

**MOAB CITY COUNCIL MINUTES  
REGULAR CITY COUNCIL MEETING  
February 26, 2019**

The Moab City Council held its regular meeting on the above date in the Council Chambers at the Moab City Center, located at 217 East Center Street.

***Executive Closed Session:***

Councilmember Karen Guzman-Newton moved to enter an Executive Closed Session to Discuss the Purchase, Exchange, or Lease of Real Property and an Executive Closed Session to Discuss the Character, Professional Competence, or Physical or Mental Health of an Individual or Individuals. Councilmember Kalen Jones seconded the motion. The motion passed 4-0 aye with Councilmembers Jones, Guzman-Newton, Rani Derasary and Mike Duncan voting aye. Mayor Emily Niehaus called the Executive Session to order at 4:36 PM. Councilmember Tawny Knuteson-Boyd arrived at 5:37 PM. Councilmember Jones moved to end the Executive Closed Session. Councilmember Derasary seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye. Mayor Niehaus ended the Executive Closed session at 6:49 PM.

***Regular Meeting—Call to Order and Attendance:***

Mayor Niehaus called the meeting to order at 7:03 PM and led the Pledge of Allegiance. In attendance were Councilmembers Knuteson-Boyd, Guzman-Newton, Jones, Duncan and Derasary. Also in attendance were City Manager David Everitt, Assistant City Manager Joel Linares, City Attorney Chris McAnany, Finance Director Rachel Stenta, Police Chief Jim Winder, Development Services Manager Sommar Johnson, Communications and Engagement Manager Lisa Church, Treasurer Chantel Lindsay and Recorder/Project Specialist Eve Tallman. Thirty-three members of the public and media were present. An audio recording is archived at: <http://www.utah.gov/pm/index.html> and a video recording is archived at: [https://www.youtube.com/watch?v=Gmc\\_B3SuayI&feature=youtu.be](https://www.youtube.com/watch?v=Gmc_B3SuayI&feature=youtu.be).

***Approval of Minutes:***

Councilmember Duncan moved to approve the minutes of the February 9 and 12, 2019 meetings with corrections. Councilmember Guzman-Newton seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

***Mayor and Council Reports:*** Mayor Niehaus reported on the new sergeant's recognition ceremony and announced the retirement of officer Tom Nixon. She mentioned her attendance at the County Council's retreat and opportunities for collaboration between the two councils. She stated the City Council should anticipate extra meetings to discuss future land use planning. Niehaus remarked on her meeting with the state director for rural development regarding legislation that will affect economic development in rural Utah. She also noted a meeting of the legislative policy committee and mentioned that the Utah League of Cities and Towns (ULCT) is tracking more than 300 bills in the current state legislative session.

Councilmember Derasary reported she missed the last Council meeting due to her trip to Washington DC to lobby for continued funding for the Uranium Mill Tailings Remedial Action (UMTRA) site cleanup project. She stated an additional \$10 million has been secured due to the efforts of Mary McGann, Joette Langianese and others. Derasary also mentioned the Dark Skies open house, the webcast of the legislative policy committee, a meeting she attended about Commercial property-assessed clean energy (CPACE) and a video showcase of middle school

students called Youth Voices Speak Out.

Councilmember Duncan commented on his trip to the state legislature, the Dark Skies open house and a meeting regarding stormwater management in a neighborhood. Duncan remarked that he met with some homeless individuals and talked about the need for a homeless shelter and he concluded by thanking Sara Melnicoff for her efforts on behalf of Moab's homeless.

Councilmember Knuteson-Boyd mentioned she had been ill and missed scheduled meetings.

Councilmember Guzman-Newton reported on the Dark Skies open house and meetings she attended regarding Moab Trails, the School Board, and the school district's efforts to secure federal funding for expansion of the Career Technical Education (CTE) building at the high school. She also noted her attendance at a climate change meeting with doctoral students and federal agency representatives.

Councilmember Jones reported that the Solid Waste Special Services District nominated Chad Harris to join the Board. He also noted he helped to host the Dark Skies open house.

**Administrative Report:** City Manager Everitt requested that a Council workshop be scheduled regarding the Planned Affordable Development (PAD) ordinance. He asked for Council input regarding a short-notice grant application request by the Active Transportation staff for funding to provide a restroom at a trailhead.

Gary Duncan presented Mayor Niehaus with a lifetime achievement award for her work with Community Rebuilds, from which she recently stepped down as Director. Her work was recognized for promoting natural building techniques and materials, and revitalizing neighborhoods with affordable straw-bale homes.

**Citizens to be Heard:** Cari Caylor introduced herself as the new principal of the middle school and announced an open house for the new middle school plans on March 7.

**Presentations:**

**Students of the Month:**

Mayor Niehaus presented the Mayor's Student of the Month Awards for Grand County Middle School for February 2019 to Seventh Grader Tyler Mullins and Eighth Grader Anja Thomas.

**Moab Area Travel Council:** Executive Director Elaine Gizler presented Council with information regarding sustainable tourism. She touched on three programs of the Travel Council: education, sustainability and accessibility. She noted her work with Sustainability Director Rosemarie Russo on reusable shopping bags and mentioned a new sustainability page on discovermoab.com. She noted a proposed sustainable tourism task force and also touched on promotion of adaptive recreation opportunities in the area.

**Special Events:**

**Red Rock 4 Wheelers Parade—Approved**

**Motion and Vote:** Councilmember Jones moved to approve the Red Rock 4 Wheelers Big Saturday Parade. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

**Lions Park Amplified Music—Approved**

**Motion and Vote:** Councilmember Guzman-Newton moved to approve allowing amplified music at Lions Park on June 15, 2019 for the Sheyenne Harrison wedding. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

**Old Business:**

**(:52 on audio recording)**

**State Legislative Agenda Update and Discussion:** Council and staff discussed pending legislation that may affect the municipality. Finance Director Stenta presented possible impacts of a sales tax bill. Several other bills were mentioned that Councilmembers and staff were concerned about on the topics of affordable housing, minimum age for alcohol servers, alcohol content in beer, all-terrain vehicle regulation, banning municipalities from legislating bans on containers, energy storage, water rates, traffic lights, renewable energy, radioactive waste, straight-ticket voting, conversion therapy and hate crimes. Council directed City Manager Everitt to pursue hiring a lobbyist to act on the City's behalf.

**New Business:**

**(1:31 on audio recording)**

**Business License Fee Schedule—Adopted**

**Discussion:** City Treasurer Lindsay and Cody Deeter of EFG Consulting presented information about the purpose and proposed fees for business licenses. The methodology for calculating costs associated with licensing was described. Council and staff discussed various fees including special event fees, renewals and making the application process easier online. Most of the discussion surrounded fees associated with long-term rental licensing. Mayor Niehaus suggested lowering the fee to \$10. Councilmember Duncan questioned the time commitment calculated for the administrative costs. City Manager Everitt clarified the fee schedule reflects the maximum justified charges. Councilmember Jones stated he is in favor of a good landlord program and a license for apartments or more than two units per parcel, with no license required for one to two units. Councilmember Guzman-Newton asked how many long term rentals exist. Councilmember Duncan brought up problematic roommate situations which would be exempt from licensure. Councilmember Jones suggested subsidizing existing landlords at first and phasing in the full cost of the proposed license and brought up the value for landlords if they could be notified when tenants are involved in code violation cases. Councilmember Knuteson-Boyd concurred with the mayor and expressed an interest in managing the “bunkhouse” situation and felt \$10 may be too low of a fee. Councilmember Derasary mentioned the benefit of starting a landlord education program and introducing it with no licensure cost. It was agreed that further work was needed on licensure of the long term rentals.

**Motion and Vote:** Councilmember Jones moved to adopt **Resolution 16-2019**, a new City of Moab Business License Fee Schedule, striking long-term rentals. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

**Nightly Rental Business Licensing—Adopted**

**Motion and Vote:** Councilmember Jones moved to adopt Proposed **Ordinance 2019-08** amending Certain Provisions of Chapter 5.67 and amending the language in section 5.67.020 (c). Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

**Cottonwood Subdivision, Plat B—Approved**

**Motion and Vote:** Councilmember Derasary moved to approve **Resolution 15-2019:** A Resolution Approving the Cottonwood Subdivision, Plat B, Lot 1 Amended (Minor Court Subdivision), a Minor Subdivision of Lot 1 of the Cottonwood Subdivision, Plat B, Located in the

R-2, Single-household and Two-household Residential Zone, as Referred to City Council by the Planning Commission. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

***Creekside Townhomes Final Plat—Approved***

***Motion and Vote:*** Councilmember Jones moved to approve **Resolution 14-2019:** A Resolution Approving the Final Plat of the Creekside Townhomes Subdivision on Property Located at 545 Kane Creek Boulevard in the R-3, Multi-Household Residential Zone and Approving a Subdivision Improvements Agreement for Public Improvements, as Favorably Referred to Council by the Planning Commission. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

***Approval of Bills:*** Councilmember Jones moved to approve payment of bills against the City of Moab in the amount of \$511,734.97. Councilmember Guzman-Newton seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

***Future Land Use Map—Discussion:*** Mark Vlastic of Landmark Design discussed the expanded scope of Landmark’s agreement planning services to include work concerning the future land use map within the time constraints related to the temporary moratorium on new nightly lodging in all zones. The schedule was discussed as well as committee membership and aligning work with the County.

***Adjournment:*** Councilmember Knuteson-Boyd moved to adjourn the meeting. Councilmember Guzman-Newton seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye. Mayor Niehaus adjourned the meeting at 10:21 PM.

APPROVED: \_\_\_\_\_  
Emily S. Niehaus, Mayor

ATTEST: \_\_\_\_\_  
Rachel E. Stenta, City Recorder