

MOAB CITY COUNCIL MINUTES
REGULAR MEETING
July 12, 2022

Moab City Council held its Regularly-Scheduled Meeting on the above date in Council Chambers.
Archived audio: www.utah.gov/pmn and video: www.youtube.com/watch?v=fimcHStfhms.

Regular Meeting Attendance and Call to Order:

Mayor Joette Langianese called the meeting to order at 6:02 p.m. Councilmembers Jason Taylor, Luke Wojciechowski, Tawny Knuteson-Boyd, Rani Derasary and Kalen Jones attended. Also in attendance were City Manager Carly Castle, Parks, Recreation and Trails Director Annie McVay, Assistant Planner Jessica Thacker, Engineer Chuck Williams, Sewer Superintendent Obe Tejada, Attorney Lisa Watts Baskin, Arts and Special Events Director Kelley McInerney, Recorder Sommar Johnson and four members of the public. Mayor Langianese asked Theresa King to lead the Pledge of Allegiance.

Citizens to Be Heard:

Joseph Lema thanked Council for the decision regarding Scots on the Rocks and stated he understood citizen noise concerns. He said he is a sound engineer and offered to conduct a sound pressure study from various points to gather data about noise generated during events.

Moab Museum—Presentation

Forrest Rodgers, the Executive Director of the Museum of Moab, presented a brief history of the museum and described recent changes to the Museum collections and preservation programs.

Department Head Updates:

Sewer Supervisor Tejada spoke about the Water Reclamation Facility (WRF) and increased wastewater flow. He remarked on maintenance issues including blower replacements, bacteria concerns and grease traps. He also brought up The Nature Conservancy's request to route effluent to the wetlands. Discussion ensued regarding the project to recharge the wetlands with treated effluent. Tejada answered questions about commercial grease trap impacts on the WRF, compliance challenges and enforcement issues. Grants for treatment of outfall were discussed.

City Engineer Williams updated Council on several City projects, such as cost-share funding with the Utah Department of Transportation (UDOT), including Hotspot projects on Emma Boulevard and downtown dispersed parking. The Unified Transportation Master Plan was discussed. Safe Streets for All, as described by Williams, would examine several intersections in the City and County with a goal of increased safety. He said federal funds might become available for associated projects. Councilmember Derasary requested accident data and Councilmember Jones asked about tradeoffs with other ensuing projects. Engineer Williams discussed other City projects, including the 400 East Bridge widening and the planned roundabout at 400 North and 100 West. Cost increases for the roundabout, which would be shared with the Federal Highway Administration were described and Williams outlined options for paying more to construct the roundabout, cancellation expenses and potential additional federal funding associated with the Safe Streets for All program.

Consent Agenda:

Motions: Councilmember Derasary moved to table approval of the minutes of the June 28, 2022, Regular Meeting and to approve the Consent Agenda, as follows: approval of a Residential Property Lease between the City of Moab and James McGann and approval of bills against the City of Moab in the Amount of \$299,615.34. Councilmember Jones seconded both motions.

Discussion: Councilmember Derasary expressed an interest in flexibility in the residential lease in the event there were gaps in occupancy by City employees. Councilmember Jones concurred.

Councilmember Taylor disagreed, and cited increased exposure for the City with non-employee tenants. Councilmember Knuteson-Boyd concurred with Councilmember Taylor. Councilmember Wojciechowski stated he sees both pros and cons. He liked flexibility and discretion can be used. For further consideration, Councilmember Derasary withdrew the motion to approve the consent agenda.

Approval of Bills:

Councilmember Derasary moved to approve bills against the City of Moab in the amount of \$299,615.34. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

Residential Property Lease—Approved

Discussion: Attorney Watts Baskin suggested amendments to allow for occupancy if the residence is unoccupied for a period of time and there are no incoming City employees.

Motion: Councilmember Taylor moved to approve the Lease as written. Councilmember Knuteson-Boyd seconded the motion.

Discussion: Councilmember Knuteson-Boyd stated there was an imminent need to secure the lease in the near future. She said the Lease could be revisited in the next six months. Councilmember Wojciechowski concurred. Councilmember Jones requested staff to work with Mr. McGann. He stated there was no reason to deprive essential workers of short-term housing if the residence was not occupied, while augmenting the City's revenues. Councilmember Derasary concurred with Councilmember Jones. Mayor Langianese explained the Lease was for one year.

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

Approval of Minutes—Tabled

Motion and Vote: Councilmember Jones moved to table approval of the minutes of the June 28, 2022 Regular Meeting. Councilmember Derasary seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

New Business:

Reduction of Planning Commission Members—Approved

Presentation and Discussion: Mayor Langianese explained the Planning Commission's request to reduce the number of Commission members from seven to five. She noted the resulting change would require the Commission to adopt new bylaws. Councilmember Jones brought up quorum concerns and stated he supports the reduction in Commission members yet wanted to ensure three votes would be required to pass motions.

Motion and Vote: Councilmember Jones moved to approve **Ordinance 2022-12**: an ordinance amending Moab Municipal Code, Section 2.52.010, Establishment--Composition, to reduce the number of Planning Commission Members from seven (7) to five (5) members. Councilmember Taylor seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

RAP Tax Advisory Committee (TAC)—Discussion

Parks, Recreation and Trails Director McVay described the application process and timeline for the Recreation, Arts and Parks (RAP) Tax Advisory Committee (TAC). Councilmember Jones stated his satisfaction with the timeline and process, brought up a concern about conflicts of interest, and requested the policy be expanded to include family. Councilmember Derasary asked about the intention to appoint all five members with expertise in recreation, arts and parks and brought up staggered terms for the experts. Ex-officio representation by Council and staff was discussed. Derasary also asked about outreach efforts to publicize the committee openings.

Special Event Criteria Amendments—Discussion

Arts and Special Events Director McInerney presented the application and approval process for special events. She specified staff would monitor noise and intensity of events for the remainder of the year. Councilmember Jones expressed interest in having both quantitative feedback about the monitoring and having more explicit limits for loudness of noise as an exception to regular noise standards and possibly time limits for those exceptions. Councilmember Taylor requested consideration regarding whether events are compatible with neighborhoods. Councilmember Derasary asked whether the current process required event sponsors to debrief with staff after the events. She stated her interest in requiring a debrief one to two months after each event and asked which City departments are represented in the permit process. Derasary requested a review of the calendar of events involving City venues and noted several events were not listed on the existing calendar. She observed Lions Park is underutilized. She also raised a concern about her understanding that most applicants violate their permits and asked how violations are managed. She stated her desire to have Council informed of violations and complaints and expressed an interest in revisiting Council oversight of events including hours and exceptions to the noise ordinance. She said that Council sometimes becomes aware of complaints about which staff are not apprised, and posited the new Council may wish to revisit oversight of special events permits as well as exceptions. Derasary also requested staff to compare the Old Spanish Trail Arena rental requirements for comparison. She brought up Councilmember Taylor's interest in reviewing historic agreements regarding use of the ballfields. She mentioned Park City's green events criteria. Mayor Langianese asked Councilmember Derasary to prioritize which of her concerns she would like to have in the Special Events Criteria. Derasary suggested the Council revisit their authority to review and grant special events permits. Derasary stated her interest in examining issues surrounding event intensity and noise and the permitting process. She brought up that, if quantitative evidence is required to measure noise, that measurement efforts be collected in such a way as to be submissible, specifically relating to decibel measuring equipment. Councilmember Wojciechowski stated his interest in objective criteria and equal enforcement. He mentioned supplemental checklist criteria such as Park City utilizes, an event sponsor's potential generosity to the local nonprofit community and limits on concurrent noise-producing events. He also supported debrief meetings with applicants. Councilmember Knuteson-Boyd concurred with Councilmember Wojciechowski, supported post-event meetings, and said she was unsure about how to measure noise and intensity. She acknowledged the heavy impact on Swanny Park and said it was important to communicate with neighbors and spreading events around to other venues. Mayor Langianese directed staff to prepare another iteration and mentioned the ongoing Parks Management review. The Mayor also mentioned the need to ensure that sound measurement is conducted in a uniform manner.

Old Business:

Adoption of Findings of Fact and Conclusions of Law for the Approval of Special Event Permit for Scots on the Rocks—Approved

Presentation and Discussion: Councilmember Derasary asked if it was appropriate to describe votes in the findings of fact, and Attorney Watts Baskin said it was. Derasary requested a statement that the initial denial vote (Item 7) was a vote of 3-2 and requested a statement that the approval vote (Item 17) was 3-2. She mentioned item 11.d, regarding mitigating impacts by limiting practicing and tuning of instruments to within the park boundary. She referred to typographical errors, mentioned errors in the special permit agreement regarding incorrect fees and dates, and brought up the location of off-site concert locations. Derasary restated that she takes issue with item 13.c, which moved the bagpipe competition to the east side of the field. She pointed out that, according to the prior application, it was always supposed to be on the east side. Attorney Watts Baskin reiterated the bagpipe competition would maintain the east side location at the park.

Motion and Vote: Councilmember Knuteson-Boyd moved to adopt the findings of fact and conclusions of law for the approval of the Scots on the Rocks 2022 special event permit application. Councilmember Taylor seconded the motion. The motion passed 3-2 aye with Councilmembers Taylor,

Knuteson-Boyd and Wojciechowski voting aye and Councilmembers Jones and Derasary voting nay. Councilmember Derasary explained her nay vote was due to issues regarding item five.

City Manager Updates:

City Manager Castle reported sandbags and sand would be available at the City public works yard on Fridays for self-serve sandbags in preparation for the monsoon season. She announced the Old City Park pond had been stocked with native chub. She brought up the October meeting of the Utah League of Cities and Towns and upcoming meetings of the Colorado Association of Ski Towns. She announced the hiring of a new administrative assistant and invited the public to register for the Moab Tomorrow Together focus groups.

Mayor and Council Reports:

Councilmember Jones mentioned the Housing Task Force was preparing an updated housing plan. He said the Utah 100 group discussed the affordability of electric power. He said the solid waste district was still seeking an Executive Director. He praised the community concert series and noted its popularity.

Councilmember Wojciechowski stated he was thankful for the free concert series. He mentioned a meeting of the TrailMix committee and mentioned a proposed single-track trail below Falcon Flow to protect bikes from off-road vehicles on the main trail. He said that designated camping sites were in effect at Klondike Bluffs. He noted the closure of the Geyser Pass Road from August 8-31 and said trail ambassador positions were open. He brought up mailings he had received that invited homeowners to engage in illegal nightly rental activity. He concluded by mentioning a high caseload and staffing challenges at Seekhaven.

Councilmember Derasary said the Grand Water and Sewer Services Agency (GWSSA) meeting was cancelled. She mentioned the visioning process focus groups. She commented that residents should let the code enforcement officer know about the mailings regarding illegal nightly rentals.

Councilmember Taylor mentioned the acting airport manager had been hired as the airport manager. He mentioned the construction of new hangars and a storage facility for snow removal equipment.

Mayor Langianese said she was interviewed by KZMU about local women in leadership. She mentioned a meeting she attended regarding timed entry at Arches National Park. Feral cats at the hospital came up in a meeting she attended with Jen Sadoff, Executive Director of the Moab Regional Hospital. The Mayor mentioned an active shooter training the police chief attended, and mentioned an upcoming meeting to discuss the tailings site closure and a planned trip to Salt Lake City.

Councilmember Derasary mentioned the email address for concerns regarding mailings for illegal nightly rentals was compliance@moabcity.org. Councilmember Jones asked about pursuing the illegal nightly rentals. He also mentioned that he learned Telluride has experienced a tourism slowdown and brought up his interest in learning about the extent of the slowed tourism economy, suggesting local concerns about causes of the slowdown might be more regional than previously thought.

Adjournment: Councilmember Jones moved to adjourn the meeting. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye. Mayor Langianese adjourned the meeting at 8:35 p.m.

APPROVED: _____
Joette Langianese, Mayor

ATTEST: _____
Sommar Johnson, City Recorder