

MOAB CITY COUNCIL MINUTES REGULAR MEETING February 23, 2021

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 ongoing COVID-19 pandemic and considering public health orders limiting in-person gatherings, the Moab City Council will continue to hold meetings by electronic means. An audio recording of the meeting is archived at <http://www.utah.gov/pmn/index.html>.

Executive Session:

Councilmember Karen Guzman-Newton moved to enter an Executive Closed Session to discuss reasonably imminent and/or pending litigation. Councilmember Mike Duncan seconded the motion. The motion passed 5-0 aye with Councilmembers Kalen Jones, Rani Derasary, Tawny Knuteson-Boyd, Duncan and Guzman-Newton voting aye. Mayor Emily Niehaus convened the Executive Closed Session at 6:36 p.m. Councilmember Derasary moved to end the Executive Closed Session. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Duncan and Guzman-Newton voting aye. Mayor Niehaus ended the Executive Closed Session at 6:59 p.m.

Call to Order and Attendance: Mayor Niehaus called the Regular City Council Meeting to order at 7:05 p.m. Participating remotely were Councilmembers Karen Guzman-Newton, Tawny Knuteson-Boyd, Rani Derasary, Mike Duncan and Kalen Jones. City staff participating remotely were Manager Joel Linares, Assistant Manager Carly Castle, Attorney Laurie Simonson, Recorder Sommar Johnson, Engineer Chuck Williams, Senior Project Manager Kaitlin Myer, Administrative Assistant Kelley McInerney and Communication Director Lisa Church. A video recording is archived at <https://www.youtube.com/watch?v=WC1HF2V7w2U>.

Citizens to be Heard:

Christy Williams updated Council on Moab ArtTrails. She thanked the City for its assistance in investigating the vandalism to three or four pieces of public art with a combined value of \$30,000. Williams said it can and will be repaired. She stated the artists have responded with kindness and trust and the program will continue with an upcoming opening scheduled for October. She added that an anonymous donor doubled the City's reward, bringing the total reward to \$6,000 for information regarding the vandalism.

Administrative Reports: 7:05-36:35

City Manager Linares thanked Ms. Williams and ArtTrails. He said the police department has leads in the case and he thanked the community and surrounding businesses. He mentioned he had received comments about dirt patches in public roads and explained that ongoing infrastructure work and emergency repairs made in winter cannot be repaved until the asphalt plant reopens in spring. Linares announced the City Hall treasurer's office planned to reopen to walk-in traffic March 2 and it was clarified that other City staff and departments have been available throughout the pandemic by appointment and that masks are required. Linares noted the Finance Director position would be posted imminently, City revenues are three percent over last year, Spring is expected to be exceptionally busy for tourism and the Highway 191 paving project should be completed by Easter. He concluded by stating that budget work is ongoing. Councilmember Guzman-Newton asked about COVID vaccines and it was explained that the hospital has doses for those 65 years of age and older or with certain pre-existing conditions, and that six percent of County residents were vaccinated to date. Mayor Niehaus clarified that

eligible parties should get on the list.

City Engineer Williams provided an update on the new university campus construction, an upcoming meeting regarding the regional transportation plan, and a pending interlocal agreement with Grand County regarding a unified transportation plan. He said the Bike Skills Park restroom was expected to be installed in March and presented plans for a roundabout at the northeast corner of Swanny Park at 100 West and 400 North streets. He answered Council questions regarding future buildout of the university campus site and the design of the proposed roundabout.

City Attorney Simonson presented information regarding the golf course agreement.

Mayor and Council Reports: [35:38-1:12:30](#)

Mayor Niehaus reported on several pending legislative bills of concern to the City.

Councilmember Derasary reported on her work on a subcommittee related to the evaluation of the Emergency Medical Services (EMS) Director, and mentioned her ongoing work on the City's legislative committee. She described her appointment to a grant panel that would allocate \$6 million for rural EMS providers.

Councilmember Duncan reported on proposed pickleball courts to be located near the high school tennis courts, and mentioned a possible request of the City and County to contribute funding. He mentioned his ongoing work regarding noise metering for off-road vehicles. He concluded with an announcement regarding a potential request for funding of \$2,000 for a device to log water depth data in a local well.

Councilmember Knuteson-Boyd reported on the extensive waiting lists for local affordable housing facilities. She mentioned there were still no positive COVID cases among residents of the Canyonlands Care Center despite a three percent positive rate among the staff there. She added no Emergency Room nurses have tested positive. She reported the care center special service district would hire an auditor. She reported on her work with the Museum Board and said there are openings on the Board of Trustees. She noted an article in the paper about the future dispensation of the Museum's Urbanek map.

Councilmember Guzman-Newton reported on a meeting she attended regarding the Utah 100 Communities, involving a pledge to rely on 100 percent renewable energy by 2030. She also brought up a meeting she had with City staff regarding public outreach intended to educate the public about municipal legislation that affects businesses and neighborhoods. She commented that, despite outreach efforts by the City, some constituents are blindsided by new City legislation. She stated her preference for the City to contact businesses directly rather than relying on media. Guzman-Newton concluded with an announcement that Skywest would begin offering flights to Salt Lake City from Canyonlands Field starting on May 5; this is in addition to the Denver flights. She added the airport manager is looking for twenty volunteers to assist in a live emergency training scenario.

Councilmember Jones reported on a Dark Skies meeting he attended regarding pending state legislation exempting electronic billboards from local control. He announced \$1900 in sponsorships had been garnered to date for the Canyonlands Community Recycling Center. He was unable to report on recycling trends as requested at the prior Council meeting; however, he reported that the City's diversion rate was nine percent (18 percent when incorporating yard waste), which is far below average for municipalities. Councilmember Jones also reported on the

Utah 100 Communities meeting, which concerned the governance structure and negotiations with Rocky Mountain Power. After discussion, Assistant City Manager Castle declared an Interlocal Agreement would be forthcoming designating the City of Moab as an anchor community, which would be based on a commitment of under \$4,000 for the City, in addition to a maximum of \$7,000 for program participation. Council concurred this was a suitable and planned expense and Councilmember Guzman-Newton noted the program is based on population so Moab will incur a minimal expense.

Approval of Minutes:

Motion and Vote: Councilmember Derasary moved to approve the minutes for the February 9, 2021, Regular Meeting with two corrections. Councilmember Jones seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Jones, Guzman-Newton, Knuteson-Boyd, and Duncan voting aye in a roll call vote.

New Business:

Water Board Appointments—Approved

Presentation: Assistant Manager Castle explained the positions had been open for a few months and there were three applicants and the Water Board elected to interview two of the applicants. After the interviews, the Water Board unanimously recommended both candidates to the Mayor for appointment.

Motion: Councilmember Guzman-Newton moved to confirm the Mayoral Appointments of **Steve Getz** and **Eve Tallman** to the Water Conservation and Drought Management Advisory Board for renewable terms commencing immediately and expiring on December 31, 2023. Councilmember Duncan seconded the motion.

Discussion: Councilmember Duncan noted he had participated in the interviews and was pleased with the nominations.

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

City Grant Program 2021—Approved

Presentation: Communication Director Church and Administrative Assistant McInerney presented information about the program and answered questions from Council. Church stated thirty applications resulted in a total request of \$246,621 and \$100,000 was available for allocation. Church pointed out that two requests did not seem to meet the eligibility requirements. Discussion of eligibility and the City's funding priorities ensued, including advocacy for specific programs. Councilmembers Duncan, Jones and Knutson-Boyd stated their support of the committee's hard work and thoughtful recommendations.

Motion: Councilmember Jones moved to approve the City of Moab Grant Program 2021 Ad Hoc Committee's Recommendations for this one-time grant program. Councilmember Knuteson-Boyd seconded the motion.

Discussion: Councilmember Jones stated he was grateful to the staff and the Mayor for their hard work and for making the funding available to local organizations.

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

Wastewater and Water Revenue Bonds—Approved

Presentation: City Manager Linares and Alex Buxton of Zions Bank presented information about the bonds, historically low interest rates, and the prospect of rolling an older sales tax bond for affordable housing into the new bond with resulting savings to the City. Engineer Williams described the timeline of the water system improvement process and outlined upcoming investments. Councilmember Guzman-Newton asked for clarification regarding the

perception that the proposed Abbey subdivision on Mill Creek Drive would be subsidized by the City and Williams allayed that concern stating the project will replace decaying mains. Councilmember Derasary asked about the reference to the 2108A Series in the bond Supplemental Master Resolution and it was explained that existing bonds are acknowledged in a new issuance. Councilmember Jones asked about limits to repayment of the bond based on water fees. Buxton explained the bond was secured by water and sewer revenues and security from both funds give a lower interest rate.

Motion: Councilmember Duncan moved to approve Proposed Resolution 03-2021: A Resolution of the City Council of the City of Moab, Utah, Authorizing the Issuance and Sale of not more than \$7,000,000 Aggregate Principal Amount of Wastewater and Water Revenue Bonds, Series 2021. Councilmember Knuteson-Boyd seconded the motion.

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

Affordable Housing Revenue Bonds—Approved

Presentation: Mayor Niehaus clarified that if the motion increased the bond amount to \$8,500,000 it would roll-in the prior bond and would result in savings to the City. Senior Project Manager Myers noted an existing reserve of Workforce Affordable Housing Units (WAHO) funds. Mayor Niehaus asserted her confidence that the proposed buffer for increasing construction costs was adequate. Councilmember Guzman-Newton asked for clarification regarding the number of units to be built with the bonded amount and Myers explained that 42 units would be completed with the remaining residences planned for the 80-unit project would be funded by a construction loan. Mayor Niehaus pointed out the total cost per unit is \$190,000 including infrastructure. Bond Counsel Randy Larsen suggested an alternative motion to encompass the increased bond amount to \$8,500,000.

Motion: Councilmember Guzman-Newton moved to approve Proposed Resolution 04-2021: A Resolution of the City Council of the City of Moab, Utah, Authorizing the Issuance and Sale of not more than \$8,500,000 Aggregate Principal Amount of Sales Tax Revenue Bonds, Series 2021; And authorize bond counsel to make adjustments to accommodate the refunding, and such refund to be only authorized so long as it generates savings to the City. Councilmember Knuteson-Boyd seconded the motion.

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 \$107,655.58. Councilmember Derasary 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 9:49 p.m.

APPROVED: _____
Emily S. Niehaus, Mayor

ATTEST: _____
Sommar Johnson, City Recorder