

**MOAB CITY COUNCIL MINUTES
REGULAR CITY COUNCIL MEETING
APRIL 23, 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.

Pre-Council Budget Workshop:

At 12:07 PM, Mayor Emily Niehaus called a workshop meeting to order. In attendance were Councilmembers Karen Guzman-Newton, Rani Derasary and Mike Duncan. Also in attendance were City Manager David Everitt, Assistant City Manager Joel Linares, Sustainability Director Rosemarie Russo, Recorder Sommar Johnson, Finance Director Rachel Stenta, Engineer Chuck Williams, Parks Superintendent Mike Huts, Public Works Administrative Assistant Marcy Mason, Sewer Superintendent Obe Tejada, Water Superintendent Levi Jones, Wastewater Reclamation Facility Superintendent Greg Fosse, Streets Superintendent Jeff Galley, Moab Arts and Recreation Director Liz Holland, Police Chief Jim Winder, Assistant Chief Bret Edge and Records Specialist Eve Tallman. A video recording of the workshop is archived at: <https://www.youtube.com/watch?v=WGGx6fL7PGY>. An audio recording is archived at: <https://www.utah.gov/pmn/index.html>.

The meeting began with a workshop for the Fiscal Year 2019-2020 Budget. Huts described various roles of the Parks team and outlined budget items. Staff answered questions, including an update on grant funding from Russo. Tejada and Fosse followed with information and answers regarding the sewer and wastewater reclamation budgets. Winder presented the Police Department budget overview. Council asked about staff turnover, shared dispatch costs and contingency planning.

Motion to Recess and Vote: Councilmember Derasary moved to recess the meeting until 5:00 PM. Councilmember Guzman-Newton seconded the motion. The motion passed 3-0. Mayor Niehaus recessed the meeting at 1:37 PM.

Pre-Council Workshop: Mayor Niehaus reconvened the workshop at 5:06 PM. In attendance were Councilmembers Guzman-Newton, Kalen Jones, Duncan and Derasary. Councilmember Tawny Knuteson-Boyd arrived at 5:34 PM. Planning Commission members in attendance included Becky Byrd, Kya Marienfield, Allison Brown and Marianne Becnel. Brian Ballard arrived at 5:30 PM. Staff in attendance included City Manager Everitt, Recorder Johnson, City Engineer Williams, Sustainability Director Russo, City Planner Nora Shepard, Records Specialist Tallman, City Attorney Chris McAnany and Assistant City Manager Linares. Eleven members of the public and media were present. A video recording of the workshop is archived at: <https://www.youtube.com/watch?v=0YIe7DIWZRI>. An audio recording is archived at: <https://www.utah.gov/pmn/index.html>.

The workshop began with an introduction of the City's new Planner, Nora Shepard. The focus of the workshop was a joint City Council and City Planning Commission briefing with Landmark Design consultant Jenny Hale regarding the Future Land Use Planning Process and Overnight Accommodations Moratorium. Hale presented progress on Landmark's study of community sentiment regarding future land use. Options were presented. Among topics discussed were resistance to mechanisms that resemble conditional uses, impact fees, use by rights, fairness to existing landowners, pros and cons of allowing nightly rentals during peak season, grandfathered uses, impacts of San Juan County development and next steps.

Regular Meeting—Call to Order and Attendance: Mayor Niehaus called the regular meeting to order at 7:03 PM and led the Pledge of Allegiance. In addition to the above staff, Senior Project Manager Tracy Dutson, Human Resource Director Danielle Guerrero, Communications and Outreach Director Lisa Church and several Law Enforcement Officers

were in attendance. Fifty members of the public and media were present. A video recording is archived at <https://www.youtube.com/watch?v=CFRubg7SNyA>. An audio recording is archived at: <http://www.utah.gov/pmn/index.html>.

Approval of Minutes: Councilmember Guzman-Newton moved to approve minutes of the April 9, 2019 meeting with two corrections. Councilmember Derasary seconded the motion. Councilmember Jones amended the minutes to include the bills paid in the amount of \$703,915.36. Councilmember Duncan clarified for the minutes his departure due to illness at the close of Old Business. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Mayor and Council Reports: Mayor Niehaus announced she had met with the Planning Commission candidate and recommended him. She reported she met with Arches National Park Superintendent Kate Cannon to discuss issues regarding the proposed reservation system. The Mayor also mentioned she had authored a white paper for the Governor's Rural Partnership Board on the impacts of the Mighty 5 advertising campaign. She also mentioned a webinar she attended with Russo on low-to-no emission buses. She brought up the KZMU Radiothon and cited a news piece regarding affordable housing. She concluded with recognition of April as Sexual Assault Awareness month.

Councilmember Derasary thanked Councilmember Knuteson-Boyd for her announcement of a recent event at the Museum. She also noted her attendance at the Uranium Mill Tailings Remedial Action (UMTRA) steering committee meeting, where potential future rail service and the UMTRA site's impact on dark skies were discussed.

Councilmember Duncan mentioned that the new well installed by San Juan County may benefit from leakage from Kens Lake.

Councilmember Knuteson-Boyd reported she met with a Romanian trade delegation.

Councilmember Guzman-Newton reported on her meeting with the airport board where it was noted that \$1,800 in parking revenues were collected in one month. She stated Airport Manager Judd Hill was negotiating with SkyWest regarding changes to air service. She concluded with a mention of a Grand County Council meeting she attended regarding the Utah Department of Transportation shuttle study. She noted the County wants to host a joint meeting on May 7.

Councilmember Jones reported on a meeting of the Solid Waste District where it was discussed that the Resiliency Hub is hosting gatherings, the Solid Waste District is interested in conducting a community cleanup, and a new baler is needed for operations.

Administrative Report: City Manager Everitt reported he is enacting a transition plan for Assistant City Manager Linares. He mentioned meetings he attended in Salt Lake City with Landmark, GSBS consultants regarding the Powerhouse neighborhood Small Area Plan, as well as the City's water attorney. He also mentioned the new planner, Nora Shepard started work.

Public Hearing: Community Development Block Grant: Mayor Niehaus opened the second public hearing for the Americans With Disabilities Act (ADA) Accessibility Improvements to Downtown Recreation Facilities Project at 7:25 PM. She stated that this hearing was called to allow all citizens to provide input concerning the project that was awarded under the 2019 Community Development Block Grant Program. The city has amended its capital investment plan and decided to apply for funds on behalf of the Americans With Disabilities Act (ADA) Accessibility Improvements to Downtown Recreation Facilities Project. The Mayor explained that the application was successful in the regional rating and ranking

process and was awarded \$74,000 and explained the project to those in attendance. The Mayor then asked for any comments from the audience. There were no comments. Councilmember Guzman-Newton moved to close the public hearing. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye. Mayor Niehaus closed the public hearing at 7:28 PM.

Presentations:

Police Chief Ceremony: Police Chief Winder made a statement about his gratitude to the City for his opportunity to serve and he praised the incoming Chief, Bret Edge. Mr. Edge acknowledged his appreciation for Chief Winder's mentorship and thanked the Council for his opportunity to serve as Chief of Police. Mayor Niehaus explained the transition would occur in early May. Both were honored with hearty applause.

Arbor Day Proclamation: Mayor Niehaus read a proclamation and announced a tree planting ceremony to take place at the Moab Arts and Recreation Center.

Students of the Month: Mayor Niehaus presented the April Student of the Month Awards for Grand County Middle School Seventh-grader Chloe Skowbo and Eighth-grader Natalie Skowbo.

Citizens to be Heard: There were no citizens to be heard.

Old Business:

Walnut Lane Architectural Services—Discussion

Senior Project Manager Dutson reviewed feedback from the Council on the Draft Request for Proposals (RFP) for Architectural and Engineering Services for the Walnut Lane Trailer Park. He answered further questions about minimum square footage, prospective bidders, provisions for pets and next steps.

Parking Management Study—Postponed

Discussion: This agenda item was rescheduled for a future meeting.

Planned Affordable Development (PAD)—Discussion:

Proposed **Ordinance 2019-02** - Amending the City of Moab Municipal Code by Adding a New Chapter 17.68 Planned Affordable Development (PAD) was discussed. City Attorney McAnany introduced edits and noted more comments were incoming. Topics discussed included omitting the R2 and MH-1 zone, ratios of affordable units versus market rate units, eligibility for occupancy, sublets, inflation and appreciation caps, including the C3 zone, sunset clause, solar access, parking, staffing implications for enforcement and preliminary plat authority.

New Business:

Planning Commission Nomination—Confirmed

Motion and Vote: Councilmember Knuteson-Boyd moved to approve the Mayoral Appointment of Cory Shurtleff to the City Planning and Zoning Commission. Councilmember Derasary seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Water Connection Procedures—Approved

Motion and Vote: Councilmember Derasary moved to approve **Ordinance 2019-14** - Modifying Wastewater Connection and Culinary Water Connection Procedures. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Temporary Water Connection Fees—Approved

Motion and Vote: Councilmember Derasary moved to approve **Resolution 26-2019** - Setting Temporary Water and Wastewater Connection Fees Pending Completion of a Master Fee Ordinance. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Interlocal Agreement with San Juan Spanish Valley—Approved

Motion and Vote: Councilmember Duncan moved to approve **Resolution 28-2019** - Approving an Interlocal Cooperation Agreement with the San Juan Spanish Valley Special Services District and the City of Moab. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Settlement Agreement—Approved

Motion and Vote: Councilmember Knuteson-Boyd moved to approve **Resolution 30-2019** - Authorizing the Mayor to Sign a Settlement Agreement Resolving All Claims by the Former City Manager. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Adoption of Tentative Budget—Approved

Motion and Vote: Councilmember Guzman-Newton moved to approve **Resolution 23-2019** - Adopting the FY2019-2020 Tentative Budget and setting a public hearing date for May 14, 2019. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Bills Against the City of Moab—Approved

Motion and Vote: Councilmember Jones moved to approve bills for \$985,509.14. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Executive Session: Councilmember Derasary 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 carried 5-0 aye, with Councilmembers Derasary, Jones, Duncan, Knuteson-Boyd and Guzman-Newton voting aye. Mayor Niehaus convened the Executive Closed Session at 9:45 PM. Councilmember Knuteson-Boyd moved to end the Executive Closed Session. Councilmember Jones seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Duncan, Jones, Knuteson-Boyd and Guzman-Newton voting aye. Mayor Niehaus ended the Executive Session at 10:00 PM.

Adjournment: Councilmember Knuteson-Boyd moved to adjourn the meeting. Councilmember Derasary seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Duncan, Knuteson-Boyd and Guzman-Newton voting aye. Mayor Niehaus adjourned the meeting at 10:00 PM.

APPROVED: _____
Emily S. Niehaus, Mayor

ATTEST: _____
Sommar Johnson, City Recorder