

**MOAB CITY COUNCIL MINUTES**  
**REGULAR MEETING**  
**August 24, 2021**

The Moab City Council held its Regular Meeting on the above date. An audio recording of the meeting is archived at <http://www.utah.gov/pmn/index.html> and a video recording is archived at <https://www.youtube.com/watch?v=k1QaMceSqfo>.

***Regular City Council Meeting:***

Mayor Emily Niehaus called the meeting to order at 7:03 p.m. Councilmembers Karen Guzman-Newton, Tawny Knuteson-Boyd, Mike Duncan, Rani Derasary and Kalen Jones were in attendance. City staff participating included Manager Joel Linares, Assistant Manager Carly Castle, Police Chief Bret Edge, Assistant Planner Cory Shurtleff, Engineer Chuck Williams, Public Works Director Levi Jones, Treasurer Marcy Mason, Attorney Laurie Simonson, Finance Director Ben Billingsley, Recorder Sommar Johnson and Parks, Recreation and Trails Director Annie McVay. Thirty persons were in the audience. Mayor Niehaus led the Pledge of Allegiance.

***Citizens to be Heard:***

Charlotte Mates shared that the Utah Department of Transportation (UDOT) seeks public input on bike lanes and multi-use paths adjacent to nearby state roads. She said the public comment period on UDOT's active transportation plan lasts through August 28th.

Wes Shannon spoke on behalf of the Downtown Main Street Alliance and stated the Alliance officially opposes the proposed property tax. He said the City should show what the tax will be used for. He added a request to see more efficiencies, effectiveness, integrity and higher professional standards. He urged Council to work collectively with businesses, health professionals, developers, hairdressers, restaurants, bookshop owners, mechanics, tour companies, outdoor gear stores, gift shops, grocers, and residents to create community, not division. He said the City received a free ride during COVID, keeping its doors locked for nearly a year while businesses all struggled to follow guidelines to remain open and be good hosts and collect sales tax. He identified a lack of trust between the residents and the City and added the absence of accountability is jeopardizing the community's faith in the vision of Moab's future. He said the Council is not holding the City Manager accountable, who in turn holds staff accountable. He averred that businesses are intimidated to speak up fearing retribution and staff is not responsive. He concluded by urging Council to vote no on the property tax.

Helene Rohr expressed gratitude to those holding positions in public service. She said answers to her questions did not clarify why the tax increase is needed. She suggested better fiscal management is needed. She said her research revealed the City of Moab pays employees generously compared to other cities in the state. She noted Iceland's tourism peaked at 2.3 million visitors in 2018, bringing in a revenue stream of \$920 million. She asserted that Moab is on its way to doubling that number of visitors, coming close to five million this year. She said that with the influx of visitors each year, Moab should be one of the wealthiest communities in the nation, yet has a poverty rate that is five percent higher than the State's. She contended that the wages and benefits for some City employees are high and completely out of sync with average income levels, especially when infrastructure issues and the housing crisis were absolutely foreseeable. She said it was unjust to ask residents to make up for any shortcoming in the general fund. She concluded by asking Council to listen to residents, and to take a closer look at what is being spent where and why within the City.

Emily Sukiennik announced she recently resigned as director of the Moab Recreation and Aquatic Center (MRAC). She said the sports department was favored by specific superiors and

there was zero accountability regarding work completion. She declared there were many unhappy community members. She said she noticed other departments that were similarly favored, based on friendships and intimate relationships and stated it was not fair. She said when she was promoted to MRAC Director, she found that the MRAC is not favored by superiors and is seen as a financial burden, and she could not make headway when it came to budget amendments, facility improvements, appropriate wages for staff, or the hiring process. She said that for nine months she picked up the slack and did janitorial duties, as did one of her colleagues, and maintained she was not treated well by Human Resources. She said employees leave to seek jobs with supportive environments. She said she witnessed her concerns, as well as unprofessional behavior, being brushed under the rug. She referred to immoral and unethical conduct. She said she loves and cares for her town and to see things running the way they are is saddening and disconcerting. She encouraged others to come forward.

Aaron Davies observed that increasing property tax is contrary to the stated goal of affordable housing. He cited the list of long-time needs and said harder work needs to be done to prioritize the list. He asked Council to not increase property tax, but rather, to find ways to pay for needed projects without increasing taxes. He opined about whether government should be bigger or smaller. He said with bigger government, there's more power, and in society, there is an issue of greed for money. He added there's also an issue of greed for power and asked to lessen what government is involved in. He suggested to do just the basics, and volunteer organizations and donations can be put together to pay for the fun projects.

Dwight Johnston encouraged Council to not get in the property tax business. He said the schools are raising property taxes again this year, as they do every year, and they always fall short on their budget. He proclaimed that, almost every year, there is a truth in taxation hearing and they raise the property taxes; he added the County also does this. He said this year is really painful because lots of people are getting their property reappraised and there are people who can't afford to pay. He said increased taxes will be passed on to renters, which goes against the prospect of lower income housing. He encouraged Council to develop industries that produce more sales tax, not just raise the sales tax. He suggested there are businesses to promote that would increase sales taxes.

Susie Johnston said she owns businesses, and when a new tax is proposed, the real cost is to businesses. She added she has not raised rents on her apartments for years because the tenants struggle. She recognized that raising property tax would result in higher rents and added that pretty soon Moab is going to be a place where only rich people can live. She concluded by praising Moab's great community and urged Council to not tax it to death and to vote no.

Jason Taylor stated he has a few businesses in town and he's a landlord with a duplex. He averred he has not raised rents in eight or nine years, and his tenants struggle every month and one of them almost started crying due to the prospect of raising rents due to a property tax. He said he had to increase employee wages to get people to where they can buy homes, but added it comes at a cost. He said there are a lot of people who just barely make their house payments and a tax is going to put them over the edge. He cited discussion from a recent Council meeting to save money in each budget year. He suggested to try that for a few years to see what it does for the budget. He urged Council to vote no on the property tax.

Rosanne Lewis said she works at the hospital and urged Council to vote no on the property tax. She said it is hard for the hospital to get professionals and nurses who can afford to live here.

Chris Cantrell said he only been in Moab two years and he is a maintenance manager for a 60-unit apartment. He said the rent has gone up twice and he is losing good people. He says he

works for a property management company in Idaho, and when the rent goes up, he is blamed.

Kyle Kaiser stated he is a landlord and was shocked to hear comments from Council and staff about the effects of raising the property tax on the housing and rental markets, and the implication that landlords could choose to not pass a property tax increase on to tenants. He said there is a public relations problem regarding what the proposed tax would pay for and the existing budget. He said it is difficult to prevent the appearance of balancing the impact of tourism on long-term residents of the town, and encouraged a no vote.

### ***Administrative Reports:***

Police Chief Edge reported on hiring progress and said two new officers had been hired and two more had job offers. He briefly touched on trainings and the police fleet, noting Office Manager Kelli Day had secured a grant for a new vehicle. Edge announced the new Assistant Chief, Braden Palmer, and mentioned the School Resource Officer (SRO) position at the high school, including a law enforcement class currently offered. He mentioned the success of recent community engagement event and noted an upcoming public safety chili cookoff on November 5, which would include a fundraiser for youth sports scholarships. He noted interest in adding electric vehicles to the police fleet, which he was pursuing in collaboration with the Sustainability Director. Councilmember Derasary thanked officers for attending the back-to-school events. Councilmember Guzman-Newton thanked Chief Edge for outreach efforts and requested a summary of dispatch statistics. Edge cited software limitations regarding reporting dispatch calls and Manager Linares mentioned new software would cost \$250,000.

Recorder Johnson recapped the recent candidate filing period and stated there were seven candidates for Mayor and six for City Council. She announced she was working with the League of Women Voters on education and outreach regarding Ranked Choice Voting. She presented an example video provided by the Lieutenant Governor's office on ranked voting and explained some details of how election day activities would be managed by Utah County.

Manager Linares updated Council on employee absences due to COVID-19.

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

Mayor Niehaus led a moment of silence for two local residents, Crystal Turner and Kylan Schulte, who were murdered. She reported she attended Congressman John Curtis' Town Hall and announced Senator Mike Lee was expected to visit, although she had no details. She mentioned a meeting of the Boundary Commission, which hears annexation disputes. She noted a meeting of the Utah League of Cities and Towns (ULCT) Legislative Policy Committee and thanked candidates who filed for office. She encouraged candidates to attend Council meetings.

Councilmember Duncan reported that recent rains, combined with reduced usage, had resulted in an improved water level in Kens Lake. He mentioned the recent well failure in Spanish Valley and mentioned an editorial in the *Times-Independent* on the complicated water situation.

Councilmember Derasary reported she attended the John Curtis Town Hall and met with the Sustainability Director to discuss the City's Sustainability Plan. She also thanked Finance Director Billingsley for meeting with her. She reported she attended the ULCT Legislative Policy Committee meeting and mentioned the drought response rural working group. She reported on the Emergency Medical Services (EMS) meeting and dispatch statistics. She said she attended the City budget workshop as well as the back-to-school events. She thanked the City for providing sandbags to residents concerned about flooding. She remarked on the resignation of City Attorney Simonson and stated her appreciation for her service.

Attorney Simonson made a brief statement about her resignation.

Councilmember Knuteson-Boyd thanked Councilmember Duncan for briefing her on the Moab Irrigation Company and the water situation. She reported on a meeting of the Canyonlands Health Care Special Service District and noted one employee is out with COVID-19, and the board reviewed the financials and budget. She stated fencing was installed on Park Drive to keep vehicles from driving through. She reported on the Museum board and the Housing Authority. She noted a possible donation of a home for workforce housing. She also attended a meeting with National Park Service (NPS) representatives to discuss the timed entry proposal.

Councilmember Guzman-Newton reported she also attended the NPS timed entry meeting and also met with the Sustainability Director to discuss water conservation grants. She mentioned her tenure as local chair of the Census committee and discussed emerging statistics about Grand County and stated there were 1,186 unoccupied residences.

Councilmember Jones reported he attended meetings of the Travel Council and the Solid Waste District. He stated the newly restructured solid waste service was meeting financial expectations. He also reported on Dark Skies progress and noted he attended the John Curtis Town Hall and the NPS traffic congestion meeting.

***Approval of Minutes:***

***Motion and Vote:*** Councilmember Duncan moved to approve the minutes for the August 4, 6 and 16, 2021 Special Meetings and the August 10, 2021 Regular Meeting. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 with Councilmembers Derasary, Jones, Guzman-Newton, Knuteson-Boyd, and Duncan voting aye.

***Old Business:***

***Adoption of the Budget and Property Tax—Approved***

***Motion:*** Councilmember Jones moved to adopt **Resolution 22-2021**, a Resolution Adopting the Fiscal Year 2021-2022 Budget Scenario Three as presented, which adopts a property tax revenue of \$1.5 million, and approve form PT-800 instituting a property tax levy of 1.671 mills. There was no second and the motion failed.

***Discussion:*** Councilmember Knuteson-Boyd stated she would not support raising a property tax. She opined about community reaction, including divisive name-calling and bullying.

***Motion:*** Councilmember Knuteson-Boyd moved to adopt **Resolution 22-2021**, a Resolution Adopting the Fiscal Year 2021-2022 Budget Scenario One as presented, which adopts no property tax revenue. Councilmember Derasary seconded the motion.

***Discussion:*** Councilmember Guzman-Newton expressed that bullying has also occurred on the dais, in response to Tawny expressing bullying has been occurring within the community towards the Mayor and staff. Guzman-Newton could not endorse a property tax based on a lack of direction. Councilmember Derasary brought up several questions regarding line items in the budget, including projects that were ranked lower by Council but appeared in the budget, as well as questions about the transit pilot project and the Recreation, Arts and Parks (RAP) tax, and Payment in Lieu of Taxes (PILT). She expressed her concern about what tourism can realistically pay for. Councilmember Duncan stated his support for the motion and stated he would also support a property tax at the \$1 million level. He said he does not think things will get worse financially, and concurred with Councilmember Guzman-Newton about the capital projects list as presented by staff. He attributed the lack of interest in a property tax on COVID and poor timing. He mentioned that suggestions to cut staff expenses were not easy to accomplish. He also mentioned potential funding from the American Rescue Plan Act (ARPA) and the RAP tax. Councilmember Jones stated he thinks it is time for a small property tax and he noted that, this year, City residents will actually see a decrease in their tax bill. He stated it

was the best year to pass a \$360,000 tax and requested a revision to the motion. Councilmember Knuteson-Boyd stated her desire to leave the motion unaltered. Councilmember Guzman-Newton brought up the community's upset regarding staff salaries. She stated she wanted Human Resources to present a transparent report on salaries and cost of living adjustments (COLA). Councilmember Knuteson-Boyd noted a salary survey was forthcoming. Mayor Niehaus suggested a salary and staffing workshop and Councilmember Jones recommended saving such a workshop for the new Council. Councilmember Guzman-Newton advocated for using fewer Enterprise Funds for administration and more for projects. **Vote:** The motion passed 4-1 aye, with Councilmembers Knuteson-Boyd, Derasary, Duncan and Guzman-Newton voting in favor and Councilmember Jones voting against.

***New Business:***

***Survey Amendment for 500 South Main—Approved***

**Presentation:** Assistant Planner Shurtleff briefly presented the proposed survey amendment.

**Motion and Vote:** Councilmember Jones moved to approve Proposed **Resolution 29-2021** Approving the Record of Survey Amendment for Property Located at 500 South Main Street, Moab. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye, with Councilmembers Knuteson-Boyd, Derasary, Duncan, Guzman-Newton and Jones voting aye.

***Low Income Water Assistance Program—Approved***

**Presentation:** Treasurer Mason briefly presented the proposed federally-funded utility relief program known as the Low-Income Household Water Assistance Program (LIHWAP).

**Motion and Vote:** Councilmember Knuteson-Boyd moved to approve the agreement for the water assistance program between the City of Moab and the Department of Workforce Services. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

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

**Motion and vote:** Councilmember Knuteson-Boyd moved to approve the bills against the City of Moab in the amount of \$398,741.06. Councilmember Derasary seconded the motion. The motion passed 5-0 with Councilmembers Jones, Duncan, Guzman-Newton, Derasary, and Knuteson-Boyd voting aye.

***Executive (Closed) Session:***

**Motions and Votes:** Councilmember Knuteson-Boyd moved to enter an Executive (Closed) Session for a discussion regarding deployment of security personnel, devices or systems. Councilmember Duncan seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Duncan and Guzman-Newton voting aye. Mayor Niehaus convened the Executive Session at 9:32 p.m. Councilmember Jones moved to end the Executive Session. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Duncan and Guzman-Newton voting aye. Mayor Niehaus ended the Executive Session at 10:03 p.m.

**Adjournment:** Councilmember Knuteson-Boyd moved to adjourn the meeting. Councilmember Jones seconded the motion. The motion passed unanimously and Mayor Niehaus adjourned the meeting at 10:03 p.m.

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

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