

MOAB CITY COUNCIL MINUTES-DRAFT
MOAB CITY PRE-COUNCIL WORKSHOP- DRAFT
MOAB CITY PRE-COUNCIL WORKSHOP 6:00 PM--DRAFT
REGULAR CITY COUNCIL MEETING
December 10, 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 each meeting is archived at: [h https://www.utah.gov/pmnn/index.html](https://www.utah.gov/pmnn/index.html) and video recordings of each meeting is archived at: [h https://www.youtube.com/results?search_query=moab+city+december+2019](https://www.youtube.com/results?search_query=moab+city+december+2019), [hhttps://www.youtube.com/watch?v=FN5MU9yPitY](https://www.youtube.com/watch?v=FN5MU9yPitY), <https://www.youtube.com/watch?v=uQHDaFKV-sI&t=65s>.

Pre-Council Workshop-12:00 PM:

Ordinance 2019-30: An ordinance amending the City of Moab Municipal Code, Section 17.31 RC Resort Commercial Zone to allow new Overnight Accommodations, subject to revised Development standards.

At 12:00 PM, Mayor Emily Niehaus called a workshop meeting to order. In attendance were Mayor Emily Niehaus and Councilmembers Rani Derasary, Mike Duncan, Karen Guzman-Newton and Kalen Jones. Councilmember Tawny Knuteson-Boyd was absent. Also, in attendance were City Manager Joel Linares, Assistant City Manager Carly Castle, City Attorney Laurie Simonson, City Planner Nora Shepard, City Recorder Sommar Johnson and Deputy Recorder Joey Allred. Eleven members of the press and public were present.

City Planner Shepard presented the ordinance and suggested that they discuss the parts of the ordinance that they were unable to get to during the December 2nd Council meeting including mixed use and maximum building size to include height.

Southeast Utah Health Department Environmental Health Director Orion Rogers presented on the installation of greywater usage. The current rule does not allow greywater for commercial use. It has not been approved for hotel use although it is before the state legislature at this time. Right now, it is only approved for residential. They may be able to get it approved if they start small such as starting with just laundry. The new rule is being rewritten and, if adopted, would allow for greywater use on non-residential projects that would include commercial. Some hurdles have been identified for both commercial and residential use applications. Those possible hurdles to consider are; that there is too much water that will come from hotels to utilize all of it so the idea would be for the hotels to only use enough greywater to feed their irrigation for landscaping and the other issue that will be important for both City and County ordinances and they will need to look at policies dealing with water usage to make sure that developers are trying to meet the same goal with landscaping requirements. The City and County will need to look at all ordinances and make sure that they agree with each other with the ultimate goal of overall water conservation. As the policy is written at this time overnight accommodations can't be required to install greywater systems. Mayor Niehaus noted that upon adoption of new state regulations "overnight accommodation developments shall install rainwater and/or greywater systems to provide sufficient irrigation for all the landscaping associated with the property," and that could be something the Council could move toward. Rogers explained that there are many different types of greywater systems, but there are two tiers. One is gravity feed and is easy to do at home and the other would be for hotels or something larger and would require tanks and pumps. Councilmember Duncan asked how to incentivize hotels as sewer rates are metered by culinary water usage. Mayor Niehaus thinks that culinary water wouldn't be counted because it wouldn't go through the

meter, it would go into landscaping. Rogers explained that there are daily wastewater estimates for different facilities. Mayor Niehaus said that she believes that if a facility is using landscape water anyway, they're already calculating a percentage of water not going into the sewer.

Councilmember Guzman-Newton asked Shepard about the energy needs on site that was discussed at the last workshop. She said that she notices that there was 5% commercial and the 80% energy, and she was uncomfortable that they don't have sound justification for those numbers. She said that is when council looks to staff to direct them as to the pros and cons of those numbers. She doesn't know how staff came up with those numbers and she needed to know how to justify them. Shepard explained that the numbers are based on common practice. It is expected that most hotels have 5% or so of commercial uses built into them already and that is a normal allowance. Civic and/or open space is somewhat subjective, and it comes down to what does the City want to see and set the standards so the City is getting what they want to get. Shepard said that she could take a look at and try to rationalize those numbers. She thought that she would have time after all of the day's meetings to clean up loose ends and generate a rational basis for those numbers.

Shepard said that Councilmember Derasary had asked where the County was with their ordinance. Shepard said that the County Planning Commission is having a public hearing on this date and the County Council will be having theirs on December 17th, so they are close to where the City is with no substantive differences at this time. Councilmember Jones stated that City code Chapter 17.80 currently states that there are supplementary regulations for large-scale developments of 30,000 square feet and appears to have addressed many of the things that they have been discussing in more depth. He thought that one strategy for getting to the end goal could be to reference chapter 17.80 but adjust them to address the lodging specifically and not reinvent this chapter. Shepard agreed that the chapter includes a lot of standards that would apply and said that the Planning Commission had discussed it and these standards would be above and beyond what the chapter currently contains. The Commission did a point by point comparison and came up with these standards keeping the more restrictive standards of each. She will send those comparisons out to Council. Councilmember Duncan asked that a copy of the draft ordinance be sent to Council for him to be able to make comments on. Linares and Simonson said that they would need to be careful to make sure that they were only commenting on the document for staff to answer questions or act upon and not have any sort of back and forth discussion or express differing opinions on any matter. They can have another open meeting for discussion if needed so that any deliberations are open to the public. Simonson suggested that Councilmembers could write comments on the document and send it back to Shepard and/or staff only. Shepard would be able to incorporate some of those comments and present them at a public meeting rather than creating a public document where all of them were commenting collectively where it could easily have the potential to become a discussion, thereby avoiding the possibility of deliberation outside of a public meeting.

Shepard stated that the Planning Commission recommendation proposes a maximum building size of 20,000 square feet and the maximum square footage would be 40,000 square feet with a maximum height being set at 30-40 feet with the possibility of gaining up to 20,000 additional square feet by earning 1 square foot of overnight accommodation space for square foot of commercial space over and above the standard 5% for a possible overall maximum project size of 60,00 square feet. The County is proposing that theirs be set at a maximum project size of 50,000 square feet with a maximum building size of 20,000 square feet even though it would require three buildings, 2 Of 20,000 square feet and 1 of 10,000 square feet. Councilmember Duncan questioned usable open space and why it was only set at 5%. Shepard said that there has been much discussion in both the City and the County, and the opinion is that with more open space, more water for landscaping is required. Councilmember Derasary asked what the normal percentage of open space that would be required for comparison. Shepard will look that up and get it to her.

Section G of the Ordinance-Site Configuration:

Mayor Niehaus asked if Council would just like to offer edits or suggestions. Councilmember Jones thought that there might be a better way to define #1. Perhaps to say that the final grade by more than “x” feet as someone may choose to grade a flat building site that cuts into the hillside and then re-grade it when they are done. Shepard explained that was what the hillside ordinance does and that it would still apply, but she can refer to that in this ordinance for added emphasis. Mayor Niehaus felt that she would rather give the builder flexibility on the requirement that buildings should be required to face the highway or fronting street. Councilmember Derasary mentioned the requirement of parking being to the back or side of the development and what the pros and cons of that might be. Shepard stated that requirement was already in the code and that kind of urban design is pretty standard now. Councilmember Duncan said that the current language to protect the viewshed is subjective and wondered if the Council would be obligated to accept an application for a development that fits the property with no mass grading, even if they believe that it would hamper the viewshed. Shepard said that the Commission had discussed that and had decided that they could deal with that by limiting building height to 30 feet rather than have a specific viewshed regulation. The ordinance also requires that the first floor must be pedestrian scale (15 ft) and then step back. Councilmember Guzman-Newton thought that there should be a cap on how much parking development is allowed. Shepard stated that there are parking lot design standards which states the hotels have to islands every so many spaces and there must be at least one major tree, so there are some pretty specific parking lot design standards that would continue to apply. It was determined that the Council would consider a maximum parking requirement after the public hearing.

Section H of the Ordinance-Building Design:

Mayor Niehaus asked the Council if they had any comments. Councilmember Derasary wanted to reiterate that she wants to make sure that viewshed isn't obstructed, but she thought that the tiered floor levels should preserve that. There was discussion that Council should include language that preserves the viewshed of the portal and the rim.

Section I-Materials and Colors:

Councilmember Derasary asked of the standard leaves enough flexibility to incorporate new and/or more efficient material as they become available. Shepard assured her that it was. Mayor Niehaus wanted to have stucco added back into the design standards. Shepard said that she would like to make sure that if a developer used stucco, it is of a high quality as some are more durable than others. Councilmember Jones agreed but would like to make sure that the standard requires a certain level of quality. Councilmember Guzman-Newton would like to have something in the design standards about maintenance for appearance, not just health and safety. Councilmember Duncan would like staff to “tag” each requirement to show the following: 1. If something is already a standard, 2. Is this new and it is doable, 3. This is doable with some expense, 4. Developer might find this objectionable as it is cost prohibitive, and 5. Developer might find it so egregious a requirement that no one will build anything. In response to that Mayor Niehaus passed out a letter from a local hotel owner and developer. She said that he intends to comment at the public hearing, but he had drafted the vision he has for where the tram would be revitalized; it includes a tram up to a restaurant in the existing building with a natural amphitheater. He said that he would like the project to be dark skies compliant. A hotel would be part of the project and the project would include transportation, bikes, shops, food and office space. He continues to ask what the Council wants so that he can build something that the Council and the community wants to see. She would like to get to a point where the Council can require mixed use. She said that she doesn't mind a new hotel if it brings so much more to the community and is modest in size. There was discussion about how other developers might be able to look at something like that and get creative and find other possibilities or a better way to go about it. It was suggested that they have a workshop meeting with some

of the developers in the community.

Recess: Councilmember Guzman-Newton moved to recess this workshop meeting until 6:00 PM. Councilmember Jones seconded the motion. The motion passed 4-0 with Councilmembers Derasary, Duncan, Guzman-Newton and Jones voting aye.

Pre-Council Workshop-6:00 PM:

At 6:03 PM, Mayor Emily Niehaus called the evening workshop meeting to order. In attendance were Mayor Emily Niehaus and Councilmembers Rani Derasary, Mike Duncan, Karen Guzman-Newton, Tawny Knuteson-Boyd and Kalen Jones. Also, in attendance were City Manager Joel Linares, Assistant City Manager Carly Castle, City Attorney Laurie Simonson, City Communications and Engagement Manager Lisa Church, Senior Project Manager Kaitlin Myers, City Recorder Sommar Johnson and Deputy Recorder Joey Allred. Nine members of the press and public were present.

Community Contributions:

Communications and Engagement Manager Lisa Church and Assistant City Manager Carly Castle provided a brief background regarding Community Contributions and how they evaluated the applications funding to make their recommendations. Mayor Niehaus thanked the committee for all of their hard work. She suggested that they include the amount that was requested as well as what the City has awarded for next year's applications. Mayor Niehaus said that Council had received several letters concerning the Humane Society's application and asked Council if any of them would like to comment on that. Councilmember Jones said that he supports the Humane Society but feels that this particular program isn't really a no kill program, but it is choosing which animals are favored. It has the potential to kill songbirds and he didn't feel comfortable using public money to support that. Councilmember Guzman-Newton said that reasoning behind the spay and neuter program is to have fewer feral cats and dogs populating the area so that, eventually, there will be fewer animals to kill songbirds. Councilmember Knuteson-Boyd said that the requested amount is \$3,500.00 and only a portion of that and she felt the other work that they do is good and needed work and felt that the group of citizens that disagree with the spay and neuter program should go to the Humane society and discuss their concerns. She didn't feel that it was the Council's place to tell organizations how to use their funds when they have been open and honest about what they have applied for. Councilmember Derasary agreed with Councilmember Knuteson-Boyd. She said that she has talked with people who are concerned about the songbirds and people who have worked with the feral cat program. She would like for the Humane Society to provide them more information by next year. Councilmember Duncan asked for clarification on the No-Kill policy. The No-Kill policy to not kill animals that have been brought to the shelter, the feral cat program is to trap the cats, spay and neuter them and then release them.

Mayor Niehaus thought that Council should allocated more funds to Youth Garden and add in Moab Child Care and Full Circle as the Humane Society already receives so much in-kind support from the City. She believes Councilmember Knuteson-Boyd said that she thought that the reason Council had asked for a sub-committee of staff to advise them and that they shouldn't have created it if Council wasn't going to listen to their advice. Councilmember Guzman-Newton inquired about the program that Seekhaven was requesting funds for and Linares explained the Lethality Assessment and the resources connections that coincide with that and how that assists high risk victims of crime and law enforcement. Councilmember Guzman-Newton also questioned WabiSabi's grant writing program. There was extensive discussion on the interviews, application process and possible duplication of services that were taken into consideration through allocation decision process.

Walnut Lane RFP:

Senior Projects Manager Kaitlin Myers presented the agenda summary for the Draft Request for Proposals (RFP) for the Walnut property. She provided a powerpoint presentation which addressed the comments and questions she had received from Council. She indicated the RFP's scope of work is limited to master planning services and then follows with more of a design, bid, build to design what the City wants and then go out to bid for construction services. She stated the scope of work is limited to just project management, coordinating between staff, Council and the public, doing the schematic design, preparing a master plan, preparing a phasing plan and helping staff determine a realistic timeline and budget for developing the project as a whole and also phase by phase. The change was made Myers has met with local developers and staff members and everyone agreed that it would be best to do a master plan before moving on to actual development. Myers believes that having a master plan will assist the City when approaching funders for grants or loans as most funders want to see a master plan, that you have your entitlement in place and that you are moving the project forward. Mayor Niehaus asked Myers what staff was looking for in the RFP responses. Myers said that they are most interested in seeing a budget and timeline and the balance of affordability and sustainability. She would like to get direction from the Council as to what they would like the project to look like. Mayor Niehaus mentioned the possibility of someone wanting to purchase the property with deed restriction to make sure that the City gets the affordable housing for low-income and extremely low-income residents is being done as something for them to think about.

At 6:50 PM Mayor Niehaus recessed the meeting until 7:00 PM.

Regular City Council Meeting-7:00 PM:

Mayor Niehaus called the meeting to order at 7:00 PM and led the Pledge of Allegiance. In attendance were Mayor Emily Niehaus and Councilmembers Rani Derasary, Mike Duncan, Karen Guzman-Newton, Tawny Knuteson-Boyd and Kalen Jones. Also, in attendance were City Manager Joel Linares, Assistant City Manager Carly Castle, City Attorney Laurie Simonson, City Engineer Chuck Williams, City Planner Nora Shepard, Assistant City Planner Cory Shurtleff, City Victim Advocate Karen DeKruger, City Recorder Sommar Johnson and Deputy Recorder Joey Allred. Twenty-five members of the press and public were present.

Approval of Minutes:

Discussion: There was no discussion

Motion and vote: Councilmember Jones moved to approve the minutes from November 22, 2019. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton and Jones voting aye.

Mayor and Council Reports: Mayor Niehaus began by stating that she had attended a Utah Transportation Commission meeting with Councilmember Guzman-Newton and was informed that UDOT has spent \$213,000,000.00 and completed 87 projects in Grand County to date. The ongoing projects are on Highway 128 (river road), 313 shoulder widening, the 191 North Corridor widening of Mainstreet and the Downtown Parking Garage. The Parking Garage has been completed funded through UDOT's Hot Spot fund. She was grateful for all of the attention and funding that the City of Moab and Grand County has been receiving from UDOT. She attended the ULCT board meeting and read the league's legislative priority list for the upcoming legislative session. The items on the list were; ensuring sustainability; municipal finance; prioritizing community first economic development; preserving traditional municipal authority over land use and balancing the needs of today's and tomorrow's resident; investing in state and local transportation funding for a variety of modes; protecting water rights and quality, and conserving and developing water resources; proving for health public safety and

welfare; improving air quality; ensuring effective and ensuring effective local governance. She attended a Southeastern Association of Local Governments meeting. She had a lot of fun at the tree lighting and parade and thanked the Chamber of Commerce for organizing them.

Councilmember Derasary reported that she attended the November 18th canvass of the last election. There were workshops on November 22nd and December 2nd regarding the Overnight Accommodations standards. She attended the workshop regarding the budget and capital projects matrix on December 6th. She attended a special lunch at the Canyonlands Care Center on November 22nd, the Downtown Parking Structure Open House on December 3rd, EMS Special Service District meetings on November 18th and December 9th and they are moving ahead with their new building, the Canyonlands Healthcare Special Service District meeting on December 5th and she attended the Christmas Craft Fair at the MARK on December 6th. She also stopped in at the Trail Mix meeting who will be getting some questions to Council soon.

Councilmember Duncan attended a County Water Board meeting who is contracting with a company out of Colorado to refit all of the infrastructure wells, tanks and pumps. He also attended the Chamber of Commerce meeting on this date.

Councilmember Knuteson-Boyd reported that she was unable to attend her two board meetings due to scheduling conflicts.

Councilmember Guzman-Newton attended the USU Open House meeting at the Hoo Doo and they are planning to break ground in the Spring of 2020. She attended the UDOT Commission meeting in Green River with the Mayor, the Special canvass of approval of election votes on November 28th, a School Board meeting on November 22nd, the Special Meeting on Overnight Accommodation on November 27th, the Solid Waste Special Service District and on December 2nd she attended the Design Advisory Committee meeting for Downtown Parking Structure, the Airport Board meeting where she met the new Airport Director and workshop for Overnight Accommodations. She also attended the Downtown Public Parking Structure Open House on December 3rd, the Budget meeting on December 6th, she hosted the second Complete Count Committee for the US Census on December 9th and she attended the Chamber of Commerce meeting with Councilmember Duncan earlier on this date. The Chamber will be having a Fourth of July Celebration investor speed dating for Opportunity zones on December 6th at the Hoo Doo all day. There will be a tribute celebration for Don Knowels at the HooDoo on December 17th, the Canyonlands Business Summit is on February 10th.

Councilmember Jones reported that he attended the Downtown Parking Structure Design Advisory Committee that included an operational design, a Moab Dark Sky meeting, a County Council meeting where they had a unanimous vote for 100% renewable energy by 2030 and the Affordable Housing Task Force meeting. He attended three meetings about the upcoming National Park Service Arches and Canyonland visitor experience and transportation planning and a Travel Council meeting and the Utah Association of Counties now has a committee on tourism.

Administrative Report:

City Manager Linares thanked everyone for their help with the light parade. He would like to have a strategic planning meeting on January 24th. That date will not work for Councilmember Guzman-Newton, so they work on finding another date. Staff is preparing an RFP for impact fees in all of the areas that the City does not currently receive impact fees for. He noted that the Assured Workforce Housing code change will be coming forward to amend the 1,000 square foot minimum.

Citizens to be Heard:

Dennis Silva spoke in regard to the Humane Society's request for funding for their catch and release

program and the impact that it has on birds across America. He said that research has shown that it doesn't work in terms of reducing the population of cats, so it has "the potential, by increasing the population of cats by feeding them in this feral setting, for them to kill birds and to actually contribute to some of the protozoans from their feces that are dangerous to humans." He didn't feel comfortable with City funds being used for that purpose without a study. Although he appreciates the work that the Humane Society does with getting abandoned pets into homes whenever they can.

Presentations:

Presentation to David Olsen:

Mayor Niehaus presented a plaque to David Olsen in recognition of the many contributions he made to the community over 25 years. Secured millions in grant funding, bicycle and pedestrian friendly. Thank you for your many years of public service.

Presentation Moab Police Department Victim Assistance Unit Six Month Update:

DeKruger gave a brief history of the program. Since 2018, 106 reported victims of crime were served during a 5 1/2-month period with 47 of those being adult females, 22 adult sexual assault and three bullying, eight burglaries, five child sex abuse cases, and 19 stalking or harassment cases. She also assisted with 15 protective orders, 10 stalking injunctions and 10 violation of protective orders. There were nine identity theft and fraud cases. During this time that have been 69 reported females and 37 report males that have been affected by crime that the unit has helped with. The program has one full-time staff member at this time, but another part-time position has been written in. The program also uses volunteers and they are exceeding their goals with the VOCA grant. DeKruger writes grants with quarterly reports, advises victims, provides emotional support, intervenes with creditors, landlords and lawyers and provides small funds to help with emergencies.

Public Hearing:

Ordinance 2019-30: AN ordinance amending the City of Moab Municipal Code Section 17.31 RC Resort Commercial Zone to allow new Overnight Accommodations, subject to revised Development Standards:

Shepard gave a brief presentation regarding the ordinance and trying to balance community and developer needs.

Mayor Niehaus opened the public hearing at 7:51 PM.

Amy Weiser- "Thank you for hearing me tonight. I just have a few questions and suggestions on the ordinance. When I went through the I, so I'll do it as quick as I can. On page four under 17.31.060 under Energy number four, it says 'a development shall provide the annual post occupancy monitoring.' I just have a question on what does post occupancy monitoring, and I might suggest to just annual monitoring, so I wasn't sure if anybody knew what post occupancy meant." Mayor Niehaus asked her to go through her list. Weiser said, "yes, under 'C' Transportation, it says 'oversize parking as deemed necessary by the development by the developer'. I know that's something we've struggled with in town about oversized parking. I might be nice if the City were to actually have a standard or required a number of spaces rather than as deemed necessary by the developer. And then it says, 'all projects over 40,000 square feet will be required to,' this is number 2 Transportation management plan. It was optional in the previous draft, so I'm thinking a word is just missing here, and I'm wondering if it must be required to submit or something. And then my question about building height, you can get an additional story if you provide various things by the, by being able to do another story, are you still subject to the 40,000 square foot maximum? That's another one of my questions, it's just a little unclear. And, 'the maximum square gross square footage of an overnight accommodation shall be 40,000 square feet.' Does this include the Civic Space and the Commercial Retail Space? Is 5% required for each when it says overnight accommodation

project? I just wanted to make sure you understood, if that meant the entire project, or just the building's devoted to overnight accommodations. And then I know that Nora has been talking about having examples of site configuration and building design. I just think it's great to have those as part of the actual ordinance so that people have that to look at with the ordinance. And that was it." Mayor Niehaus asked if Weiser had any overall comments other than questions? Weiser said, "I think overall, the folks I've talked to were concerned about the 80% energy on site. A little concerned about that. Everybody seems okay about the water reuse. We're a little confused about how all the square footages work. So, it's just. In the ordinance, it's a little confusing about, you get 40,000, but then you get. It'd be nice if maybe, it were a little more clear. Thank you."

Liz Ballenger- "Hi. Yeah, I'm Liz Ballenger. I'm a Moab citizen and thanks for wrestling with this difficult issue, and it's, it's a hard one. I wasn't able to attend the Planning meeting on November 21st. I did submit a letter in advance of that meeting, but I wanted to kind of reiterate here in case the comments didn't get through. And in particular, one of them that I'm still not seeing in the ordinance. But, up front, I'm still not in favor of having more overnight accommodations at this point. I just feel like I need to reiterate that. We haven't felt the effects of all the things that are in the pipeline. I understand that once things are build out we're going to probably see a 38% increase and I think that's kind of scary, that we're still going to be allowing this, it's like I use-by-right and especially that we're not considering something that it sounds like the County, which is a more metered approach to applications and growth of overnight accommodations, so I hope that you'll consider adding something like that metering into it. And, just one small comment that I wanted to make on the water section. I don't know why there's not something about mandatory use of, you know, low-flow toilets and fixtures. That seems like a really easy way to be saving water when we're building new accommodations. That's all. Thank you."

Lisa Carter- "My name is Lisa Carter and, Yeah, I'd like to reiterate the other person's comments a little bit. I'm still concerned about affordable housing and how does this balance out as we continue to create more overnight accommodations. It seems like the spread gets wider and wider for any kind of work for affordable housing. I saw some comments in some of your discussions around metering that does sound pretty complicated, but some way of saying, you know, this has to be met, otherwise we can't continue to allow this disparity to grow. And then, the other comment that I did see and some of the comments, was putting gin if the developer didn't provide workforce housing, is that something that they're supposed to do, and are they given a formula for that? And, there was something in there about a possible land transfer to the City so that the City could provide the housing, and again, this might have been discussions versus what I actually saw. It might have been one of the committee meetings that I saw the notes from. I don't know that the City should be involved in public housing. I mean, I know you're doing a project on the Walnut Lane, and I see that as an idea for a mode, but in overall, I'm not sure that the developers shouldn't be providing the housing since they're reaping the benefits mostly from their commercial. Thank you."

Mayor Niehaus encourages staff to reach out and answer some of the questions that had been asked.

Shepard Linares addressed the workforce housing issues. The ordinance on overnight accommodations allows additional square footage as an incentive to provide affordable housing over and above the what they're required to provide either on site, on another property or to donate property for that purpose. As for water, right now, both the City's water and building codes require low-flow toilets and sinks. Code requires all water conserving fixtures in all new hotels and commercial projects.

Motion and vote: Councilmember Jones moved to close the public hearing at 7:01 PM. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton and Jones voting aye.

Old Business:

Resolution 51-2019: Adopting a Capital Projects Prioritization Matrix for the City of Moab.

Discussion: Councilmember Derasary thanked the staff for their work on this and recommended people into and that she was excited to start using it.

Motion and Vote: Councilmember Derasary moved to approve the Resolution Adopting a Capital Projects Prioritization Matrix for the City of Moab. Councilmember Guzman-Newton seconded the motion. The motion carried 5-0 aye with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton and Jones voting aye.

Discussion and Approval of Walnut Lane RFP:

Discussion

Motion and Vote: Councilmember Derasary moved to approve the Walnut Lane Request for Proposals. Councilmember Guzman-Newton seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton and Jones voting aye.

New Business:

Community Contributions:

Discussion: Councilmember Derasary asked staff how much the City spent on event sponsorships the previous year. Church said that it was about \$11,500.00. Councilmember Duncan asked if Council could have a say in how an organization the City provides grant funding to is able to use those grant funds? Council can decide to require them to allocate the funds to whichever program they want. There was more discussion regarding the programs that the Humane Society have requested grant funds for.

Motion and vote: Councilmember Jones moved to approve the Community Contributions as Ad Hoc Committee's Recommendations for 2019 grants with the modification of making the Humane Society of Moab suggested funding level column read \$1,000.00 and Your Garden Project suggested funding the \$2,500.00. There was no second. The motion failed. Councilmember Guzman-Newton asked about the requests from KZMU and the Arts Council. Councilmember Guzman-Newton moved to table the motion. Councilmember Jones seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton and Jones voting aye.

Approval of an Interlocal Agreement for the Joint Repayment of a Loan from the Utah Permanent Community Impact Fund Board to the City of Moab for Construction of Infrastructure Between US HWY 191 and the future USU-Moab Campus Development Site By and Between Moab City, Utah and Grand County, Utah.

Discussion: Linares explained that this was before Council as a housekeeping item. This was an agreement that the Council agreed to and the County signed back in November 2017 but was never on the City Council agenda to be formally approved and for the authorization for the Mayor to sign it.

Motion and vote: Councilmember Guzman-Newton moved to approve the Interlocal Local Agreement for the Joint Repayment of a Loan from the Utah Permanent Community Impact Fund Board to the City of Moab for Construction of Infrastructure Between US HWY 191 and the Future USU-Moab Campus Development Site By and Between Moab City, Utah and Grand County Utah. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Duncan, Knuteson-Boyd, Guzman-Newton and Jones voting aye.

Back-in Angle Parking recommendations:

Discussion: Engineer Williams provided a presentation explaining the huge amount of bicycle traffic in Moab and parking issues. The City tried implementing back-in parking in May of 2019. Business owners

have asked them to revisit it, so staff has looked into it. They took bicycle counts and reviewed police accident reports. Police Chief Edge said that he would like to have other locations with back-in parking as well. Williams recommended that they implement back-in parking for other locations such as the 100 North Food Truck Mart and 100 North Moonflower Cooperative on North side, 100 South between 100 East and Main Street on South side, 100 North at the MARC on both sides. Back-in parking is being implemented in many more communities nationwide. Williams showed Council a Technical Memorandum showing the advantages of back-in parking with the safety elements. Councilmember Duncan asked about the accident rates due to cars backing out of parking spots and hitting bicyclists. There was extensive discussion on possible location and how local business owners feel about it. Mayor Niehaus would like to have staff speak to property owners. necessarily have been the best location to start and that the Moonflower market would be better. Councilmember Derasary agreed and thought that it might be appropriate to table and direct staff and talk to business owners. Councilmember Jones agrees and thinks that the area around Moonflower and the post office would be the better place. **Motion and vote:** Councilmember Derasary moved to table this item. Councilmember Duncan seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Resolution 63-2019: Approving the Mick Minor Subdivision of Property Located at 600 Mill Creek Drive, Moab, Utah 84532:

Discussion: Assistant Planner Shurtleff gave a brief presentation explaining the proposed subdivision for Dan Mick's son to be able to place a modular home there and share driveway with his father. There were questions regarding access and the flag lot.

Motion and vote: Councilmember Derasary moved to approve Resolution 63-2019 Approving the Mick Minor Subdivision subject to the following condition: all engineering comments shall be addressed to the satisfaction of the City Engineer prior to review by City Council. Councilmember Guzman-Newton seconded the motion. Councilmember Jones moved to strike the condition because it doesn't make sense as this was the only time that the Council will review subdivision plats. Councilmember Derasary restated the motion to approve Resolution 63-2019 Approving the Mick Minor Subdivision. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Resolution 64-2019: Approving the Bailey Minor Subdivision of Property Located at 62 South 200 East, Moab, Utah 84532:

Discussion: Shurtleff gave a brief presentation. This property subdivision is under the same circumstance as the previous Resolution with the shared driveway.

Motion and vote: Councilmember Derasary moved to approve Resolution 64-2019 Approving the Bailey Minor Subdivision. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Resolution 66-2019: A resolution approving a lot consolidation for Lots 22 & 24 Mulberry Grove located at 633 & 641 Peacock Lane.

Discussion: Councilmember Jones recused himself from this discussion and vote. Shepard gave a brief presentation and explained why this resolution did not need to have a public hearing. The property owns two adjacent lots and wants to join them into one single-family residence without a property line through the middle. This is allowable through code. The Homeowner's Association would also need to approve the owner's plans.

Motion and Vote: Councilmember Guzman-Newton moved to adopt Resolution 66-2019 Mulberry Grove Lot Consolidation for lots 22 & 24 Mulberry Grove. Councilmember Knuteson-Boyd seconded the

motion. The motion passed 4-0 with Councilmembers Derasary, Duncan, Knuteson-Boyd and Guzman-Newton voting aye.

Proposed 2020 Moab City Holiday Schedule:

Discussion: There was no discussion

Motion and vote: Councilmember Guzman-Newton moved to approve the 2020 Moab City Holiday Schedule. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Duncan, Knuteson-Boyd Guzman-Newton and Jones voting aye.

Approval of Bills: Councilmember Knuteson-Boyd suggested that the City try to buy local more often versus online. She will meet with Linares to work on the procurement policy. Staff will check the cost differential between local businesses and Amazon because local stores will try to match prices. Councilmember Knuteson-Boyd moved to approve the bills in the amount of \$1,704,777.29. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Duncan, Knuteson-Boyd Guzman-Newton and Jones 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

