The Moab City Council held its Regular Meeting on the above date. Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), the Moab City Council Chair has issued written determinations supporting the decision to convene electronic meetings of the Council without a physical anchor location. Due to the health and safety risks related to the COVID-19 pandemic and considering public health orders limiting in-person gatherings, the Moab City Council held this meeting by electronic means. An audio recording of the meeting is archived at http://www.utah.gov/pmn/index.html.

PRE-COUNCIL WORKSHOP
Mayor Emily Niehaus called the Workshop to order at 6:05 p.m. Participating remotely were Councilmembers Rani Derasary, Mike Duncan, Karen Guzman-Newton, Tawny Knuteson-Boyd and Kalen Jones. City staff participating remotely were Manager Joel Linares, Assistant Manager Carly Castle, Finance Director Klint York, Attorney Laurie Simonson and Recorder Sommar Johnson. Guests participated as noted below. A video recording is archived at https://www.youtube.com/watch?v=fPQK5uQ8G8k.

**Fiscal Year 2019-2020 Audit:** Jon Haderlie of Larsen and Company presented the City’s annual audit. He described the audit as “clean” and “fair.” Haderlie remarked on the turnover of the finance director during the year and noted that the transition went well. He discussed a new state standard regarding fraud risk assessment. Mayor Niehaus invited Haderlie back in the spring to discuss internal controls.

**100 Percent Renewable Energy at City Facilities:** Stacey Davis and Deb Dull from Rocky Mountain Power offered a proposal to reduce the overall expense to the City to maintain its 100 percent renewable power status utilizing the subscriber solar program. The change will require a new contract to benefit from the reduced rates.

**Carp Treatment Project at Old City Park:** Assistant Manager Castle described a project to eradicate invasive carp at the Old City Park pond. Dan Keller and Justin Hart of the Division of Wildlife Resources answered questions from the Council. Councilmember Derasary asked about options regarding the use of the pesticide Rotenone.

**Institutional Sewer Rates:** Susie Becker of Zions Bank presented an analysis of certain institutions to determine the cost of implementing a new sewer rate category that would include churches and schools. Finance Director York answered questions from Council and City Manager Linares presented options to the Council. In a straw poll, it was determined that a public hearing would be held after the New Year.

REGULAR CITY COUNCIL MEETING
**Regular Meeting—Call to Order and Attendance:** Mayor Niehaus called the Regular City Council Meeting to order at 7:07 p.m. Participating remotely were Councilmembers Guzman-Newton, Knuteson-Boyd, Derasary, Duncan and Jones. City staff participating remotely were Manager Linares, Assistant Manager Castle, Attorney Simonson, Recorder Johnson, Planner Nora Shepard, Assistant Planner Cory Shurtleff, Finance Director York and Water Reclamation Facility (WRF) Supervisor Obe Tejada. A video recording of the meeting is archived at https://www.youtube.com/watch?v=WzAUchS98Ho.
Citizens to be Heard:
Written comments received before the meeting:
Dear Council Members, First and foremost we want to say that we are so excited that the RAP Tax passed! This is such an exciting opportunity for the City, and for the arts, parks, and recreation facilities and programs. The purpose of this note is just to respectfully remind you that the Arts Council is here and excited to collaborate with the City Council when the time comes to establish the framework for spending. We look forward to the many opportunities these funds will provide for our community. Respectfully, The Moab Arts Council, Makeda Barkley, Liz Holland, Sascha Steinberg, Theresa King, Erin Groves, Serah Mead, Chris Moss

Administrative Reports:
Mayor Niehaus introduced Jen Sadoff, Chief Executive Officer of the Moab Regional Medical Center, who gave an update on COVID-19 impacts at the hospital and long-term care facility and discussed loads at Intensive Care Units (ICUs) across the region. She discussed the difficult months ahead and the prospects for vaccinations. Bradon Bradford of the Southeast Utah Health Department (SEUHD) spoke about the benefits of Grand County’s mask mandate. He brought up test availability and developing vaccination plans.

WRF Supervisor Tejada presented data on the capacity of the new wastewater facility and estimations of when maximum capacity might be reached. He estimated the year 2040 is a likely date but noted it is a fluctuating target. He said septage delivered from area vault toilets (outhouses) comprise a significant load on the facility.

City Planner Nora Shepard reported she is coordinating with the County on Off-Highway Vehicle (OHV) code amendments.

Finance Director York reported that September sales taxes comprised the City’s single biggest sales tax revenue month ever. York described the City’s recovery from starting the year with more than one million dollars of budget shortfalls to saving one million dollars in the current year due to staffing revisions and cutting expenses, resulting in a net loss of $114,095. City Manager Linares stated he hopes to have the City back in the black by the end of the year. Mayor Niehaus and Councilmember Guzman-Newton praised staff for their work correcting the City’s financial shortfalls.

City Attorney Simonson reported on masking mandates and a recent Utah Labor Commission ruling regarding masking violations and enforcement.

City Manager Linares reported on the Coronavirus Aid, Relief, and Economic Security (CARES) Act funding options. He stated there were $100,000 to spend on a proposed grant program and an equal amount to fund a community coupon program. Linares explained the coupon program and stated it is modeled on successful endeavors in other Utah jurisdictions and would provide $15 “buy local” coupons to City and County residents to be spent at local businesses, which would then be reimbursed by the City. Council discussed timelines and conditions for the program. A public hearing and meeting to consider the program was scheduled for Friday, December 18 at noon.

Linares also reported that the new OHV speed limit signs were delivered to the City and would be installed soon. He mentioned an all-night effort on the part of the City’s water department crew due to a series of water pressure valve failures downtown. He concluded with praise for the Streets crew work cleaning up Walnut Lane.
A special City Council meeting was scheduled for Wednesday, December 16 at noon to discuss the City’s future water outlook. Councilmember Duncan stated he would present his research of the City’s water supply and threats to the City’s sustainable yield.

Councilmember Guzman-Newton asked Linares about a Utah Department of Transportation (UDOT) Technical Planning Assistance (TPA) grant opportunity. Linares indicated he would research it and apply in time for the imminent deadline.

**Mayor and Council Reports:**
Mayor Niehaus reported on several meetings she participated in during the prior month. She noted the Millcreek community survey results were completed and she briefly discussed upcoming state legislation affecting rural communities.

Councilmember Derasary reported on meetings she participated in during the prior month and highlighted work toward a System of Care for at-risk youth as well as progress on the Emergency Medical Services (EMS) building construction. She noted her disappointment regarding reports of vandalism of a local church.

Councilmember Duncan reported on his upcoming presentation to the Council on the City’s water supply. He also described a conversation he had with Clif Koontz of Ride With Respect about OHV noise. Duncan mentioned his continuing work on a survey of streets. Mayor Niehaus thanked him for his assistance regarding the state of the City’s sidewalks.

Councilmember Knuteson-Boyd reported on meetings with the Museum of Moab and the Housing Authority.

Councilmember Guzman-Newton reported on various meetings she attended and mentioned a survey of community assets.

Councilmember Jones reported on meetings he participated in regarding composting, dark skies and the regional transportation plan. He noted an option for a trucking route through Hanksville. He reported on a Travel Council meeting and remarked on revisions to advertising campaigns after the County’s recent resolution regarding tourism promotion.

Mayor Niehaus concluded the Council reports with a mention of an upcoming Regional Transportation Plan meeting scheduled to announce approved Hotspot Funding projects.

**Approval of Minutes**
*Motion:* Councilmember Jones moved to approve the minutes for the November 10, 2020, Regular Meeting. Councilmember Duncan seconded the motion.
*Vote:* The motion passed 5-0 with Councilmembers Derasary, Jones, Guzman-Newton, Knuteson-Boyd, and Duncan voting aye in a roll call vote.

**New Business:**
**Proposed Resolution 39-2020: Sunflower Minor Subdivision —Approved**
*Presentation:* City Planner Shepard briefly explained that the property owner is proposing to subdivide the existing property at 889 N Main Street, Moab, UT, with the existing “Super 8” commercial business to be located on Lot 1 of the proposed subdivision, and the vacant land south of the hotel to be located on Lot 2. Mayor Niehaus noted the Moab Planning Commission positively recommended the minor subdivision approval in a 4-0 vote to the City Council.
Motion: Councilmember Knuteson-Boyd moved to approve Proposed Resolution 39-2020: A Resolution Approving the Sunflower Minor Subdivision of Property Located at 889 N Main Street, Moab. Councilmember Jones seconded the motion.

Discussion: Councilmember Derasary noted the application specifies no proposed future use for the property and staff explained that any future use would need to adhere to zoning code.

Vote: The motion passed 5-0 with Councilmembers Derasary, Guzman-Newton, Knuteson-Boyd, Duncan and Jones voting aye in a roll call vote.

Proposed Resolution 40-2020: Jasmine Minor Subdivision—Approved

Presentation: Assistant Planner Cory Shurtleff briefly presented background on the project and noted the Moab Planning Commission positively recommended approval in a vote of 4-0 to the City Council.

Motion: Councilmember Duncan moved to approve Proposed Resolution 40-2020: A Resolution Approving the Jasmine Minor Subdivision of Property Located at 1089 N Main Street, Moab. Councilmember Knuteson-Boyd seconded the motion.

Vote: The motion passed 5-0 with Councilmembers Derasary, Guzman-Newton, Knuteson-Boyd, Duncan and Jones voting aye in a roll call vote.

Proposed Resolution 45-2020: the MAPS Phase III Minor Subdivision—Approved

Presentation: Assistant Planner Shurtleff offered background on the project. He stated that Canyonlands Health Care Special Service District submitted a Minor Subdivision Application on October 20, 2020, for the two-lot subdivision of property located at Care Campus Drive, Moab UT; Parcel #01-0MAP-0004. Shurtleff explained the review process and noted the Planning Commission positively recommended the minor subdivision to the City Council in a 5-0 vote.

Motion: Councilmember Knuteson-Boyd moved to approve Proposed Resolution 45-2020: A Resolution Approving the MAPS Phase III Minor Subdivision of Property Located at Care Campus Drive, Moab. Councilmember Derasary seconded the motion.

Discussion: Councilmember Knuteson-Boyd explained the subdivision would allow for the trade or sale of the property to remedy street alignment concerns and more. Moab Regional Medical Center CEO Sadoff and Canyonlands Health Care Special Service District chair Joette Langianese participated remotely to answer any questions and there were none.

Vote: The motion passed 5-0 with Councilmembers Derasary, Guzman-Newton, Knuteson-Boyd, Duncan and Jones voting aye in a roll call vote.

Proposed Ordinance 2020-16: Imposing a Local Sales Tax—Approved

Presentation: City Manager Linares briefed the Council on the topic. He explained that since the proposition was approved by the voters of the City, pursuant to Utah Code Annotated §59-12-1402, the Recreation, Arts and Parks (“RAP”) Tax could now be levied by a majority vote of the Governing Body. Adoption of the ordinance would impose the Tax effective April 1, 2021.

Motion: Councilmember Derasary moved to approve Proposed Ordinance 2020-16: An ordinance imposing a local sales and use tax of one-tenth (1/10) of one percent (0.1%) to fund cultural arts facilities and programs and recreation facilities in the City of Moab, providing severability and an effective date for the ordinance, removing the code language for a Recreation, Arts and Parks Tax Citizens’ Committee. Councilmember Knuteson-Boyd seconded the motion.

Discussion: Mayor Niehaus pointed out there could still be a citizens’ committee but the parameters of such a group would be determined later. Discussion ensued about the timeline for determining distribution of funds.

Vote: The motion passed 5-0 with Councilmembers Derasary, Guzman-Newton, Knuteson-Boyd, Duncan and Jones voting aye in a roll call vote.
2021 Legislative Session Priorities—Discussion
Casey Hill and Greg Curtis of Red Hill Strategic discussed lobbying priorities of Council, and which include OHV regulations, public noticing, road infrastructure appropriations, Transient Room Tax (TRT) sunset provisions for municipalities and affordable housing. City Manager Linares explained that he and Assistant Manager Castle would track legislative bills on a daily basis. Councilmember Derasary asked about the public noticing item and Linares explained it pertains to timeframe requirements for posting public hearings and other required items in the local weekly newspaper. Councilmember Duncan brought up the topic of advocating against the public lands transfer movement. He pointed out the federal public lands surrounding Moab are crucial to the area’s economy and quality of life. The consultants brought up UDOT’s prioritization process for road infrastructure appropriations and also clarified the sunset provision had been settled in the last legislative session, although there is continuing pushback from hoteliers. Councilmember Derasary brought up the continuing specter of loss of local control of land use planning due to potential legislative action. Councilmember Jones asked for details about the areas of lobbying concern.

2021 City Council Meeting Schedule—Approved
Motion: Councilmember Derasary moved to approve the 2021 Moab City Council meeting schedule. Councilmember Knuteson-Boyd seconded the motion. After discussion, Councilmember Derasary amended her motion and Councilmember Knuteson-Boyd seconded the amended motion.
Discussion: Council discussed the schedule, and decided to omit the second meetings in November and December. The schedule agreed upon reflects the intent to hold Regular City Council Meetings at 7:00 PM with workshops usually beginning at 6:30 PM on the second and fourth Tuesdays of each month. All in-person Regular City Council Meetings are planned to be held in the Moab City Council Chambers at 217 East Center Street, Moab, Utah. Joint City Council and Planning Commission meetings will be held January 26, April 27, July 27 and October 26. Regular Meetings will be held November 9 and December 14.
Vote: The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

2021 Moab City Holiday Schedule—Approved
Motion: Councilmember Jones moved to approve the holiday schedule for 2021. Councilmember Knuteson-Boyd seconded the motion.
Discussion: Discussion surrounding the closure of City offices and staff holiday time off during the final week of 2021 ensued. After dialogue, the following schedule was approved as proposed: Moab City Offices will be closed on the following holidays during 2021: New Year’s Day, January 1; Dr. Martin Luther King Jr. Day, January 18; Presidents’ Day, February 15; Memorial Day, May 31; Independence Day (Observed), July 5; Pioneer Day (Observed), July 23; Labor Day, September 6; Indigenous Peoples’ Day, October 11; Veterans’ Day, November 11; Thanksgiving Day, November 25 and the Day After Thanksgiving, November 26; Christmas Eve (Observed), December 23; Christmas Day (Observed), December 24; December 25, – January 2, 2022.
Vote: The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

Approval of Bills Against the City of Moab:
Motion and vote: Councilmember Knuteson-Boyd moved to approve the bills against the City of Moab in the amount of $300,030.14. Councilmember Duncan seconded the motion. The motion passed 5-0 with Councilmembers Jones, Duncan, Guzman-Newton, Derasary, and Knuteson-Boyd voting aye in a roll call vote.
*Adjournment:* Councilmember Duncan moved to adjourn the meeting. Councilmember Guzman-Newton seconded the motion. The motion passed unanimously and Mayor Niehaus adjourned the meeting at 10:06 p.m.

APPROVED: __________________
Emily S. Niehaus, Mayor

ATTEST: __________________
Sommar Johnson, City Recorder