

MOAB CITY COUNCIL MINUTES--DRAFT
REGULAR MEETING
March 8, 2022

Moab City Council held its Regular Meeting on the above date. Consistent with provisions of the Utah Open and Public Meetings Act, the meeting was held electronically. Audio is archived at www.utah.gov/pmn.

Pre-Council Workshop:

Mayor Joette Langianese called the workshop to order at 4:07 p.m. Video is archived at www.youtube.com/watch?v=PvIekssUTGc. Councilmembers Rani Derasary, Kalen Jones, Luke Wojciechowski and Jason Taylor attended remotely. City staff participating included Acting City Manager Carly Castle, Finance Director and Acting Deputy Manager Ben Billingsley, Planning Director Cory Shurtleff and Recorder Sommar Johnson.

Active Employment Households (AEH)—Discussion

Planner Shurtleff opened the workshop on Draft **Ordinance 2022-05**: an Ordinance Amending the Moab Municipal Code R3/R4 Zones with AEH requirements. Shurtleff addressed Council questions regarding **Resolution 33-2021**. Councilmember Derasary asked about considerations for the R2 zone. Councilmember Jones asked if the ordinance would apply to subdivisions and Planned Unit Developments (PUDs). The timeline was discussed, including public notice and public hearings. Shurtleff described ordinance amendments including Chapter 17.64 which deals with AEH definitions, permitting and enforcement; he reviewed details of multi-household dwellings and AEH occupancy requirements. Robert Keller of Snow Christensen & Martineau brought up legal issues regarding enforcement provisions. Aaron Nousaine of BAE Urban Economics presented data to be considered when determining the required share of housing for workforce needs, both Citywide and in the R3/R4 zones. Councilmember Jones brought up the Assured Housing Study (AHS) of 2017 and questioned the “commuter share” that implied workers camping on public lands and noted the City goal to ensure safe and decent housing for the workforce. Councilmember Derasary asked about the scope of work and rates for BAE’s contract and about updating the AHS. Planner Shurtleff suggested removing enforcement from the pending ordinance. He was asked about the costs of implementing the ordinance. Councilmember Jones brought up exaction and financial feasibility for individual developers, including the challenge of determining if the impact on developers was commensurate with the development’s impact on the City. The characteristics of the R3 and R4 zones were discussed in terms of the intention for full time residents to populate the zones. Parking changes were discussed along with developments with more than seven units rather than more than three. Councilmember Taylor asked about the exclusion of garages in front of the dwelling units and Councilmember Derasary brought up the scope of safety considerations being addressed by the ordinance. Discussion of potential litigation ensued.

Regular Meeting Attendance and Call to Order:

Mayor Langianese called the meeting to order at 6:04 p.m. Councilmembers Tawny Knuteson-Boyd, Derasary, Jones, Wojciechowski and Taylor attended remotely. City staff in attendance included Acting City Manager Castle, Finance Director and Acting Deputy Manager Billingsley, Human Resource Director Dani Guerrero, Engineer Chuck Williams, City Attorney Nathan Bracken and Recorder Johnson. Video is archived at www.youtube.com/watch?v=lEpvl8F-l1o.

Citizens To Be Heard:

Travis Clark spoke about a residence on Arches Drive that housed 28 people. He said it was a catastrophe. He said it was a commercial-type operation and not a bed and breakfast. He

acknowledged the need for employee housing but expressed outrage that this has happened. He indicated his home value depreciated and parking was an issue.

Jack Wynn concurred with Mr. Clark regarding the residence on Arches Drive. He said it was the wrong place for a large employee housing development. He called it a corporate bunkhouse, and stated it sanctioned discrimination and should be in the commercial zone.

Consent Agenda—Approved

Motions and Votes: Councilmember Derasary moved to approve the minutes of the February 22, 2022 Regular City Council Meeting and to approve bills against the City of Moab in the amount of \$360,367.31. Councilmember Jones seconded the motion. Councilmember Derasary stated she sent corrections to the Recorder. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Wojciechowski and Knuteson-Boyd voting aye.

New Business:

Salary Survey—Presentation

Human Resource Director Guerrero answered questions regarding communities used for comparisons, salary compression and adjustments made since the last salary survey was completed in 2016. Discussion followed regarding minimum and maximum ranges, longevity versus performance, and the pay plan versus a Cost of Living Adjustment (COLA).

Disposal of Real Property Procedures—Approved

Discussion: Finance Director and Acting Deputy Manager Billingsley described the need to codify procedures for the disposal of small parcels of land owned by the City. He said the proposed ordinance was recommended by the City's attorney and was in the public interest. Councilmember Derasary asked how the Council could know the significance of a parcel and Billingsley brought up the threshold for parcels deemed significant. Councilmember Knuteson-Boyd said it was reasonable and defensible and she was fine with it.

Motion and Vote: Councilmember Jones moved to approve **Ordinance 2022-04**, which defines a significant parcel of real property as a property that exceeds (\$100,000) in fair market value, is (1) acre or larger, or is set aside for, or used as, a public recreation area. Councilmember Derasary seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

Authorization of Sale of Remnant Parcel of Real Property—Approved

Discussion: Finance Director and Acting Deputy Manager Billingsley addressed questions regarding the sale of a parcel adjacent to residential property at 388 East 100 South. He said the site plan process should have identified the 0.04-acre parcel belonging to the City. The adjacent property owner was selling his residence and hoped for a quitclaim at closing.

Motion and Vote: Councilmember Knuteson-Boyd moved to approve Proposed **Resolution 09-2022**: a Resolution Authorizing the Sale of a Remnant Parcel of Real Property. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

Old Business:

Lot Consolidation of Properties Located at 241 East 100 North—Approved

Motion and Vote: Councilmember Wojciechowski moved to approve Proposed **Resolution 06-2022**: a Resolution Approving the Lot Consolidation of Properties Located at 241 East 100 North, Moab UT. Councilmember Taylor seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

Lot Consolidation of Properties located at 196 N 200 E & 110 N 200 E—Approved Motion and Vote: Councilmember Knuteson-Boyd moved to approve Proposed **Resolution 07-2022:** a Resolution Approving the Lot Consolidation of Properties located at 200 East 196 North & 200 East 110 North, Moab, Utah 84532. Councilmember Wojciechowski seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

Five-Year Transit Pilot Project Budget—Approved

Discussion: Engineer Williams presented background on the transit pilot project which includes funding from the Federal Transportation Administration and the American Rescue Plan Act (FTA ARPA) and presented a proposed alternative budget that would include a fixed route as well as micro-transit van service. Williams stated the City would hire a part-time employee to coordinate the program and a vendor would provide the service. The proposed fixed route was described as running along Highway 191 from the north side of the Colorado River Bridge to the Old Spanish Trail Arena. Hours and overlap of the two services were discussed. Councilmember Taylor asked about storage for fleet vehicles. Councilmember Derasary asked about the preparation of the Request for Proposals. Mayor Langianese asked about onboard advertising.

Motion and Vote: Councilmember Knuteson-Boyd moved to approve a Proposed Alternative Budget dated March 8, 2022, including FTA ARPA Funds and Authorize the Mayor to sign appropriate Contract Documentation as needed. Councilmember Taylor seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

Walnut Lane Public-Private Partnership Request for Proposals (RFP)—Approved

Discussion: Acting City Manager Castle reviewed alternatives regarding the Walnut Lane affordable housing project, including issuance of an RFP to engage a developer for a public-private partnership (PPP) as the possible next step. Councilmember Jones brought up the specter of required staffing and the difficulty of competing with private sector employers. Finance Director and Acting Deputy Manager Billingsley described staff involvement. Selling the property was discussed as an alternative. Councilmember Knuteson-Boyd suggested that issuance of an RFP would not commit the City and the property could still be sold with deed restrictions in the future. Councilmember Taylor concurred that the PPP option could be explored before moving on. Councilmember Jones stated his skepticism regarding the PPP option and suggested selling the property because of the lengthy process and lack of staff resources. Councilmember Derasary requested staff to inform residents of the process. She also asked about the cost of issuance of an RFP and expressed appreciation of Councilmember Jones' point of view. Councilmember Wojciechowski stated that selling the property was the least palatable option and displacement of residents is a problem. He cited human costs and the impact on the community because there was no re-housing option. He said he was open to developing partnerships with local nonprofits.

Motion and Vote: Councilmember Knuteson-Boyd moved to direct staff to publish an RFP to solicit developers for proposals to enter into a public private partnership for the development of the Walnut Lane Apartments. Councilmember Taylor seconded the motion. The motion passed 4-1 aye with Councilmembers Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye and Councilmember Jones voting nay.

Administrative Reports:

Acting City Manager Castle reported on hiring a new City Attorney, Nathan Bracken. She noted staffing changes in the Public Works department and the hiring of a Safety Coordinator. She mentioned the March 18 and 19 strategic planning session.

Mayor and Council Reports:

Councilmember Wojciechowski reported on a Planning Commission meeting and his site visit to the new Utah State University-Moab (USU) campus.

Councilmember Derasary mentioned her appreciation of the Moab Valley Multicultural Center (MVMC). She noted the strategic planning test survey and reported she attended meetings with the Grand Water and Sewer Services Agency, the City’s attorney, and an affordable housing expert. She brought up the legislative recap as well as City representation in the Mill Creek Community Collaborative. Derasary aired concern regarding the bunkhouse on Arches Drive.

Councilmember Jones stated he attended the final meeting of the Dark Skies alliance. He also reported on meetings of the solid waste district, the Housing Task Force, the Community Renewable Energy Agency and the Travel Council. He said he attended the USU site visit.

Councilmember Taylor reported on the Chamber of Commerce retreat and noted their scholarship program and July Fourth activities. He stated he attended an airport board meeting.

Councilmember Knuteson-Boyd said she met with the visioning team.

Mayor Langianese said she attended the USU event and announced the April 1 ribbon cutting at the new campus. She mentioned the Moab Free Health Clinic and the health department had purchased the existing USU building. She suggested Parks, Recreation and Trails Director Annie McVay to represent the City in the Mill Creek Community Collaborative. The Mayor mentioned that USU is looking for an advisory board member and brought up a suggestion from Senator Mike Lee’s staff, referring to Senator Lee’s “housing act” which would allow local governments to purchase federal public lands for housing projects. She also brought up how to proceed with the many letters she is asked to sign on behalf of the City.

City Attorney Report: Attorney Bracken recapped the legislative session and answered Council questions regarding specific bills.

Executive (Closed) Session:

Motions and Votes: Councilmember Jones moved to enter an Executive Session to Discuss Reasonably Imminent and/or Pending Litigation. Councilmember Wojciechowski seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Wojciechowski and Knuteson-Boyd voting aye. Mayor Langianese convened the closed session at 8:13 p.m. Councilmember Knuteson-Boyd moved to close the Executive Session. Councilmember Derasary seconded the motion. The motion to end the closed session passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Wojciechowski and Knuteson-Boyd voting aye. Mayor Langianese ended the session at 9:34 p.m.

Adjournment: Councilmember Derasary moved to adjourn the meeting. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Wojciechowski and Knuteson-Boyd voting aye. Mayor Langianese adjourned the meeting at 9:34 p.m.

APPROVED: _____
Joette Langianese, Mayor

ATTEST: _____
Sommar Johnson, City Recorder