-Newton had also made corrections to the document and recommended that it be shared in Google Docs with "track changes" so that they could all make changes and corrections and get it to Russo. Mayor Niehaus had asked Linares to put in the Agenda Summary Sheet, a suggested motion that tentatively passes the Sustainability Plan so that the Council can pass it and allow them time to flush out the edits and then finalize it. Linares said that his suggestion is that they tentatively pass the Sustainability Plan and then hold it until their 1st meeting in October as they are attending a Park City Summit on October 1st. That way they can also incorporate some of what they learn at the Summit into the living document if they choose to do so.

Motion and Vote: Councilmember Derasary moved to approve that the Council Adopt the City of Moab **Resolution 45-2019**. A Resolution Adopting a Tentative Ten-Year Sustainability Plan. Councilmember Knutson-Boyd seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Update on the City of Moab 2019-2020 Administrative Work Plan

Discussion: Mayor Niehaus stated that the Council had never finished approving the Administrative Work Plan. The working document had been created by a former City Manager and, as the City has a new City Manager, she wanted to give Linares the opportunity to go through it and see how he feels about this very important tool, so that they can move forward for the remainder of this year and set up expectations for next year. Linares said that he can work on it as there are some things in the Plan that have been completed and can be removed, some that need to be changed and some that need to be added. Staff will bring it back before Council at the Strategic Planning Session in January so that the Council can have the opportunity to make changes or have any additions that they would like included. Staff will then work on those changes and/or additions and bring it back before the Council in June when they are working on the budget, so that they can see how the items that both Council and staff are prioritizing are going and how they are being budgeted. In that manner, they will be able to know how they're being budgeted, what they have the money for and what is realistic financially going forward,. Perhaps readjusting things as they go through the budget process. They can make it a viable document that both staff and Council can have access to and make changes as deemed necessary. Derasary requested that Linares share with Council, the parts of the Plan that have been completed when staff cuts them out. They would like to be able to celebrate/recognize the accomplishments made.

Update on the Administrative Guidelines for the Use and Reservation of City Owned Property

Discussion: Linares said that he thinks that this is something that he is going to ask the Council at some point to get everyone to thinking about it again. Staff is going to meet on this and hone it in a lot more. They will then present it to Council in a much more completed idea. Staff is open to whatever changes Council would like to make. He has already heard some great ideas. He liked Guzman-Newton's idea of creating a table and making it smaller. Staff also thought that was a great idea and want to get it finalized and put on the website where people can just look at it and be able to read how they can rent a City owned property and see what they can have there. However, there are some things that he doesn't feel comfortable as a staff, unilaterally, making some of the decisions. There are some decisions that he believes that it would be better for the Council to come to terms with and inform staff on how they are to be

handled. At this time, dogs are not allowed on the grass in the parks, but they are allowed on the sidewalks/paved surfaces, except that Lions Park allows dogs on the grass with a leash. Staff just needs to know that they have Council's support when they implement such policies for the parks. Derasary asked Linares what document she should send people to if they have questions about park policies. He explained that that was the reason for to subject to be on the agenda. There really isn't one. So, what they are working off of right now is historical precedence because nothing was ever finalized. Derasary asked what his suggestion would be, since they had only made it partly through the document and there had been questions. Linares said that he would meet with the park staff and other city staff to go through it and implement the ideas that Council has provided, as well as, identify and take care of problems. They will then bring it back before Council to formalize it. Derasary asked that he include Animal Control in the staff that will be reviewing the document. He said that he would include parks, animal control, law enforcement, public works reservations staff and possibly finance so that all of them can have a hand in how the process works. Derasary asked that he look into two other questions that she had been asked regarding the park policies. One asked if there were amplification limits and one was slacklining at Old City Park. Linares will look into it and do a risk assessment regarding slacklining. Niehaus offered to assist any Councilmembers who would like to try slacklining. There is a group of professional slackliners who are part of the community as well. Duncan said that he thought the website idea was great but wanted to make sure that the customer service would continue for phone calls that come in and that staff would not just refer people to the website rather than assist them. Linares assured him that was not going to happen. It would be more for the people who want to start online.

New Business:

Proposed Resolution 44-2019: Establishing a Debt Policy for the City of Moab.

Briefing and First Review

Discussion: City Finance Director Rachel Stenta provided a presentation to provide a quick overview of the Debt Policy. Historically the City favored a "pay as you go" approach which keeps the debt load low but neglects the infrastructure needs. This will be the City's first formal Debt Management Policy. She went over what has worked with the former debt management system and what hasn't. The pay as you go approach has kept debt obligations low. However, the City's infrastructure requires regular investment of capital to keep it functioning. The City's services and operations have grown, and maintenance of their infrastructure has fallen behind due to lack of funding. The City's reserves have also been declining as they have used cash to pay for capital projects for several years. They've also been using those reserves to pay for operations. She explained why the City would want to have a Debt Policy. One is infrastructure. The draft capital improvements plan currently has over \$14,000,000 in needed improvements and that number is going to get larger as the plan becomes more comprehensive and prioritized. Cash for projects is limited and the City won't be able to do major infrastructure projects with the amount of cash they have on hand. There are new projects that the Council has identified as community-based priorities include repairing their infrastructure and affordable housing. Dedicated revenue streams that retire debt will bring those projects to completion. The goals of this policy if adopted, would be in place for future Councils and would be updated each year, or every 2 years to make sure that they are using their resources to the best of their ability and in the most fiscally responsible manner. It can be used to decide when the City is going to take on new debt and how they are going to use it. It would give guidelines of what the Council should look at before taking on new debt to make sure that they have sufficient revenue to repay it and to look at other options for financing that could be put toward those projects. The debt policy ensures that debt will not be used to fund ongoing operating expenses. The policy also outlines a formal fiscal rule for operating expenses that states "To conserve the General Fund equity balance and to avoid reliance on this balance, the City will not finance operations from the

General Fund Equity balance for periods longer than two years”. The Strategy is to ensure the proper use of debt to fund capital projects within the five-year Capital Improvements Plan that the City will revise and adopt each year. The Capital Improvements Plan ties into a Financing Plan and will make sure that the user rates and the impact fees are supporting the City’s operations and enterprise funds. Stenta said that there is a lot of technical jargon and there are a lot of terms and processes that take place behind the scenes with debt and she will be happy to sit down and explain any of the those in depth. What the Council would be adopting is a policy document that is administered by staff in conjunction with the City’s financial consultants and with bond council once they have undertaken debt. Basically, what the policy says is that these are the range of products and loans and structures that they can use whenever they are looking at going into debt. Guzman-Newton asked if the City scores very high when it comes to getting bonds. Stenta said that it depends on the type of financing they are looking at and that their financial consultant said that adopting a debt management policy improves their score. Niehaus asked what the next steps would be. Stenta stated that it has gone through legal review with the City’s attorney and that Alex Buxton Vice President of Zions Bank had also reviewed it and only made a couple of suggestions that she has incorporated into the policy. The City’s auditors have reviewed it as well, so the next step would be for the Council to adopt it and then get the going on the Capital Improvements Project Plan. Once that is done, they will move forward with the financing plan. Linares said that they would be looking at their impact fee and expanding their impact fee table to include more than what they are currently collecting on.

Motion and Vote: Councilmember Guzman-Newton moved to adopt **Proposed**

Resolution 44-2019: A Resolution establishing a debt policy for the City of Moab.

Councilmember Knutson-Boyd seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Proposed Ordinance 2019-26: An Ordinance Renaming Rimrock Road to a New Name of “Aggie Boulevard”

Discussion: A request was brought to Council and then Staff by USU Director Liana H Berger asking that they consider renaming Rimrock Road to Aggie Boulevard for the new college campus. Linares and City Engineer Williams put the Ordinance together. Knutson-Boyd asked for clarification that they were only changing the City’s portion of that road and that it would remain Rimrock Road in the County closer to the Rim. Linares confirmed that was correct.

Motion and Vote: Councilmember Derasary moved to approve **Ordinance 2019-26:** An Ordinance Renaming Rimrock Road to a New Name of Aggie Boulevard. Councilmember Guzman-Newton seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Resolution 40-2019: Authorizing the City of Moab To Commence Eminent Domain Proceedings to Acquire a Utility Easement Across the Pilles Property in Conjunction with the North Corridor Wastewater Improvements

Briefing and Possible Action

Discussion: Mayor Niehaus invited the property owners to speak if they were present. They were not present, so it was recommended that Council move forward. Derasary thanked the staff for all of the information they provided. She said that they did a great job of explaining what Eminent Domain is and what it isn’t. Knutson-Boyd agreed and said that it gave them the knowledge that they needed to take the necessary steps. Linares explained that the easement will allow the City to install a North trunk line sewer line and that the easement they are requesting will be in the setback portion of the property of the parcel which will allow them to bury the line, and that the parcel involved is not developable due to the existing setback. This easement will, hopefully, minimize their impact as much as possible. It is also in the public good as this line will provide sewer service out to the North end of town. McAnany added that an

invitation had been sent to the landowner by Federal Express inviting them to attend this meeting so that they could address the Council if they chose to do so, but he had not heard from them. Linares stated that there were 11 easements that needed to be acquired by the City for this project, nine of which were successfully negotiated and done without having to go through this process.

Motion and Vote: Councilmember Knutson-Boyd moved to approve **Resolution 40-2019** authorizing the City of Moab to Commence Eminent Domain Proceedings to Acquire a Utility Easement Across the Pilles Property in Conjunction with the North Corridor Wastewater Improvements. Councilmember Guzman-Newton seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Resolution 40-2019: Authorizing the City of Moab To Commence Eminent Domain Proceedings to Acquire a Utility Easement Across the Moab Lodging LLC Property in Conjunction with the North Corridor Wastewater Improvements Briefing and Possible Action

Discussion: Mayor Niehaus invited the property owner to speak if they were present and wanted to address the Council. They were not present. McAnany stated that the landowner was notified in writing more than 10 days prior and was invited to attend the meeting and speak to the Council if they chose to do so. Guzman-Newton pointed out that fair market value compensation is being offered to these property owners. The City is not allowed to take property.

Motion and Vote: Councilmember Duncan moved to approved **Resolution 40-2019** Authorizing the City of Moab To Commence Eminent Domain Proceedings to Acquire a Utility Easement Across the Moab Lodging LLC Property in Conjunction with the North Corridor Wastewater Improvements. Councilmember Guzman-Newton seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Canvass of the Moab Primary Election: The Canvassing of Votes from the Moab City Primary Election held on August 13, 2019. This is for the final audit, including those who voted absent and provisional ballots

Discussion: Linares stated that they need a motion accepting the canvas of the primary elections from August 13, 2019 and provided hard copies.

Motion and Vote: Councilmember Duncan moved to approve the Canvass of the Moab Primary Election. Councilmember Guzman-Newton seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Approval of Bills: Councilmember Knutson-Boyd moved approve moving this item to the next agenda. Councilmember Duncan seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Adjournment: Councilmember Jones moved to adjourn the meeting. Councilmember Derasary seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye. Mayor Niehaus adjourned the meeting at 8:44 PM.

APPROVED: _____
Emily S. Niehaus, Mayor

ATTEST: _____
Sommar Johnson, City Recorder