

MOAB CITY COUNCIL MINUTES
REGULAR MEETING
September 12, 2023

Moab City Council held its Regular Meeting on the above date in Council Chambers. Archived audio is at www.utah.gov/pmn and video is at www.youtube.com/watch?v=5QkjbD_IZWw.

Regular Meeting Attendance and Call to Order:

Mayor Joette Langianese called the meeting to order at 6:00 p.m. and Patrick Robbins led the Pledge of Allegiance. Councilmembers Rani Derasary, Tawny Knuteson-Boyd, Luke Wojciechowski, Jason Taylor and Kalen Jones attended. Also in attendance were City Finance Advisor David Everitt, Sustainability Director Alexi Lamm, Planning Director Cory Shurtleff, Planning Administrator Anna Anglin, City Manager Carly Castle, Community Development Director Michael Black, Recorder Sommar Johnson, Engineer Chuck Williams, Police Chief Jared Garcia, Sustainability Intern Melissa Zinge, Attorney Nathan Bracken and 10 members of the public.

Proclamation: Welcoming and Belonging

Mayor Langianese read a proclamation regarding welcoming and belonging. Councilmember Knuteson-Boyd commented that all persons have bias yet it is important to recognize that everyone has a contribution to make. Councilmember Derasary commented she is against all hate and violence, not just that which is directed at the five specified groups.

Motion and Vote: Councilmember Derasary moved to accept the proclamation. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

Public Comments:

Sara Melnicoff thanked the City for the Community Contributions grant to Moab Solutions. She gave an update on the history of the group, including service programs to maintain the parkway and services to homeless persons.

Karen Guzman-Newton spoke about safety on Main Street. She said there are speeding trucks and heavy traffic at all hours. She urged the City not to wait for the Utah Department of Transportation to take action, and cited a seven-year wait for a traffic light at 200 North Main. She also mentioned a street lamp at that location had been inoperable for more than two years and claimed both the City and Rocky Mountain Power denied responsibility for the fixture. Guzman-Newton brought up grant opportunities for infrastructure needs including repair of crumbling sidewalks, dead trees and trash. She brought up side-street parking. She said pursuing the grants would help businesses, thereby increasing sales tax revenues. She suggested collaborating with the County for grant funds.

Tony Lema read prepared comments about the deteriorating sidewalks and curbs, dead trees, stumps and weed-infested curbs and gutters on Main and Center streets. He said weeds growing out of the sidewalks and curbs are unsightly and need to be addressed. He mentioned that, as a business owner, he has had several tourists comment on the sad condition of the sidewalks on Main Street. He said there seem to be curbs and gutters in town that still have sand and debris from last year's flood. He said that our sidewalks are in such a condition that it is difficult for any elderly or handicapped people to negotiate. He said that he understands there have been instances of persons tripping and falling on uneven concrete. He added that by repairing or replacing sidewalks, the City might avoid possible lawsuits. Mr. Lema asked that old trash receptacles be replaced. He said they are unsanitary and unsightly, some covered by graffiti and some with trash spilling onto the sidewalk. He brought up deteriorating buildings on Main Street that should be addressed under City code concerning blight. He concluded by stating that we live in one of the most beautiful areas in the world and it is a shame that our City looks dirty and unkempt. He said the City should welcome our many visitors with pride in the City we love and live in.

Councilmember Derasary asked the City Manager Castle about possible grant funding and Castle explained staff is looking into using the grant for dispersed parking. She added the City is working on getting funding in January for master planning. She suggested implementation of the strategic plan before doing specific projects. Derasary asked to have an agenda item at a future meeting to discuss the grant and its potential ability to help cover aesthetics related to dispersed parking that we've been talking about having a hard time affording, plus it's ability to help the City in its stated mission to enhancing a vibrant community and improving the quality of life. Castle noted that it would be a shift in priorities from the strategic plan, which would require an amendment.

Department Head Update: Finance

Finance Advisor Everitt presented a brief update regarding the City's finances. He said he would bring back monthly profit and loss statements as well as quarterly financials for Council review. He mentioned a return to prior financial software was in process, along with a financial sustainability study. He mentioned a study regarding disproportional fees assessed by the police department. He concluded by mentioning the City would pursue a Request for Proposals for Banking Services, and would participate in an annual financial audit later in the month.

Consent Agenda—Approved

Motion and Vote: Councilmember Jones moved to approve the consent agenda as follows: approval of minutes for the August 22, 2023, Regular Meeting and approval of bills against the City of Moab in the Amount of \$1,562,038.04. Councilmember Taylor seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

General Business:

Public Hearing Regarding Sales Tax Revenue Bonds

Mayor Langianese opened a public hearing on the Kane Creek Boulevard reconstruction project at 6:23 p.m. regarding (A) the issuance and sale of not more than \$4,500,000 aggregate principal amount of sales tax revenue bonds, Series 2023; and (B) any potential economic impact that the project to be financed with proceeds of said bonds may have on the private sector; and all related matters. There were no public comments and Mayor Langianese closed the public hearing at 6:23 p.m.

2023 Roadway Chip Seal Coat Project Contract—Approved

Presentation and Discussion: Engineer Williams explained the waterline project on Mill Creek Boulevard was completed and resurfacing with chip seal would commence. He said the bid was under budget and would be completed within the month, including chip seal and striping.

Motion and Vote: Councilmember Knuteson-Boyd moved to award the 2023 Roadway Chip Seal Coat Project construction contract to Legrand Johnson in the amount of \$346,997.00 and authorize the Mayor to sign the Notice of Intent to Award and Contract. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

Shumway 1082 S Hwy 191 Pre-Annexation Agreement Amendments—Approved

Presentation and Discussion: Planning Director Shurtleff explained the developer had erred and presented an incorrect version of the pre-annexation agreement for Council approval. He presented a corrected version, which he stated had clerical changes, and omitted a multi-household residential element.

Motion and Vote: Councilmember Jones moved to approve amendments to the Shumway Pre-Annexation agreement for 1082 S HWY 191, Moab, UT 84532. Councilmember Wojciechowski seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

Water-Efficient Landscaping Standards—Approved

Presentation and Discussion: Sustainability Director Lamm, Consultants Victoria Arling and Lindsay Rogers, Planning Director Shurtleff and Planning Administrator Anglin presented an updated draft of the water-efficient landscaping ordinance. Lamm explained line-by-line edits to the draft ordinance. Discussion ensued regarding water features. Also discussed were indoor water conservation standards. Councilmembers praised staff and the Planning Commission for their hard work. While satisfied that water conservation goals are good, Councilmember Taylor expressed frustration regarding implementation and enforceability issues and brought up other unenforced ordinances for such things as weeds and blight. Shurtleff stated that the language of the ordinance is sound, but the question becomes how to support the ordinance. Councilmember Jones said private residence contractors are accountable for understanding the new standards. Sustainability Director Lamm said a public education program is being developed.

Motion and Vote: Councilmember Derasary moved to approve **Ordinance 2023-08**, an ordinance amending the text of the Moab Municipal Code, Sections 17.06 Definitions, 17.09 supplementary requirements and procedures applicable within zones, and creating Chapter 17.10 Landscaping Standards; and to add water-efficient landscaping standards with review and approval procedures. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

Electric Vehicle Charging Station Site Agreement—Approved

Presentation and Discussion: Sustainability Director Lamm briefly presented background on publicly available electric vehicle charging stations. She said existing level 2 chargers had maintenance concerns. She described a federal goal of installing fast-charge stations every 50 miles on Highway 191. She said the current proposal is for six to eight fast-chargers at Lions Park; she said the location was selected because of access to water, restrooms, shade, public transit, an abundance of parking spaces and proximity to the necessary power supply. She explained that in exchange for the site, Rocky Mountain Power (PacifiCorp) would provide operable fast-charge stations for ten years. Councilmembers pressed for fast chargers in the downtown area for the convenience of local customers as well as to boost sales tax revenues from downtown businesses. Councilmember Taylor stated the Chamber of Commerce prefers a downtown location. Councilmember Jones mentioned the County was also pursuing fast-charge stations at the Grand Center, the Courthouse and Lions Park. He said he was optimistic there would be more fast-charge stations coming in the near future. City Manager Castle stated identifying suitable sites depends on space and power supply. Mayor Langianese asked about a provision for PacifiCorp to remove the chargers if they became obsolete within 10 years. Attorney Bracken explained the contract covered that detail along with a stipulation that any malfunctioning unit must be repaired within one month. He advised inclusion of a minimum of four working stations in the contract.

Motion and Vote: Councilmember Jones moved to approve the charging station site license agreement between the City of Moab and PacifiCorp, amending part 2.d to include no less than four working stations. Councilmember Derasary seconded the motion. The motion passed 4-1 aye with Councilmembers Jones, Derasary, Knuteson-Boyd and Wojciechowski voting aye and Councilmember Taylor voting nay.

Settlement Agreement with Ensign Hospitality and Moab Hospitality—Approved

Presentation and Discussion: City Manager Castle explained the settlement involved a challenge to the fee-in-lieu ordinance for required workforce housing for the Element Hotel. She said the settlement amount was \$429,879.

Motion and Vote: Councilmember Taylor moved to approve the proposed Settlement Agreement as executed by Ensign Hospitality, LLC and Moab Hospitality, LLC (collectively Ensign). Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye.

City Manager Updates:

City Manager Castle reported on a day of service in honor of first responders. She said she participated in

a panel discussion at a recent conference of the Utah League of Cities and Towns (ULCT) and she received many questions about Moab's Dark Sky ordinance and efforts to mitigate the workforce housing crisis. She announced a new Parks, Recreation and Trails Director would begin work at the end of October. She noted an online community survey regarding the Sustainability Action Plan. She also announced an open house for the Parks Master Plan and stated an update on the transit system was forthcoming. She concluded with a mention of a new public arts project.

Mayor and Council Reports:

Councilmember Knuteson-Boyd reported she attended a dinner for first responders and, while traveling out of town, received positive feedback about Moab.

Councilmember Jones noted the Parks Master Plan open house was not listed on the City website. He reported on meetings of the Travel Council, the Community Renewable Energy Agency and the Housing Task Force.

Councilmember Wojciechowski announced an upcoming Planning Commission public hearing regarding Industrial Zone amendments. He reported on several initiatives of the TrailMix committee and reported he attended a meeting of the Homeless Council. He announced an upcoming Weed & Feed for the Youth Garden Project.

Councilmember Derasary reported cancellations of meetings of the Grand Water and Sewer Service Agency. She mentioned water workshops to educate the community and a recent algal bloom at Ken's Lake. She announced plans were forming for a celebration of Indigenous Peoples' Day.

Councilmember Taylor reported he met with the Mayor and Congressman John Curtis. He said he brought up the importance of Essential Air Service. He also said he answered the Congressman's questions about tourism at Arches National Park and indicated he relayed his positive impression of the pilot reservation system. He said he also brought up securing future use of the federal lands at the tailings site. Taylor praised the ULCT conference and information he obtained about the importance of paying for infrastructure. He commended City Manager Castle on her presentation.

Mayor Langianese also reported on her meeting with Representative Curtis. She said she attended the Emma Boulevard parking lot ribbon cutting. She said she met with Grand County Commission Chair Jacques Hadler to discuss a joint City/County meeting on October 18. The Mayor spoke about grant opportunities and mentioned a presentation she made to the Commission regarding split funding shares for the Canyonlands Health Care Special Service District and Emergency Medical Services.

Executive (Closed) Session:

Motions and Votes: Councilmember Jones moved to enter an executive strategy session to discuss the sale of real property. Councilmember Wojciechowski seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye. Mayor Langianese convened the closed session at 7:58 p.m. Councilmember Jones moved to end the closed session. Councilmember Wojciechowski seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Taylor, Knuteson-Boyd and Wojciechowski voting aye. Mayor Langianese ended the closed session at 8:44 p.m.

Adjournment: Councilmember Wojciechowski moved to adjourn the meeting. Councilmember Jones 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 8:44 p.m.

APPROVED: _____
Joette Langianese, Mayor

ATTEST: _____
Sommar Johnson, City Recorder