

**MOAB CITY COUNCIL MINUTES  
REGULAR MEETING  
JUNE 23, 2020**

The Moab City Council held its Regular Meeting on the above date. Per Executive Order 2020-5 issued by Governor Gary R. Herbert on March 18, 2020, this meeting was conducted electronically. An anchor location was not provided. An audio recording of the meeting is archived at <http://www.utah.gov/pmn/index.html>. A video recording is archived at <https://www.youtube.com/watch?v=wA35BaF6yog>.

***Executive Closed Session:***

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 Derasary seconded the motion. The motion passed 5-0 with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton, and Duncan voting aye. Mayor Niehaus convened the executive closed session at 6:04 PM. Councilmember Guzman-Newton moved to adjourn the executive closed session. Councilmember Duncan seconded the motion. The motion passed 5-0 with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton, and Duncan voting aye. Mayor Niehaus ended the executive closed session at 6:52 PM.

***Regular Meeting—Call to Order and Attendance:*** Mayor Niehaus called the Regular City Council Meeting to order at 7:07 PM. Participating remotely were Councilmembers Karen Guzman-Newton, Tawny Knuteson-Boyd, Rani Derasary, Mike Duncan, and Kalen Jones. City staff participating remotely were City Manager Joel Linares, Assistant City Manager Carly Castle, City Attorney Laurie Simonson, Finance Director Klint York, Chief of Police Bret Edge, Planning Director Nora Shepard, Senior Projects Manager Kaitlin Myers, Arts and Special Events Manager Liz Holland, and City Recorder Sommar Johnson. Also participating remotely were Utah Division of Water Quality Director Erica Gaddis, Ann Christensen of DHM Design, Courtney Kizer of Architectural Squared, and Dan McCann of Architectural Squared.

***COVID-19 Update:***

Mayor Niehaus introduced Utah Division of Water Quality Director Gaddis. Gaddis provided initial results of the COVID-19 wastewater testing. Councilmembers inquired about the correlation between increased visitation and decreased virus detection in Moab, the percentage of samples from Moab that tested positive, and the turnaround time from samples to results.

***Approval of Minutes: May 29, 2020—Approved***

***Motion:*** Councilmember Guzman-Newton moved to approve the minutes for May 29. Councilmember Derasary seconded the motion.

***Discussion:*** Councilmember Derasary said she sent a few things to City Recorder Johnson which have already been corrected.

***Vote:*** The motion passed 5-0 with Councilmembers Derasary, Knuteson-Boyd, Duncan, Guzman-Newton, and Jones voting aye in a roll call vote.

***Mayor and Council Reports:***

Mayor Niehaus reported being asked to participate on a board that was developed by Grand County Community and Economic Development Director Levine. She said SB 95 will provide funding to counties for economic development; however, due to coronavirus and budget shortfalls, that funding might be in jeopardy. She stated the Office of Outdoor Recreation asked her to present to the Western Governors' Association regarding the impact of coronavirus on

gateway communities. She reported attending a board meeting for the Utah League of Cities and Towns (ULCT). She emailed the link for GOED (Governor's Office of Economic Development) to the Council. She said Utah Leads Together 4.0 is a document regarding economic recovery. She said it is the time to decide what should be manifested in our community regarding trails/outdoor education. She said the ULCT's top concerns are the CARES Act funding, water conservation, public infrastructure districts, and community trust and public safety. She also relayed the tier two and tier three concerns for the ULCT. She reported being asked to testify by the ULCT on a political subdivision committee. She reported attending Mill Creek Community Collaborative meetings about four different management options for the Mill Creek/Powerhouse area, and those options will be presented to the public for input. She said the GOED information should be shared with local entrepreneurs to connect them to state resources. She said she is sharing the paper she wrote for the Governor's World Partnership Board with the Council.

Councilmember Derasary reported attending an EMS Special Service District Board meeting on June 15. She said the EMS call volume is returning significantly, but the volume is down 6% this year. She said it is looking like a \$400,000 budget shortfall. She said staff reviewed the budget with the board and there were tentative cuts of about \$200,000. She said they are moving forward with the building, and most of the time will be spent on the design phase. She offered to share some design sketches from the meeting. She reported the call statistics. She reported participating in the Mountain Towns 2030 webinar. She thanked the editor of the Times-Independent for educating everyone on the death at Arches National Park. She said she sends her condolences to the family of Esther Nakajjigo. She thanked Mayor Niehaus and Representative Curtis' office for trying to assist the family in Uganda to repatriate Nakajjigo's body. She inquired about the dirt being moved at Lion's Back and who people can contact if they have questions.

Councilmember Duncan reported attending a Water Board meeting with Assistant City Manager Castle. He said a mandatory water conservation report will be due in August 2021. He reported participating on the Hotspot focus committee. He said there is potential for 100 new parking spots in a four block radius if the bike lanes are removed on 100 West; however, no one on the focus committee wants the bike lanes removed. He said he will expand the study area to try to qualify for reducing congestion with off-Main Street parking.

Councilmember Knuteson-Boyd said she was supposed to attend a Health Care Special Service District board meeting, but the invite was sent to the wrong email account. She spoke with Health Care Special Service District Chair Joette Langianese about the meeting. Langianese informed Councilmember Knuteson-Boyd that the discussion included making up lost revenue and how to permit families to visit people in the care center. Councilmember Knuteson-Boyd reported that the Canyonlands Care Center does not have any cases of COVID-19. She said there may be visiting hours outdoors. She reported attending a museum board meeting where two board members resigned due to differences of opinion regarding how the museum handled some of the messaging during the protests. She said the museum issued a statement acknowledging support for justice and racial equality. She said the museum reopening plans have been delayed due to COVID-19 and some of the displays/exhibits are still being installed. She reported listening to TED talks and other seminars about museums in different communities. She said the staff and trustees are receiving training on health and safety procedures and how to properly explain and honor the exhibits. She said a couple of small grants were received from the Utah State Historic Records Advisory Board and the Utah Humanities Council. She reported attending a HASU board meeting about the 2021 fiscal year budget. She said the senior housing project's construction is complete and the plan is to start moving people in at the end of June. She said HASU Executive Director Ben Riley has inquired

who to contact at the City regarding the \$35,000 donation to the MAPS Senior Project. She said construction began on the multifamily portion of Wingate Village, which is behind the KOA Campground and the Spanish Trail Arena. She said the COVID-19 Task Force Rent Relief Fund has served 40 families and given out roughly \$30,000.

Councilmember Guzman-Newton reported a brief meeting with the Chamber of Commerce, City staff, and the Mayor regarding the 4<sup>th</sup> of July celebration. She reported attending the Mountain Towns 2030 Net Zero Summit which discussed different communities trying to help businesses affected by COVID-19. She reported attending the Economic Response Task Force Town Hall with the Salt Lake Chamber. She said there are 28 items on the special session agenda and most of those are about economic restructuring due to the loss of revenue impacts at the state level. She said the Salt Lake Chamber has started a new campaign called “Stay Safe to Stay Open” and they are trying to get businesses to pledge support. She said the governor made a point about using the CARES Act funding to invest in large-scale infrastructure projects. She said GOED, the Utah Office of Outdoor Recreation, and Governor Herbert are going to try to invest in outdoor projects. She said the state reported close to \$100,000,000 shortfall due to lost sales tax revenue because of COVID-19. She reported attending an Arches Hotspot Region Coordinating Committee (AHRCC) meeting with a presentation from Downtown Main Street Alliance member Matt Hancock about the possibilities for downtown side street parking. She reported attending a discussion about 4<sup>th</sup> of July logistics with City staff. She said the airport will have a ribbon-cutting on July 7 for the new taxiway and apron construction.

Mayor Niehaus inquired if Council would consider the closure of Center Street for a block party for the businesses. Councilmembers Derasary, Guzman-Newton, Jones, and Duncan indicated they would consider it. Councilmember Derasary said the City should verify with the businesses on Center Street.

Councilmember Jones reported attending two Hotspot meetings. He thanked City Engineer Williams, Assistant Engineer Jolissaint, and Planning Director Shepard for their participation on the focus group regarding downtown parking and urban design. He reported attending the Mountain Town 2030. He said Jackson Mayor Pete Muldoon recently had success with the elimination of parking downtown. He said other communities are struggling fiscally to have the resources to implement sustainability and climate-related changes.

### ***Administrative Reports***

City Manager Linares said this is the first week that City Hall and the Center Street Gym have reopened to the public. He said the MARC is doing Arty Farty kids camp this week; the doors may be locked due to safety reasons, but the MARC is open and operating. He said the MRAC is scheduled to open on Friday. He said Lion’s Back has a grading permit and is moving dirt under the approval from 2009 which is still vested outside of the lawsuit. He said general questions regarding Lion’s Back can be sent to Communications and Engagement Manager Church or City Engineer Williams. He said it is a private development project and specific questions will need to be deferred to the developer. He said 4<sup>th</sup> of July fireworks are coming up; Ordinance 2019-20 from last year remains in effect, which states that fireworks are only permitted within City limits at Center Street Ballpark. Councilmember Knuteson-Boyd inquired if the ordinance restricts personal fireworks. He confirmed that personal fireworks are permitted at Center Street Ballpark and the Grand County/Moab City fireworks at Sand Flats will still take place. Councilmember Derasary expressed concern regarding fireworks violations of large fireworks being fired off in the park. City Manager Linares recalled the difficulties with violations for last year’s fireworks and the issue was resolved when police officers got involved. Mayor Niehaus said the 4<sup>th</sup> of July event this year will require City staff to patrol and monitor the perimeter.

Councilmember Derasary requested signs on all sides of the park as a reminder of what is permitted. Councilmember Knuteson-Boyd inquired if the sprinklers could get the ballpark really saturated prior to the fireworks taking place. Mayor Niehaus said the sprinklers might run the first ten minutes of every hour on the afternoon of July 4 to allow kids to play in the water.

***Administrative Report: COVID-19 Budget Update***

Finance Director York reviewed the budgeted sales and resort tax revenue for the 2020-2021 fiscal year. He said the actual sales tax received for May and June were higher than the projected revenues. He thanked the local citizens for the sales tax revenue that the City received.

Councilmember Guzman-Newton inquired where the sales tax dollars were spent. Finance Director York said he could send the breakdown to the Council. Mayor Niehaus requested the information be posted on the City website.

City Manager Linares said it is great news that the City did not lose as much sales tax revenue as projected, but the City is not where it needs to be. Finance Director York said the updated predicted shortfall is now \$2 million dollars instead of \$3 million dollars. He added that Moab was allocated \$470,000 in relief funding from the CARES Act and the first distribution should be received tomorrow for \$157,000. He said these are restricted COVID-19 funds. City Manager Linares said the COVID-19 related spending is at about \$280,000. He said there is no guarantee that the City will receive more funding from the CARES Act in the future. He said the remaining funds will be used towards COVID-19 related costs going forward. He said the COVID-19 related expenses include new types of cleaning supplies, fog machines, hand sanitizer dispensers, hours of work for employees reacting to situations, PPE for law enforcement, and many other things. Councilmember Knuteson-Boyd inquired if the Treasurer's office remodel is covered under the COVID-19 funds. City Manager Linares said the remodel is funded by a FEMA grant that covers 70% of the expenses. He said windows and protections had to be ordered for the MRAC's reopening.

Finance Director York said the July sales tax revenue will provide a better baseline of what to expect going forward. City Manager Linares said there is a million dollars in a rainy day fund and the reductions in spending and staff have saved another million dollars. He said that, if these numbers hold and the state does not return to orange or red status, the City will break even. He said the rainy day fund will be depleted.

Finance Director York said there will be a public hearing for the 2019-2020 fiscal year budget amendments in July. Mayor Niehaus requested the Council receive the materials prior to the agenda posting.

***Administrative Report: MRAC Update***

Finance Director York reviewed the MRAC financial breakdown. He presented the revenue vs. expense from 2012-2019. He said the MRAC has never acquired enough revenue to cover the cost of labor. He said the City is putting a plan together to open the MRAC and get it more in line with expenses and revenue. He said some ideas to get closer to breaking even include adjusting labor rates and hours to maximize efficiency, adjusting open swim hours, raising fees, adding concessions, and the RAP tax. Councilmember Jones inquired if the expenses breakdown could be aligned with the different areas of the MRAC to show profitability. Finance Director York offered to share that information.

City Manager Linares said it was determined that it would be cheaper to keep operating the pool while closed as opposed to trying to bring it back online later. He said there are no deferred

maintenance costs. Councilmember Jones inquired if there were predictable maintenance items that should be accounted for on these projections. City Manager Linares said the cladding on the outside of the building and drywall issues on the inside of the pool area that are failing need to be included.

Councilmember Derasary reported receiving two emails from gym members requesting a partial opening of the gym and providing insight for how to do it cheaply. She asked if those emails should be shared with City staff. City Manager Linares said that would be great. He said it is a staffing and financial issue to open the gym. He said every staff member at the MRAC was laid off.

Councilmember Derasary inquired if the organization chart is up to date. City Manager Linares said there are about 20 lifeguards getting recertified right now. He said there were a lot of salary cuts; other communities are paying lifeguards \$8-\$10 an hour, and Moab was paying \$17-\$18 an hour. He said some lifeguards have chosen not to return due to the wage decrease, so the City has reposted the job. He said MRAC employee Stacie Sheets will certify new recruits through the Red Cross.

Councilmember Guzman-Newton inquired how the MRAC was funded when it was built. City Manager Linares said the County Recreation District pays the annual bond payment. He said the County has financial hardship due to COVID-19; if they cannot make the bond payment, it will be the City's legal obligation to pay it.

Councilmember Guzman-Newton inquired if there were other recreation/aquatic centers that operate in the black. City Manager Linares said he did not know, but he does not expect the MRAC to ever operate in the black. He explained that the gap needs to be closed. He said, if the RAP tax is passed and the gap is closer to the 2016 numbers, the MRAC could potentially operate in the black.

***Citizens to be Heard:***

City Recorder Johnson reported there were 11 comments received from Citizens to be Heard. Mayor Niehaus said there was discussion regarding the direction to staff to follow up with Citizens to be Heard questions.

Theresa Wilson said: "I am completely opposed to the proposed location of a Bike Skills Park at ~100 East along the Millcreek Parkway for these reasons: 1. It is the only in town place to walk in relative quiet where there are not roaring ATVs and other vehicles; 2. Flood channel and riparian area should not have added gravel, concrete, etc etc.; 3. No trees should be removed or compromised; 4. Habitat for birds and other animals should not be removed or made unlivable. Last week I sent this email to Mike Duncan and Rani Derasary: We walked the location of the proposed bike skills park today. I walk there at least once a week. Moab does not have a Walking Park. If we walk on streets ATVs roar past us as well as trucks and cars. Even when we are on the parkway bicycles startle us as it is, though it is by far the best option available in town for walking peacefully. If we go on the hiking trail near the old senior center bicycles come roaring down scaring us and our dog. Bicycles have the run of this town and there are already two other bike parks, a skate park, and a dog park. Is there anything we can do? Walkers need space too. I read that it's too late, however nothing has started. When is a bad idea ever too late to turn around -- if it hasn't started? Thank you for standing up for the best interests of Moab Citizens. Sincerely -Theresa Wilson"

David Wilson said: "My wife Theresa commented and I want my voice counted as well as hers

saying I am very opposed to the proposed location of a Bike Skills Park at ~100 East along the Millcreek Parkway for these reasons: 1. It is the only in town place to walk in relative quiet where there are not roaring ATVs and other vehicles; 2. Flood channel and riparian area should not have added gravel, concrete, etc etc.; 3. No trees should be removed or compromised; 4. Habitat for birds and other animals should not be removed or made unlivable. Thanks, David Wilson”

Mary Moran said: “I’ve always enjoyed the area proposed for the bike skills park. There aren’t that many quiet shady natural areas along the creek in the city. I was disappointed to hear that it might be turned into a bike skills park, which will undoubtedly attract tourists there. If the decision, fraught as it is, is to go ahead with the bike skills park in the proposed area, please retain all native trees, including cottonwoods and hackberry. Also, please diligently avoid construction noise/disturbance during nesting season. If construction is happening this year, that means waiting until all birds have fledged and are away from their nest areas. As this timing varies between species, a biologist could be employed to monitor birds in this area that are or might be nesting to aid in determining the timing. If construction won’t start for a couple/few months, this won’t be an issue, unless it is not completed by mid-winter 2021, when the next nesting season will start for some species. Thanks. I live outside city limits now, but lived in Moab near the Mill Creek parkway for a couple decades.”

Steve Hawks said: “First of all, please know that I appreciate your dedicated service during a time of crisis--thank you for your tireless work on behalf of our community! I was excited to hear that the MRAC pool will be opening on June 26--well done! At the same time, I encourage you to explore ways to open the fitness center as well. I have been a member of the fitness center since it opened and deeply value the opportunity to work out at the gym. For me, it has been an essential source of emotional, mental, and physical well-being over many years--and I am aware that many other long-time MRAC members feel the same way. It could be an especially valuable community resource at present given the toll COVID-19 is taking on all levels of personal wellness. I realize that there are significant economic and health constraints that have led to the decision to keep the fitness center closed for the time being, but am hopeful that solutions can be found. Reopening the fitness center to current members will not provide any new revenue, sadly, but at the same time it may be possible to reopen the gym without imposing significant costs: 1. Limit the reopening of the fitness center to current members on an appointment only basis (limiting the number of individuals in the gym at any given time); 2. Per CDC guidelines, require gym users to clean equipment before and after use, maintain social distancing, wear masks, and follow other recommendations; 3. Use MRAC personnel that will be on hand for pool operations (front desk, custodial, management, etc.) to also manage the flow of traffic and basic duties in the gym; 4. ...and I’m sure there are other useful strategies that could be explored! I have a strong background in public health administration and if helpful would happily work with MRAC staff on a pro bono basis to design a reopening strategy for the fitness center that is both health-protective and fiscally responsible. Thank you for your consideration and again, thank you for your service! Sincerely, Steve Hawks”

Trisha Ann Hedin said: “Thank you for considering comments from the citizens of this community. I feel that it imperative to seek out the feedback of one's citizens to maintain a community where individuals feel empowered. I am writing in regards to the opening of the MRAC, our beloved recreation facility. I want to thank the Council and the City for the partial reopening of the facility, but encourage you to push for the reopening of the gym also. I have used this facility tirelessly since it's opening as a swimmer, runner and avid gym member. While the reopening of the pool is a step, I believe that we can further support our community by reopening the gym. I believe that the reopening of the gym can be done safely, with little

additional efforts and/or expenditures by the city. I encourage you to seek out the assistance of gym members as we can put together a committee to put together a proposal for an opening. This committee can work to come up with safety procedures, gym use and maintenance that would be effective and economical. Please consider this proposal and put me on the list to assist in it's reopening! Thank you. Trisha Hedin

Marc Thomas said: "I concur with Councilman Jones that the council should take a stand on protecting and providing access to our special public landscapes while not impairing our recreation-based economy. This means putting our federal and state government leaders on notice that we want to pull or severely cut back on the speculative oil and gas leases being auctioned in September near Moab, our precious rivers and our national parks. Locals have worked with government representatives in Colorado and New Mexico to prohibit leasing near Chaco Canyon and Great Sands Dunes National Monument. Let's try to do the same here, particularly since our leaders claim they listen more attentively to what they hear from locals. To provide that requested input, let's signal to our congressmen, Governor Herbert and the BLM that they can join Moab residents in leaving a legacy by canceling all the leases close to Arches, Canyonlands, Bears Ears and the Colorado/Green River watersheds."

Jennifer Wenzel said: "I live on Old City Park and have a one year old son who I hope will be able to enjoy all Moab has to offer.. walkways, creeks, green space, bike parks, old city park. With that said if we don't budget our money better our town will fail to exist. Spending on projects should be stopped while we are unable to pay employees and meet current demands Or fully operate existing infrastructure. Our riparian zone is unique and a huge asset to town. Please don't build in flood ways, flood zones or remove trees/grass. We don't have much of these places to walk with a toddler and removing them is disgraceful. Add to existing parks where parking & restrooms exist once the economy improves. Adding an annual maintenance expense for additional bathroom just is not smart when tourism has been down and international traveling is nonexistent. Please considering revising plans and acting later on when time and funds are appropriate. Thank you."

Lisa Paterson said: "Please locate this bike park either at Swanee Park or near the Anonymous bike park or some other agreed-upon location. I am not opposed to it being built, in fact I welcome this new addition to the community's recreational offerings. But please, don't destroy this peaceful part of the Parkway. We have Razrs zooming by us on all city and county roads. I have found solitude and quiet at this junction of the Parkway in part because of the very tall trees. Cutting down mature cottonwood trees in an area where many find a measure of quiet and peace is not what this community now needs. Even if trees are not removed, the addition of this venue will eliminate the peaceful quiet in this shady riparian section of the parkway. It has been argued that this bike park will be nearby so that families don't have to drive. I think it's important to take into consideration that many children who will use the bike park live on the west side of town much nearer to the Anonymous Park and to the Swanee park. It is also important to remember that families have multiple ages of children and so may have older children wanting to ride at the Anonymous Park and younger children wanting to ride at the new bike skills park. It makes a lot of sense to keep the venues closer together. Please do not approve this location at this time. Please delay this decision giving time for the community to fully offer input and for alternative locations to be fully vetted. Thank you for your consideration of this issue. Sincerely, Lisa Paterson Lisa Paterson Coaching Gently Held, Deeply Seen"

Janet Buckingham said: "I believe my previous communication has made clear the mistake I believe the city made in eliminating Terry Lewis's position at MRAC as well as reclassifying Patrick Baril and Stacie Sheets positions. Today I have a question: I'd like to see a new

organizational chart for the MRAC with position titles, pay, hours, and the benefit status of each. I know there have been new hires and I believe it's a fair question to ask if there has actually been any budgetary savings in your elimination of experienced staff and the hiring of completely inexperienced personnel. You have already created a safety issue by doing this; let's see if, especially after paying health insurance benefits to new hires and their families, there's actually been a savings. If it's a wash, or if you have only managed to implement the budgetary changes recommended by Ms. Lewis, what is your justification for eliminating highly skilled personnel, hiring less skilled personnel and putting the community's safety at risk, especially during such a pandemic?"

Matthew Guymon said: "Some concerns are the location which is a green space with trees and grass for people to walk their dogs and children which would be eliminated. The constant maintenance and upkeep of a park and restroom is extra money that could be better spent elsewhere. The amount of use will increase which will add more trash and more people to a nice quiet walkway through town. A better spot would be the bike park on 500 west with a restroom already and less work to establish and maintain since it's already in the budget. Adding extra expenses in a time of crisis seems irresponsible and unnecessary."

Cal Bulmash said: "Thanks for addressing the 8 can't wait campaign, and the need for regular, annual implicit/anti bias trainings. As a community member I would appreciate the MPD allow these de-escalation and implicit bias training materials to be shared with members of the public concerned with accountability. I would hope that the City of Moab take a clear stance against any oil and gas leasing on BLM parcels around our community that would put our already fragile and limited water shed at more risk. Not to mention climate change is here NOW-yesterday for the first time ever Siberia reached temperatures of 100 degrees F- we need to keep fossil fuels in the ground."

Sara Melnicoff said: "Decades ago I worked on two death penalty resentencing hearings for the public defenders I worked for in the state of Maryland. The scariest thing I have ever held in my hands, bar none, was the motion from the state seeking the penalty of death. Luckily, in those two cases, the death penalty was overturned for the newly available life without parole sentence. I will never forget what I learned from that experience and am proud that many of the lawyers I worked with then work to this day on innocence projects and have helped exonerate death row inmates from facing the worst of the worst that we do to other humans. The bike skills park reminds me of this in many ways. We are about to kill an irreplaceable and rare riparian area. A place that brings deep comfort and joy to the community that regularly enjoys this area. Although comprising less than 1% of western lands, riparian areas provide benefits beyond measure. I know that this process is on that last long walk to the death chamber, but it is (almost) never too late to right a wrong. When I am faced with a difficult situation, I ask myself, what would I do if I HAD to do x? This frees my creative process to try to come up with solutions I wouldn't have if I had remained wedded to an idea that wasn't quite right. Swanny City Park, Anonymous Park, or perhaps the south side of Rotary Park, could all host a skills park. There is already beginner's skills equipment at Anonymous and other attractions at Swanny and Rotary that make it appealing to families with children of different ages. I realize there are repercussions to changing things at the 11th hour, so Moab Solutions is committed to raise funds to help offset losses. Please - hit the pause button, listen to the community, and rethink this location for this skills park."

Philip Adams said: "I am writing to express my disapproval of the location of the bike skills park

planned for the Cross Trails portion of the Mill Creek Parkway. I am long-term resident and a city employee who helps maintain this location, but I am writing this as a resident. Like most others opposed, I am not opposed to the project in any way, but I am gravely concerned about the continued degradation of Moab's greenbelt along Mill Creek, especially at the joining of these trails. To have a quiet and tranquil location one block from bustling Main Street is quality of life factor for both residents and visitors alike: a quality that is irreplaceable once infrastructure such as the bike skills park is established. The lack of public notice has been disappointing. I believe that there would be significant public concern had the city taken steps to post the proposal, both at the site and on the City's webpage, well in advance of hosting a public hearing. However, none of these steps occurred. Even with the recommendation during the discussion in the last Council meeting (June 9th, 2020), there has yet to be any public posting of the proposed project at the site or on the City's webpage. Obviously, there has been and will continue to be unavoidable loss to the Mill Creek greenbelt due to private land development or the construction of a middle school abutting the trail system, but it should be understood that this is a self-sacrifice of our Mill Creek greenbelt. I implore the city council to give full consideration to loss of this precious greenbelt space for once this is built it will forever alter the nature and potential of this unique space. There are more suitable sites, such as adjoining Swanny Park's skate park with the bike skills park. What a great idea! This location is directly across from the elementary school, the desired age group that this park is targeting. There is a paved trail system that leads to that location for east-side kids and is more accessible for west-side kids. No trees must be felled and no greenspace is impacted; Swanny has too much grass for its own good anyway. The hard part for the council and city staff is figuring out how to fulfill the requirements of the grant and perhaps letting go of another public restroom for the time being."

***Presentation: Moab Police Department – Maintaining Standards Beyond Community Expectations***

Chief Edge said the "8 Can't Wait" is an eight point political action campaign to reform policing in the United States that is inexpensive, can be implemented quickly, and has a goal of reducing police violence. He reviewed the eight points of the plan and explained how the Moab City Police Department policy is compliant with all eight points. He said a section might be added to the generic use of force policy that discusses de-escalation. He said there will be an annual use of force analysis report. He reviewed the steps that Moab City Police Department has completed to improve the level of service for the public. He reviewed what the police department will continue to improve upon.

Councilmember Knuteson-Boyd said the implicit bias training in 2016 was good, but it needs to be updated and repeated. She said the mandatory annual discrimination and harassment training from the Utah Local Governments Trust (ULGT) has not been updated in 12 years. She inquired if the Council could request an update of that training to make it more relevant for current events. Mayor Niehaus asked Councilmember Knuteson-Boyd to draft a letter to the ULGT regarding the training updates. Councilmember Knuteson-Boyd inquired if there is a wristband or necklace for people with autism which would inform officers. Chief Edge said that would be interesting to investigate.

Councilmember Guzman-Newton thanked Chief Edge for the presentation and signing the proclamation with Mayor Niehaus. She inquired if this is the first time the officers are going through de-escalation training. Chief Edge said all officers receive de-escalation training in the academy, but this is the first time it will happen in Moab. Councilmember Guzman-Newton asked how much training the police department has received for identifying mental illness and getting people to the right sources for help. Chief Edge said the police department has received training to identify and interact with people who are experiencing some type of mental health

crisis; however, the department has not received specific de-escalation training for those situations. He said the crisis intervention training (CIT) takes 40 hours, and the Moab City Police Department is working with the police academy in Price to possibly bring a CIT academy to Moab.

Councilmember Duncan asked Chief Edge's opinion regarding qualified immunity. Chief Edge said removing qualified immunity would have a drastic negative effect on law enforcement. He stated Moab City Police officers would leave the law enforcement profession if qualified immunity went away. He said qualified immunity is critical for public safety and to maintain good officers/employees.

Councilmember Derasary mentioned a recommendation from the community regarding a training group called Transformative Alliances. She inquired if the de-escalation and implicit bias training materials could be made available to the public. Chief Edge said some of the training is copyrighted and cannot be distributed outside of the training. Councilmember Derasary inquired about members of the public or press being able to attend the trainings and if people could contact Chief Edge to offer their feedback. Chief Edge said the community board must be small to be productive, and he encourages feedback from the community regarding who should be on the board. Councilmember Derasary asked if the governor has banned chokeholds for the state. Chief Edge said the use of a knee on the neck has been prohibited by the governor, and other chokehold restrictions are being considered. Derasary also asked for advice on how to move dialog between the Chief and residents forward on questions about specific language in our policy such as "should and shall, recommend and require.

Mayor Niehaus thanked Chief Edge for the presentation, being engaged with community members and protest organizers, for signing the proclamation, and for being a good solid leader.

***Old Business:***

***Ordinance 2020-08: An Ordinance of the City Council of Moab Annexing the Lions Back Holdings, LLC, Property at 938 and 940 South Highway 191 to the City of Moab and Assigning the Zone of C-4 General Commercial to the Parcel – Approved***

***Discussion:*** Planning Director Shepard reviewed the two parcels and the pre-annexation agreement that was approved January 28, 2020. She said Grand County supports the City in this endeavor.

***Motion:*** Councilmember Duncan moved to approve Ordinance 2020-08: an ordinance of the City Council of Moab annexing the Lions Back Holdings, LLC, property located at 938 and 940 South Highway 191, otherwise known as Main Street, to the City of Moab and assigning the zone of C-4 general commercial to this parcel. Councilmember Jones seconded the motion.

***Vote:*** The motion passed 5-0 with Councilmembers Duncan, Guzman-Newton, Jones, Knuteson-Boyd, and Derasary voting aye in a roll call vote.

***Discussion of Walnut Lane Priorities***

Senior Projects Manager Myers introduced the project and design team. She said Council received a prioritization spreadsheet which will be the basis of later discussion. Kizer, McCann, and Christensen presented conceptual ideas for the project and requested feedback from Council regarding goals for the development. Mayor Niehaus proposed a workshop on Thursday at noon to further discuss Walnut Lane priorities.

***New Business:***

***Discussion and Approval of Special Event Permit and Special Use of City Park for***

***a Fourth of July Celebration—Approved***

**Discussion:** Council discussed having vendors through the Chamber of Commerce and the Coronavirus concerns regarding social distancing and masks. Arts and Special Events Manager Holland reviewed the possible vendors and events.

**Motion:** Councilmember Knuteson-Boyd moved to approve a special event permit for the 4<sup>th</sup> of July celebration and the market on Center. Councilmember Derasary seconded the motion.

**Vote:** The motion passed 5-0 with Councilmembers Derasary, Knuteson-Boyd, Guzman-Newton, Jones, and Duncan voting aye in a roll call vote.

***City Comments on the September 2020 BLM Oil and Gas Lease Sale***

**Discussion:** Councilmember Jones reviewed the potential oil and gas lease sale in September for 80,000 acres of land near Moab. He inquired if the Council wanted to proceed with a letter opposed to the lease sale, or if they wanted to cite specific parcels that should not be included in the lease sale.

**Motion:** Councilmember Derasary moved to approve the letter the way it is written. Councilmember Duncan seconded the motion.

**Vote:** The motion passed 5-0 with Councilmembers Knuteson-Boyd, Jones, Duncan, Guzman-Newton, and Derasary voting aye in a roll call vote.

***Approval of Bills Against the City of Moab***

**Motion:** Councilmember Knuteson-Boyd moved to approve the bills against the City of Moab in the amount of \$183,060.05. Councilmember Duncan seconded the motion.

**Vote:** The motion passed 5-0 with Councilmembers Jones, Derasary, Guzman-Newton, Duncan, and Knuteson-Boyd voting aye in a roll call vote.

**Adjournment:** Councilmember Jones moved to adjourn the meeting. Councilmember Knuteson-Boyd seconded the motion. The motion passed unanimously. Mayor Niehaus adjourned the meeting at 10:21 PM.

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

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