

MOAB CITY COUNCIL MINUTES--DRAFT
REGULAR MEETING
February 22, 2022

Moab City Council held its Regular Meeting on the above date. Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Annotated § 52-4-207(5)(a), the meeting was held electronically. Audio is archived at www.utah.gov/pmn. Mayor Joette Langianese read the written determination to conduct an electronic meeting.

Pre-Council Workshop:

Mayor Langianese called the meeting to order at 4:04 p.m. Video of the workshop is archived at <https://www.youtube.com/watch?v=Dy6sl0StpsM>. Councilmembers Tawny Knuteson-Boyd, Rani Derasary, Kalen Jones and Luke Wojciechowski attended remotely. Councilmember Jason Taylor did not attend. City staff participating included Acting City Manager Carly Castle, Engineer Chuck Williams, Sustainability Director Mila Dunbar-Irwin and Recorder Sommar Johnson. Consulting attorney Nathan Bracken also attended remotely.

Water Resources Discussion:

Engineer Williams briefly described the history of the City's water system. He mentioned the amount of water used by the City over the past 20 years and noted the unused paper water rights owned by the City. He described the City's water infrastructure, financial details and touched on water planning and upcoming capital projects. He mentioned various water supply studies and covered activities of the recently formed Spanish Valley Regional Water Management Coordination Group. Williams concluded by describing various local groups that address watershed concerns. Councilmember Jones asked questions about firefighting response and Mill Creek flow through town. Councilmember Derasary asked about the water management groups mentioned and requested clarification on membership. She also asked about a proposed open house. Both Councilmembers brought up safe yield and potential conflicts with water agencies.

Sustainability Director Dunbar-Irwin reviewed the 2021 Water Conservation Plan and highlighted accomplishments regarding the Plan's goals. She mentioned prospects for citizen incentives for repair of leaking water systems, landscape conversions and installation of smart irrigation timers. Mayor Langianese mentioned the need for a public education effort in 2022.

Victoria Arling of the WaterNow Alliance, along with Lindsay Rogers and John Berggren of Western Resource Advocates, presented an overview and options related to a proposed landscape ordinance. The ordinance would regulate new construction and some remodels. Topics discussed included percentages of living plant materials and a possible mandatory plant list, turf limits, mulch, permeable groundcovers, hydrozones, landscape water budgets, incentivizing graywater, exemptions for edible crops and irrigation system standards. Councilmember Derasary asked about mulch, rural standards and definitions. Councilmember Jones stated his support for some of the proposed regulations and asked about proportions of landscaped area in relation to building footprints and pavement. He asked about the landscape water budget proposal and Councilmember Wojciechowski stated his opinion that the water budget would be the most viable option. Councilmember Knuteson-Boyd asked about water budgets for existing homeowners. Discussion ensued regarding next steps and Mayor Langianese closed the workshop at 5:41 p.m.

Regular Meeting Attendance and Call to Order:

Mayor Langianese called the regular City Council meeting to order at 6:03 p.m. Video is archived at <https://www.youtube.com/watch?v=O-QVfwxKKOs>. Councilmembers Knuteson-

Boyd, Derasary, Jones, Wojciechowski and Taylor attended remotely. City staff participating included Acting City Manager Castle, Finance Director and Acting Deputy Manager Ben Billingsley, Planning Director Cory Shurtleff, Sustainability Director Mila Dunbar-Irwin, Parks, Recreation and Trails Director Annie McVay, Sports Manager Patrick Trim, Engineer Williams and Recorder Johnson.

Citizens to Be Heard:

Roslynn McCann of Utah State University expressed disappointment that graywater would no longer be considered for the building code. She said residences typically used 30 gallons of water per day for showers and that education alone is not enough to conserve water. Mayor Langianese stated Sustainability Director Dunbar-Irwin would clarify the graywater issue; she later clarified graywater is not being eliminated from the building code but will take more work.

Scott McFarland of High Point Hummer stated he is the only legal outfitter since the implementation of the new noise ordinance that requires outfitters to trailer non-compliant off-highway rental vehicles to trailheads. He said there is not enough parking at Sand Flats to accommodate all the vehicles. He requested Council to delay the implementation of the ordinance for one year until quieter vehicles are available for rental fleets. He claimed it was not a question of whether business owners were willing to comply but rather that compliant machines are not available.

Kael Weston, a candidate for the United States Senate, greeted Council.

Ranked Choice Voting—Presentation

Recorder Johnson explained the results of Moab City's community survey regarding the pilot November 2021 election utilizing Ranked Choice Voting (RCV). She said there were 103 survey responses and noted most respondents indicated the ballots were easy to understand and instructions were clear. She explained most respondents disliked RCV and were dissatisfied with the voting method. Councilmember Derasary asked that the survey results be posted on the City's website. Councilmember Knuteson-Boyd expressed her lack of surprise at the community's dissatisfaction with RCV. Councilmember Jones wondered if there were financial advantages to not having a primary and opined that a minimal petition requirement for candidates might winnow the field of casual candidates. Jones also asked about clarification regarding recount triggers. Councilmember Taylor stated his concern that the election was outsourced to Utah County and hoped that future elections could be conducted in-house. Recorder Johnson explained Grand County declined the opportunity to conduct an RCV election. Councilmember Wojciechowski expressed concern that the campaign season was compressed without a primary, candidates had less exposure to the public, and he stated the RCV methodology was complicated for a multi-winner race. He said that Utah's RCV vote-counting technique favors the majority. Kelleen Potter, Regional Coordinator for Ranked Choice Voting Resources, discussed House Bill 264, which clarifies when a recount is required, and makes improvements to the canvass process and determining voter intent. She said jurisdictions save \$2.00 per voter by eliminating the need for a primary election.

Consent Agenda—Approved

Motion and Vote: Councilmember Derasary moved to approve a **Special Event Permit for the Rotary Club's 2022 April Action Car Show, Minutes** for the January 25 and February 8, 2022, Regular Meetings, and **Bills against the City of Moab** in the amount of \$225,818.42. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Wojciechowski and Knuteson-Boyd voting aye.

Old Business:

Pickleball Courts Update—Discussion

Parks, Recreation and Trails Director McVay apprised Council of the City's inclination to abandon the proposed pickleball court construction at Old City Park (OCP) along with accompanying grant funding. She said about 50 persons attended a pickleball demonstration at the park and a more modest number attended a demonstration at the high school tennis courts the following day. McVay indicated there has long been interest in pursuing future grant funding for pickleball court construction at the Old Spanish Trail Area (OSTA) complex. Councilmember Derasary asked if the City would contribute to the court construction at OSTA. Councilmember Taylor stated his impression that OCP was a fine location until citizen comments were received. He requested an effort to define the vision for OCP. Councilmember Knuteson-Boyd thanked staff and recognized Council needs to be intentional when asking staff to conduct business at the risk of overwhelming public clamor. Councilmember Jones also thanked staff, suggested higher level planning for growing demands, and indicated the Change of Use process regarding City-owned properties is appropriate for this type of project. Councilmember Derasary suggested the community visioning process might help. Mayor Langianese brought up the prospect of possible courts at the high school and urged citizens to contact the school board.

Hotspot Funding and Capital Improvements—Discussion

Engineer Williams presented an update on dispersed parking at Emma Boulevard and the proposed roundabout on 400 North. Councilmember Knuteson-Boyd brought up green infrastructure opportunities and Councilmember Jones asked about added stalls in the downtown area. Councilmember Derasary brought up concerns about consequences of creating a heat island. Councilmember Taylor asked about who is served by the development of the new parking and brought up the specter of illegal campers. Mayor Langianese asked for clarification regarding removal of an iconic sycamore tree and a gate on the proposed parking lot. Engineer Williams stated he would follow up with the nearby churches regarding the proposed plans. Councilmember Derasary asked that downtown businesses be involved in the dispersed parking plan and Councilmember Jones brought up concerns about access for delivery trucks at downtown businesses. He also asked that a prototype area be established to evaluate the prospective changes. Engineer Williams also described progress on the Moab Area Transit and Councilmember Taylor expressed concern that local Uber and Lyft drivers would lose work due to the free transit. Williams stated a public hearing would be held on March 21 in Swanny Park to hear citizens about the proposed roundabout.

New Business:

Minor Subdivision at 450 Mill Creek Drive—Approved

Motion and Vote: Councilmember Knuteson-Boyd moved to approve **Resolution 01-2022:** A Resolution approving a Minor Subdivision of Property Located at 450 Mill Creek Drive. Councilmember Derasary seconded the motion. Councilmember Wojciechowski recused himself from the vote due to his prior consideration of the proposal during his tenure on the City Planning Commission. The motion passed 4-0 aye with Councilmembers Jones, Derasary, Taylor and Knuteson-Boyd voting aye.

Lot Consolidation of Properties Located at 241 East 100 North, Moab UT—Tabled

Discussion: Planner Shurtleff and Councilmembers discussed the prospective active employee household restrictions on multi-family developments. At issue was the required percentage of employee housing units yet to be determined, resulting in potential impact on the proposed Auburn Townhomes. Shurtleff agreed to consult with the City's attorney on the matter.

Motion and Vote: Councilmember Derasary moved to table until the next regular meeting **Proposed Resolution 06-2022:** A Resolution Approving the Lot Consolidation of Properties Located at 241 East 100 North, Moab UT. Councilmember Jones seconded the motion. The

motion to table passed 4-1 aye with Councilmembers Jones, Derasary, Wojciechowski and Knuteson-Boyd voting aye and Councilmember Taylor voting nay.

Lot Consolidation at 200 East 196 North & 200 East 110 North, Moab UT—Tabled

Motion and Vote: Councilmember Knuteson-Boyd moved to table **Proposed Resolution 07-2022:** A Resolution Approving the Lot Consolidation of Properties located at 200 East 196 North & 200 East 110 North, Moab UT. Councilmember Jones seconded the motion. The motion to table until the next regular meeting passed 4-1 aye with Councilmembers Jones, Derasary, Wojciechowski and Knuteson-Boyd voting aye and Councilmember Taylor voting nay.

Administrative Reports:

Acting City Manager Castle updated Council on potential legislation regarding the State's ability to usurp local control with regard to off-highway vehicle noise as well as workforce housing. Castle announced the hiring of Jessica Thacker as the new Assistant Planner, and mentioned the demonstration streetlamp conversion pilot locations on 400 East and 300 South. She concluded with a note about a strategic planning session March 18 and 19, and included the need for master planning for the City's parks.

Mayor and Council Reports:

Councilmember Taylor reported he attended the pickleball demonstration.

Councilmember Knuteson-Boyd stated she attended a meeting of the housing authority and noted the museum board was transitioning to quarterly meetings.

Councilmember Derasary reported she met with the Mayor and members of the City's Water Conservation and Drought Management Advisory Board and said she would attend future meetings of that board. She reported on a meeting of System of Care and said 42 youths are enrolled in the program. She added she had learned of potential fentanyl contamination of street drugs in Moab. Derasary reported she attended the two pickleball demonstrations, and meetings of the visioning team and the Utah League of Cities and Towns Legislative Policy Committee. She noted introduction of a bill regarding water-wise landscaping.

Councilmember Jones stated he attended both pickleball demonstrations and watched the broadcast of a planning commission session regarding active employee households in the R3 and R4 residential zones.

Councilmember Wojciechowski reported he met with the Director of the Moab Valley Multicultural Center and lauded the organization's many contributions.

Mayor Langianese stated she met with members of the water board, spoke at the Chamber of Commerce luncheon, and gave a State of the City report to the League of Women Voters. She noted an upcoming meeting with the hospital director regarding the Moab Area Project for Seniors (MAPS) development.

Executive (Closed) Session:

Councilmember Knuteson-Boyd 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, Knuteson-Boyd and Wojciechowski voting aye. Mayor Langianese convened the Executive Session at 8:56 p.m. Councilmember Jones moved to exit the Executive Session. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor,

Knuteson-Boyd and Wojciechowski voting aye. Mayor Langianese ended the Executive Session at 9:11 p.m.

Adjournment: Councilmember Derasary moved to adjourn the meeting. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye. Mayor Langianese adjourned the meeting at 9:11 p.m.

APPROVED: _____
Joette Langianese, Mayor

ATTEST: _____
Sommar Johnson, City Recorder

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