

**MOAB CITY COUNCIL MINUTES
REGULAR MEETING
February 14, 2023**

Moab City Council held its Regular Meeting on the above date in Council Chambers. Archived audio is at www.utah.gov/pmn and video is at www.youtube.com/watch?v=w1u2cGeXqyY.

Attendance and Call to Order:

Mayor Joette Langianese called the meeting to order at 6:03 p.m. and Miles Loftin led the Pledge of Allegiance. Councilmembers Rani Derasary, Tawny Knuteson-Boyd, Jason Taylor, Kalen Jones and Luke Wojciechowski attended. Also in attendance were City Manager Carly Castle, Engineer Chuck Williams, Finance Director and Acting Deputy City Manager Ben Billingsley, Recorder Sommar Johnson, Police Chief Jared Garcia, City Attorney Lisa Watts Baskin, Planning Director Cory Shurtleff and six members of the public.

Citizens to be Heard:

Sara Melnicoff spoke about a recycling pilot project.

Presentations:

Legislative Update: Mayor Langianese thanked Councilmember Derasary for her diligent work following bills under consideration by the Legislature. Lobbyist Casey Hill and his associates presented an update on the session and covered legislation of concern to the City regarding road funding, active workforce housing (AWH), water exaction amendments, school resource officers (SROs), a gas tax reduction including fees for electric and hybrid vehicles (EVs), and a proposed tax on EV charging stations. City Manager Castle brought up an omnibus land use bill that could affect AWH. Councilmember Derasary asked about whether the proposed SRO amendments would entail private and charter schools, and asked whether the basis for the EV tax was based on actual numbers or projected numbers of vehicles. She also brought up the proposed rollback of the food tax. Representative Lyman's bill to eliminate economic diversity uses of the Transient Room Tax was discussed. Mayor Langianese mentioned that the State has a revenue surplus and this is influencing legislation regarding tax modifications, yet she pointed out this surplus does not affect the tight budgets of rural Utah communities or municipalities.

Grand County Emergency Manager: Cora Phillips, Emergency Management Director for the Grand County Sheriff, briefed Council on recent trainings and explained the public alert system. She spoke about the interagency incident command and the emergency operations plan. Councilmember Derasary asked about the job duties of the Emergency Management Director and about training for elected officials regarding dissemination of information to the public as well as the incident command structure. Councilmember Jones asked if the chain of command changed after a critical event, such as the aftermath of a wildfire.

Consent Agenda—Approved

Discussion: Councilmember Derasary mentioned additions and changes to the board assignment list. Councilmember Jones mentioned he was a non-voting member of the Colorado Association of Ski Towns and welcomed other Council participation due to the highly valuable perspectives of the gateway communities. Councilmember Knuteson-Boyd suggested that the number of board and committee assignments was too many and could be reconsidered to accommodate Councilmembers' time constraints. Councilmember Taylor brought up the letter of support regarding economic diversity and stated sales tax revenues need to be protected. Mayor Langianese stated that opposing the sunset of economic diversity opportunities is critical. Councilmember Derasary brought up suggested edits to that letter.

Motion and Vote: Councilmember Derasary moved to approve the consent agenda as follows:

community organization liaison and board assignments; consideration of **Resolution 04-2023**: a resolution ratifying the setting of a new public hearing date for proposed wastewater and water revenue bonds, series 2023; ratification of a letter of support for the Moab Valley Free Health Clinic; ratification of a letter of support for the Moab Valley Multicultural Center grant application; statement of support for economic diversification programming; appointment of Miles Loftin to the Moab City Planning Commission with a term to end December 31, 2025; consideration of **Resolution 01-2023**: a resolution of the governing body of the City of Moab declaring certain property owned by the City of Moab as surplus; approval of minutes for the January 10, 2023, Regular Meeting and the January 19 & 20, 2023, Special City Council Meetings for Strategic Planning; and approval of bills against the City of Moab in the Amount of \$1,162,768.56. Councilmember Knuteson-Boyd seconded the motion. The motion passed unanimously.

Public Hearings:

Wastewater Bonds: Mayor Langianese opened a public hearing at 7:09 pm. regarding the issuance of wastewater and water revenue bonds. Finance Director and Acting Deputy City Manager Billingsley briefly described the plan to provide for the issuance of not to exceed \$7,000,000 of Wastewater and Water Revenue Bonds and any potential economic impact that the project to be financed with proceeds of said bonds may have on the private sector. Zions Bank representative Alex Buxton was also present. There were no public comments. Mayor Langianese closed the public hearing at 7:10 p.m.

Trash and Recycling Rates: Mayor Langianese opened a public hearing at 7:10 p.m. regarding amendments to trash and recycling rates. Solid Waste District representatives Mike Kenerly, LJ Blackburn and accountant Nick Lundberg presented proposed increases for trash collection and curbside recycling. They indicated a rate survey was underway and their expenses had increased 48 percent since 2019. They said proposed rates mirror the recently approved County increases. They also mentioned tipping fees had increased and a consumer hardship waiver was under development. There were no public comments and Mayor Langianese closed the public hearing at 7:21 p.m.

General Business:

Trash and Recycling Rates Amendments—Tabled

Presentation and Discussion: Mayor Langianese opened a discussion regarding consideration of **Ordinance 2023-02**: an ordinance amending Moab Municipal Code 3-50.120 Trash and Recycling Rates. She indicated staff requested tabling the ordinance until direction could be obtained from Council. Councilmember Taylor asked about how often the rates will increase and discussion ensued regarding various options for scheduled increases. Taylor also questioned how Moab's rates compare to other municipalities and Councilmember Jones, who said he serves on the board of the Solid Waste district, explained that his informal survey revealed Moab's rates are on par with other government providers and are below rates for private haulers. Councilmember Derasary asked if there would be another public hearing and the answer was no. She also asked about progress on the rate study and considered whether larger producers of waste should pay more of the burden. Derasary noted increases for operations due to general inflation for truck maintenance and similar costs. City Manager Castle said the request for the Solid Waste district to conduct a rate study was unusual because it is the City's rate structure that is under consideration.

Motion and Vote: Councilmember Knuteson-Boyd moved to table the decision considering solid waste rate increase to February 28 to allow staff to review and make a recommendation regarding Canyonlands Solid Waste Authority's request. Councilmember Jones seconded the motion. Councilmember Knuteson-Boyd acknowledged personnel costs were an important factor to maintaining a workforce. Councilmember Taylor asked about when the proposed changes would go into effect and the reply was March. The motion passed unanimously.

Storm Water Alternative Rate Options—Discussion and Directive

Engineer Williams described existing storm water rates and explained they are not adequate for the City's needs. He said rate alternatives were under development and sought guidance from Council regarding options. He explained impact fees for new development could only apply to upgrades and he described the City's growth potential and related increased need for improved infrastructure. He added proposed costs were related to the City's stormwater master plan. Discussion ensued regarding scenarios related to how much to increase rates on an annual basis. Doubling rates in the first year from \$4.00 to \$8.00 per residential unit with five percent annual increases thereafter was recognized as the most useful schedule for the City's needs, with other scenarios being considered. Councilmember Derasary asked if lack of planning in the past had created a deficit in infrastructure funding. Williams commented that if you build it, you must maintain it, and noted that, in decades past, inadequate storm water infrastructure was deemed "good enough." Councilmember Knuteson-Boyd stated it is the fiduciary duty of the Council to do the City's business and the City's most economically vulnerable citizens should be protected but it is ultimately a business decision. Councilmember Jones stated storm water management is a critical service, especially in the face of disaster and the need is immediate. He said the City needs to communicate the connection between storms and storm water management. Councilmember Derasary asked about whether the increase was equitable and Williams explained how commercial rates were calculated. Councilmember Jones suggested that storm water management was a collective responsibility of all. Councilmember Taylor proposed consideration of options and impacts on households versus the whole community. Councilmember Wojciechowski said that the lowest income residents were the least likely to have insurance so raising rates to improve infrastructure might help. Mayor Langianese said staff would prepare for a public hearing at the next regular meeting.

Motion and Vote: Councilmember Taylor moved to direct staff to come up with scenarios for option one and option two of projects that will be done under those two scenarios or those two options. Councilmember Knuteson-Boyd seconded the motion. Mayor Langianese noted this would be presented at the meeting on February 28 with a public hearing some time in March. The motion passed unanimously.

Phase III Final Plat for the Ridge View Cove Estates—Approved

Presentation and Discussion: Planning Director Shurtleff presented for consideration **Resolution 02-2023** approving the Phase III Final Plat for the Ridge View Cove Estates (Mill Creek Cove Subdivision) of property located at 661 South 400 East, Moab, Utah. He said the development of the final phase was under new ownership and involved a lapsed application.

Motion and Vote: Councilmember Jones moved to approve **Resolution 02-2023:** a resolution approving the Phase III Final Plat for the Ridge View Cove Estates (Mill Creek Cove Subdivision) of property located at 661 South 400 East, Moab, Utah. Councilmember Taylor seconded the motion. The motion passed unanimously.

Lot Line Adjustment—Approved

Presentation and Discussion: Planning Director Shurtleff presented for consideration **Resolution 03-2023:** a resolution approving a lot line adjustment of property located at 232 East 100 South and 244 East 100 South, Moab, UT.

Motion and Vote: Councilmember Derasary moved to approve **Resolution 03-2023:** a resolution approving the lot line adjustment of property located at 232 East 100 South and 244 East 100 South, Moab, UT with updated materials. Councilmember Knuteson-Boyd seconded the motion. The motion passed unanimously.

City Manager Update:

City Manager Castle reported on recent staffing updates and progress on the strategic plan. She

mentioned an upcoming open house for the Moab Free Health Clinic and a ribbon cutting for the new transit system. She also mentioned a program on long-term asset management sponsored by the Utah League of Cities and Towns (ULCT).

Mayor and Council Reports:

Councilmember Knuteson-Boyd reported she had attended meetings, yet was grieving the loss of local teen Zoe Thompson and urged residents to seek help with their grief, if needed.

Councilmember Jones reported on the hiring of the new director of the Solid Waste district. He said he attended a housing task force meeting as well as a meeting of the Community Renewable Energy board.

Councilmember Wojciechowski reported on a recent family housing assistance resource event, a home building workshop, and said he was recently selected to chair the homeless council, which was working on its strategic plan. He mentioned grant opportunities for domestic violence survivors and noted COVID-related rent relief had ended in Utah. He shared statistics on homelessness and noted the local land trust was opening a new office at the health clinic campus.

Councilmember Derasary reported on the State Legislature and her participation on the ULCT legislative policy committee. She also updated Council on the tailings pile and noted preparations were underway for a lobbying trip to Washington, DC by local officials. She reported on recent meetings of the Grand Water and Sewer Services Agency and the interconnect between water utilities for emergencies.

Councilmember Taylor reported on the airport board and awarding the new SkyWest schedule. He stated the Chamber of Commerce cancelled its meeting and noted his impressions from the home building workshop.

Mayor Langianese reported on her activity regarding the legislative session and meetings with the Department of Energy regarding the tailings pile. She reported she attended a meeting of the regional Association of Governments and announced an upcoming meeting regarding funding for the Kane Creek Boulevard reconstruction project.

Executive (Closed) Sessions:

Motions and Votes: Councilmember Jones moved to enter an executive strategy session to discuss reasonably imminent and/or pending litigation. Councilmember Knuteson-Boyd seconded the motion. The motion passed unanimously. Mayor Langianese convened the executive closed session at 8:44 p.m. Councilmember Derasary moved to end the closed session. Councilmember Knuteson-Boyd seconded the motion. The motion passed unanimously. Mayor Langianese ended the executive session at 8:53 p.m.

Councilmember Knuteson-Boyd moved to enter an executive closed session to discuss the character, professional competence or physical or mental health of an individual or individuals. Councilmember Jones seconded the motion. The motion passed unanimously. Mayor Langianese convened the closed session at 8:54 p.m. Councilmember Knuteson-Boyd moved to end the closed session. Councilmember Wojciechowski seconded the motion. The motion passed unanimously. Mayor Langianese ended the closed session at 9:21 p.m.

Adjournment: Councilmember Derasary moved to adjourn. Councilmember Taylor seconded the motion. The motion passed unanimously. Mayor Langianese adjourned the meeting at 9:21 p.m.

APPROVED: _____
Joette Langianese, Mayor

ATTEST: _____
Sommar Johnson, City Recorder