

## MOAB CITY COUNCIL MINUTES REGULAR MEETING February 28, 2023

Moab City Council held its Regular Meeting on the above date in Council Chambers. Archived audio is at [www.utah.gov/pmn](http://www.utah.gov/pmn) and video is at [www.youtube.com/watch?v=YN25-3PXpno](https://www.youtube.com/watch?v=YN25-3PXpno).

### ***Attendance and Call to Order:***

Mayor Joette Langianese called the meeting to order at 6:00 p.m. and Joe Kingsley 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, Planning Director Cory Shurtleff, Finance Director Ben Billingsley, Recorder Sommar Johnson, City Attorney Nathan Bracken, Engineer Chuck Williams, Assistant Police Chief Lex Bell, Parks, Recreation and Trails Director Annie McVay, Police Administrative Sergeant Scott Finlayson and 13 members of the public.

### ***Citizens to be Heard:***

Joe Kingsley spoke regarding a dangerous intersection at Highway 191 and Aggie Boulevard.

Pete Gross commented on the existing noise ordinance. He noted that about 300 households have posted yard signs advocating for quiet streets and still more have not posted signs because of concerns about retaliation. Gross stated he has experienced an uptick in vehicle noise, including from sports cars and other vehicles. He explained that since these street-legal vehicles meet the criteria of being plainly audible from a distance, he would like to see more enforcement of these offenders, to show that law enforcement is not solely targeting All-Terrain Vehicles (ATVs) on City streets. He added that people feel assaulted in their homes by the noise.

Sara Melnicoff discussed noise issues. She said noise pollution is unbearable and people are moving away from Moab. She said she feels that she is held hostage by the noise and does not want to leave. She commented it is time to have a deep conversation about noise regulations. She mentioned that Christian Wright, who was recently arrested for making threats about the noise pollution, was a kind man who was driven crazy by the noise.

### ***Presentations:***

***Legislative Update:*** Discussion ensued regarding several items of pending legislation in the ongoing session of the State Legislature. Lobbyists Casey Hill and Dan Hemmert and staff, along with Mayor Langianese, Councilmember Derasary and Attorney Bracken, reviewed items including a bill supported by Realtors and homebuilders that deregulates fractional ownership of residential real property; a bill that adds a surcharge for new cars; dedicated infrastructure districts; short term rentals; prohibition of legislative approvals for plats and other land use code; development agreements and food sales tax.

### ***Special Event Sound Monitoring:***

Moab resident Joe Lema presented the results of his unofficial monitoring of loud special events at City venues. He reported that he gauged sound readings at the Summer Concert Series, the Moab Folk Festival and Scots on the Rocks. He said he took readings at certain nearby residences as well as in front of and behind the performance stages. He said one of the loudest readings resulted from a performance that eschewed the City's required professional sound engineer, and he suggested festival organizers should be reminded of local noise concerns.

### ***Consent Agenda—Approved***

***Discussion:*** The consent agenda was modified to remove presentation of financials for July-November 2022 and approval of minutes for the February 14, 2023, Regular Meeting.

***Motions and Votes:*** Councilmember Knuteson-Boyd moved to table approval of minutes for

the February 14, 2023, Regular Meeting. Councilmember Wojciechowski seconded the motion. The motion passed unanimously. Councilmember Jones moved to approve the consent agenda as follows: presentation of complete second quarter financials and approval of bills against the City of Moab in the amount of \$157,108.43. Councilmember Knuteson-Boyd seconded the motion. The motion passed unanimously.

***General Business:***

***Grand County Emergency Operations Plan—Approved***

***Presentation and Discussion:*** Grand County Emergency Management Director Cora Phillips presented the County's Emergency Operations Plan for City Council adoption. City Manager Castle explained approval was required to obtain federal funding. Councilmember Jones asked for clarification regarding the City's emergency coordinator, and Castle said she is currently serving in that role. Councilmember Taylor expressed concerns about the lack of specificity regarding the City's operations in the County plan as well as lack of representation or approval by the fire district, the police department or Emergency Medical Services (EMS). Whitney Coonrod of the Utah Division of Emergency Management acknowledged that funding hinged on approval of the plan and future work was needed. Councilmember Wojciechowski requested development of a City-specific plan and Councilmember Derasary requested appointment of a City representative for future iterations of the plan. Councilmember Taylor conveyed frustration because emergency management has been a concern for a long time.

***Motion and Vote:*** Councilmember Wojciechowski moved to approve the Grand County Emergency Operations Plan with a biannual report to City Council on the status of the plan. Councilmember Derasary seconded the motion. The motion passed unanimously.

***Trash and Recycling Rates—Approved***

***Presentation and Discussion:*** Finance Director Billingsley presented norms for franchise agreements and similarities with the agreement between the City and the Solid Waste Special Service District. He described the impact of inflation on operation of the district and the urgent need for a rate review. He explained the District did not have an adequate amount of operating reserve funds. A pending rate study was discussed. The proposal to raise residential rates by two dollars per month was deliberated. Councilmember Derasary brought up sustainability goals and rewarding residents who are producing less waste by embracing waste diversion. She also mentioned correspondence from a resident regarding other increases across the community that are adding up to increase the cost of living.

***Motion and Vote:*** Councilmember Knuteson-Boyd moved to approve proposed **Ordinance 2023-02** an ordinance amending Moab Municipal Code 3.50.120 Trash and Recycling Rates. Councilmember Wojciechowski seconded the motion. The motion passed unanimously.

***Storm Water Rate Increase—Approved***

***Presentation and Discussion:*** Mayor Langianese introduced the proposed storm water rate increase study in preparation for a future public hearing. Chuck Williams reported on projects to support the rate study and future impact fee adjustments. City Manager Castle noted that the City has not charged enough for needed projects, and the burden is falling on the current generation. Councilmember Derasary expressed the need for a better presentation and Councilmember Jones concurred and stated a desire to proceed. Castle noted the projects in the stormwater master plan are required purchases decided upon by the previous Council. At Councilmember Derasary's urging, several examples of proposed stormwater projects were mentioned.

***Motion and Vote:*** Councilmember Jones moved to direct staff to follow the process to increase the City of Moab Stormwater fees from \$4.50 per Equivalent Residential Unit (ERU) to \$9.00 per ERU in 2024 and in future years as identified in Alternative One as presented today. Councilmember Taylor seconded the motion. The motion passed unanimously.

### ***Westwood Avenue Lot Line Adjustment—Approved***

**Presentation and Discussion:** Planning Director Shurtleff presented a proposed lot line adjustment for constructing employee housing.

**Motion and Vote:** Councilmember Derasary moved to approve **Resolution 05-2023**, a resolution approving the lot line adjustment of properties located at 809 Westwood Avenue, Moab, Utah 84532 with the condition of approval that the property boundary descriptions are verified. Councilmember Jones seconded the motion. The motion passed unanimously.

### ***Abbey Subdivision Phase I Final Plat—Approved***

**Presentation and Discussion:** Planning Director Shurtleff presented for consideration the Phase I Final Plat for the Abbey Subdivision of Property Located at 1241 E Powerhouse Lane, Moab, Utah 84532. He explained complications regarding the request for approval for a final plat for one phase based on a 2019 preliminary subdivision. He said the standards of requirement for development are outlined in the subdivision ordinance and involve approvals by Planning Commission and the engineering department. Shurtleff mentioned concerns regarding landscaping, dark sky compliance and total number of proposed twin homes and single units. He emphasized that it was confusing to approve the final plat without any construction plans along with conflicting numbers of lots between the preliminary subdivision and the proposed final plat. Councilmember Derasary asked for confirmation of her assumption that extensions were granted since there is a stated one-year deadline. Concerns about floodplain permits were brought up as well as designated no parking areas on Mill Creek Drive adjacent to the project site, pedestrian crosswalks and speed tables.

**Motion and Vote:** Councilmember Jones moved to approve proposed **Resolution 06-2023**, a resolution approving the Phase I Final Plat for the Abbey Subdivision of Property Located at 1241 E Powerhouse Lane, Moab, Utah 84532. Councilmember Wojciechowski seconded the motion. The motion passed unanimously.

### ***Aggie Townhomes Final Plat—Approved***

**Presentation:** Discussion ensued about the motion as presented in the packet, along with definitions of townhomes versus condominiums.

**Motion:** Councilmember Knuteson-Boyd moved to approve proposed **Resolution 07-2023**, a resolution approving the Aggie town home subdivision final plat for property located at approximately Aggie Boulevard, 1492 South Highway 1981 Moab Utah 84532. Councilmember Taylor seconded the motion.

**Discussion:** Councilmember Derasary brought up a proposed traffic signal at the intersection of Aggie Boulevard and Highway 191.

**Vote:** The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

### ***City Manager Update:***

City Manager Castle mentioned ongoing water line shutoffs that were required for repairs. She mentioned an upcoming deadline for Recreation, Arts and Parks (RAP) tax grant applications. Castle updated Council on ongoing construction of dispersed parking at Emma Boulevard and concluded by mentioning the acquisition of laptops for Councilmembers.

### ***Mayor and Council Reports:***

Councilmember Wojciechowski reported on a Planning Commission code amendment workshop and stated he attended the annual Trashion Show.

Councilmember Taylor reported on meetings of the Utah League of Cities and Towns (ULCT) and the Utah State University advisory committee. He mentioned his attendance at meetings of the Responsible Recreation Committee and the Airport Board.

Councilmember Derasary said she attended a meeting of the Grand Water and Sewer Services Agency (GWSSA) and noted she had spent most of her time in the past weeks monitoring the legislative session. She said she participated in daily ULCT briefings and weekly ULCT meetings. She praised the staff at ULCT for their hard work during the legislative session. Derasary noted the current legislature seems to be in favor of short-term rentals and minimal zoning.

Councilmember Jones reported on meetings of the solid waste authority board, the Community Renewable Energy Agency board, and the parks and recreation master plan kickoff.

Councilmember Knuteson-Boyd reported on meetings of the museum board and the housing authority. She said she planned to have an update for council regarding local trailer parks that had evicted residents for imminent development.

Mayor Langianese reported on her work with the legislative session and stated she had good working relationships with state representatives from the local district. She said she would attend an upcoming meeting regarding funding for the Kane Creek Boulevard reconstruction project. She also mentioned the upcoming Grand Summit, meetings regarding the tailings pile and an upcoming visit to Washington DC to lobby for future funding for the tailings site cleanup. She mentioned the March 16 ribbon cutting for the transit service.

**Adjournment:** Councilmember Jones moved to adjourn. Councilmember Knuteson-Boyd seconded the motion. The motion passed unanimously. Mayor Langianese adjourned the meeting at 9:07 p.m.

APPROVED: \_\_\_\_\_  
Joette Langianese, Mayor

ATTEST: \_\_\_\_\_  
Sommar Johnson, City Recorder