

**MOAB CITY COUNCIL MINUTES
SPECIAL CITY COUNCIL MEETING
March 20, 2020**

Special Meeting & Attendance: The Moab City Council held a Special City Council Meeting on March 20, 2020. Per Executive Order 2020-5 issued by Governor Gary R. Herbert on March 18, 2020, this meeting was conducted electronically. An anchor location was not provided. A recording of the meeting is archived at www.utah.gov/pmn/index.html. A video recording is archived at: <https://www.youtube.com/watch?v=GNpKECaReCg>.

Mayor Emily Niehaus called the meeting to order at 11:32 AM. Participating remotely were Councilmembers Rani Derasary, Karen Guzman-Newton, Tawny Knuteson-Boyd, Mike Duncan and Kalen Jones. Staff participating remotely were City Manager Joel Linares, Assistant City Manager Carly Castle, City Attorney Laurie Simonson, and City Recorder Sommar Johnson.

Proposed Ordinance 2020-06: An Ordinance Amending Moab Municipal Code Section 2.04.100, Meetings-Electronic Participation

City Manager Linares began the meeting by thanking Jen Sadoff and Moab Regional Hospital, Orion Rogers and the Southeast Utah Health Department, Chris Baird and Grand County, Grand County EMS, Moab City Police, and the Grand County Sheriff's Office for the efforts they have put in over the last few weeks. He also thanks City staff for their effort in keeping City Hall functioning. He does not feel that services have fallen off and believes that some processes are better now. He feels everyone is working far beyond their hours to make this work and it is appreciated by Assistant City Manager Carly Castle and himself. He said that City Hall is open for business and we will keep inspections, business licensing, plan review and all other functions of City Hall going throughout this process. He indicated there is no plan to stop functions of City Hall unless he is told by a higher authority that we need to stop. He thanked the Mayor for doing public outreach through live events to get the word out that our water and sewer systems are safe and secure, and people do not need to be scared or insecure about those facilities. He stated those systems will continue operating and we have workers that are dedicated to making sure those systems function for the community. He explained that meetings would be different through this process, but we are committed to being open to the public and these meetings are available to the public. He said that there will be a place for public comment on our next regular agenda with a link to a form for individuals to fill out and submit comments to the City Council. He stated those comments will be included into the minutes and part of the permanent record. He indicated that most cities he has talked to are not including public comments at this time because they do not have an anchor location. City Manager Linares said he does not think that is appropriate and we will keep the dialogue with the public open even though we are not in a room together. He indicated that we want the public involved and want them to have access to what we are doing and encourage the public to submit comments through that form.

Mayor Niehaus thanked City Manager Linares for leading staff in this effort to take care of ourselves internally while also working hard to communicate with the community about doing business and for being one of the leaders on the Grand County COVID Task Force.

Mayor Niehaus asked about the citizens to be heard from on the next agenda and asked if she would read the comment form during the meeting or if the comments would just be published.

City Manager Linares explained that the idea right now was to publish the comments as part of the record. He believes there may be a lot of comments and it may be very time-consuming to

read them during the meeting. He explained that the comments would be provided to City Council as we receive them, so Council has an opportunity to read them prior to the meeting and then incorporate them into the minutes without reading them aloud during the meeting. He indicated that we are still working with the state to address the public hearing process because it is different than citizens to be heard.

Councilmember Derasary asked if they should be freeing up their schedules to read the comments prior to the meeting. She feels that most comments may come in last minute and if the comments are about an agenda item that they are voting on it can sometimes influence their decision. She asked from a logistical standpoint if they should set aside time before the meeting to read the comments because they will not be read aloud during the meeting.

City Manager Linares explained that typically those that come to a meeting and speak during citizens to be heard are usually emailing Council beforehand with their thoughts and comments. He hopes that this process is no different than what Council is used to in regular meetings. He explained that several options have been discussed for the citizens to be heard portion of the agenda and we are still working through the logistics of how it is going to work. He said that we have the ability to change the deadline to allow Council time to read all comments prior to the meeting.

Councilmember Knuteson-Boyd asked if citizens were encouraged to submit their comments via email or if they would be posted on the council comment portion of the agenda.

City Manager Linares explained that the citizens to be heard comment form is for citizens to make comments for the Council's intake as part of the decision-making process and not for the purpose of answering questions. He said that citizens will have to fill out the form to have their comments included as part of the official record. He said if citizens simply send an email to the Council it is not considered part of the record for the meeting.

Councilmember Derasary asked about the wording of the ordinance repealing the specific code section and asked if the intent was to return to normal operating procedures for meetings after the emergency order period passes.

City Manager Linares explained that we are amending the electronic participation rules for the current situation, but we have the option to amend the rules again at the end of the current situation.

City Attorney Simonson clarified that we are trying to create a structure for electronic meetings that would be useful beyond the emergency situation we are in right now. She indicated that the proposed ordinance repeals the existing language in the code and replaces it with the language in the ordinance before Council.

Councilmember Derasary requested that the ordinance be revisited once the emergency passes because she prefers that most meetings be held at an anchor location. She appreciates having this exception in place for instances where someone could not make the meeting and is able to participate but wants to reassure the public that the intention is to go back to meeting in public in a group in front of people.

Mayor Niehaus explained the process for making and seconding motions and explained that voting would be through a randomized roll call vote.

City Manager Linares explained the reasoning for a randomized roll call vote was to eliminate any strategizing in the way Councilmembers are called on to vote.

Motion and Vote: Councilmember Derasary moved to adopt Ordinance 2020-06 repealing and replacing the City of Moab Municipal Code Section 2.04.100. Councilmember Guzman-Newton seconded the motion. The motion carried 5-0 aye by a roll-call-vote.

Adjournment: Councilmember Knuteson-Boyd moved to adjourn the meeting. Councilmember Duncan seconded the motion. The motion carried 5-0 aye. Mayor Niehaus adjourned the meeting at 11:59AM.

DRAFT