

**MOAB CITY COUNCIL MINUTES
REGULAR MEETING
October 13, 2020**

The Moab City Council held its Regular Meeting on the above date. Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), the Moab City Council Chair has issued written determinations supporting the decision to convene electronic meetings of the Council without a physical anchor location. Due to the health and safety risks related to the ongoing COVID-19 pandemic and considering public health orders limiting in-person gatherings, the Moab City Council will continue to hold meetings by electronic means. 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=AACRrkJp4BQ&t=2852s>.

PRE-COUNCIL WORKSHOP 6:00 P.M.

Mayor Emily Niehaus called the Workshop to order at 6:02 p.m. Participating remotely were Councilmembers Rani Derasary, Mike Duncan, Karen Guzman-Newton, Tawny Knuteson-Boyd, and Kalen Jones. City staff participating remotely were City Manager Joel Linares, Assistant City Manager Carly Castle, City Attorney Laurie Simonson, Senior Projects Manager Kaitlin Myers, and City Recorder Sommar Johnson. Jenna Whetzel from the Housing Authority of Southeastern Utah joined the meeting at 6:02 p.m. to present the Moab Area Housing Overview & MAHTF Recommendations. Assistant Planner Cory Shurtleff and Courtney G. Flint, Natural Resource and Community Sociologist at Utah State University joined the meeting at 6:30 p.m. to present the Wellbeing Survey Project.

***Joint City Council/Grand County Council Workshop Presentation
Moab Area Housing Overview & MAHTF Recommendations - Presentation***

Jenna Whetzel with the Housing Authority of Southeastern Utah and Senior Projects Manager Kaitlin Myers made a presentation to the City Council about goals and recommendations for affordable housing. [0:06](#)

***Presentation on the participation of Moab and Grand County in the Utah
Wellbeing Survey Project, by Dr. Courtney G. Flint, Natural Resource and
Community Sociologist at Utah State University – Presentation***

Courtney Flint with Utah State University and Assistant Planner Cory Shurtleff made a presentation to the City Council about the Wellbeing Survey Project. [29:29](#)

REGULAR CITY COUNCIL MEETING 7:00 P.M.

Regular Meeting—Call to Order and Attendance: Mayor Niehaus called the Regular City Council Meeting to order at 7:00 p.m. 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, Police Chief Bret Edge and City Recorder Sommar Johnson. Senior Projects Manager Kaitlin Myers joined the meeting at 8:14 p.m. Assistant Planner Cory Shurtleff joined the meeting at 10:23 p.m.

Citizens to be Heard:

Brett Stewart with Utah OHV advocates said he did not have a comment but requested to listen in on the meeting due to limited internet service. [9:53](#)

Jess O'Leary stated she wrote a letter regarding OHV noise and wanted to focus her attention on OHV safety. She stated House Bill 82, passed in 2017, requires an OHV to have a windshield or

for occupants to wear eye protection and those can be enforced. She said she saw an OHV with a dad and toddler without a windshield and eye protection and those safety issues should be strictly enforced. [11:00](#)

Margie/Grandma stated she sent in comments and said her comments were related to the OHV noise. She said she lives on 100 South and the noise is outrageous and asked if there was really a chance that something will be done because many of her neighbors have complained. She said many of her neighbors have been complaining and hopes the council will do something to help them all. [14:26](#)

Dave Hellman stated he owns one of the tour companies in town and wanted to speak about noise and curfew. He believed implementing a curfew would be difficult because it was somewhat of profiling by putting a curfew on certain vehicles and not others. He also spoke about aftermarket exhausts and said he owns multiple side-by-sides and none of them have aftermarket exhausts because of the noise. He believed the main focus should be on law enforcement noting that every muffler has a DOT-approved muffler number and street legal OHV's should have the number and meet the decibel requirements. He said enforcement should be focused on illegal exhaust systems because they are what cause a lot of the noise. [17:52](#)

Trish Hawkins, Lori Taylor, Dal Taylor, Eve Tallman, Shane (last name not identified), and Jaylyn Hawks joined during Citizens to be Heard but did not comment and opted to watch the YouTube stream.

Allison VonLonkhuyzen - I think Moab should opt out of the state that allows OHV's on residential roads. We should NOT allow OHV's on our residential roads. The noise is excessive and maddening. If this can't happen OHV's should be required to have mufflers. Companies would have to COMPLY and law-enforcement would have to ENFORCE.

Sheri Simmons - The noise from OHV and other trucks and cars with excessively loud mufflers is extremely disruptive to our community. Please enforce a noise limit. It is unacceptable to allow rental companies to rent OHV without mufflers to drive thru town and it is unacceptable to let them disturb our backcountry as well.

Sallie Hodges - I see the noise from UTV's in Moab as a mental health issue. <https://www.brainfacts.org/thinking-sensing-and-behaving/diet-and-lifestyle/2018/noise-pollution-isnt-just-annoying-its-bad-for-your-health-062718>

Robin Straub - My husband and I are VERY overwhelmed and STRESSED OUT every day with utv/atv traffic noise on 100 N and 400 E and would like better silencing mufflers required of these vehicles, NO utvs allowed through our residential neighborhoods and fewer utv rental businesses in town. It is our opinion that the sheer number and noise pollution produced by atvs is ruining our ability to enjoy a peaceful life here in Moab. We believe the noise ordinance is being constantly violated because these machines have to run at high rpms constantly. Atvs are not designed to drive through cities and could be trailered to all trail heads. Since Salt Lake City does not allow atv/utv traffic through their neighborhoods it seems to us Moab has the right to require the same. Noise pollution from atvs has definitely made our life here in our home and back yard a nightmare and unlivable if new noise pollution rules and regulations are not quickly put in place. Also, we feel Rally on the Rocks is contributing to the already severe noise pollution and their permit should NOT be renewed! Thank you for your attention to this very serious problem, Robin Straub Phil Wagner.

Stefanie Biron - I hope the city considers how limiting noise pollution in regards to OHV will continue to benefit lives and well being of residents. My hope is that less emphasis is brought on expanding this tourist user group and more effort is put into actually improving quality of life for individuals living here.

Bill Groff - Some suggestions to ponder. Trailer UTV's to trailheads. No more new utv rental or tour businesses. All utv rental & tour business must have quiet mufflers installed. More enforcement, such as more police officers & Sherif Deputy's. Speed & noise traps on the most active roads. Ban all UTV's in Grand County. Make fines for unlicensed UTV's extremely expensive. I realize some are almost impossible, but.....Sorry these are random, but ideas for you to ponder. Thank you

Bruce Condie - I live just outside the Moab city limits on Murphy Lane. For years I have been assaulted by the incredible noise coming from ATV's and UTV's. Each year the din has become noticeably worse. I am strongly in favor of strict enforcement of existing vehicle regulations relating to noise, speed limits, vehicle registration, vehicle insurance, and inspections. It seems to me that revenues for more law enforcement could easily be generated by issuing citations to violators. Businesses in town should not be allowed to rent machines that violate noise rules or other ordinances. I am **STRONGLY OPPOSED** to designating routes through town. Defacto routes already exist on the main roads and the residents living near them are already suffering from the racket. To designate these routes would only make things worse. In my opinion, Moab should break from state law and require trailering these machines to trailheads, just like every civilized city in the world requires. Thank you for considering my comments.

Tom - The noise and air pollution of these UTVs is intolerable, and is unacceptable in a time of drastic and escalating climate change. The noise pollution both in town and out on our fragile landscapes is annoying to humans, and detrimental to the habitat for the wildlife in the region. The carbon dioxide emissions from these UTVs is contributing needlessly to climate change. We should not be burning fuel for recreation. The damage to cryptobiotic soils is uncontainable. Ban these useless nuisances from our town, from public roads, from our wilderness, and from our lives. The only acceptable use for UTVs should be for legitimate ranching and farming activities, where vehicles of this nature are needed for operations.

Kaki Hunter - I encourage and applaud the City Council for taking action with the excessive noise from OHVs on public streets. I support all the tactics listed on the agenda with an emphasis on self regulating the use of OHVs within City limits. I think we need to tackle this issue from all angles to make it known that Moab residents deserve to maintain their quality of life as well as support the many visitors that come here. **MAKE MOAB QUIET** needs to be a campaign slogan that the Travel Council urgently supports. Unregulated sound pollution caused by one special interest group is a demonstration of favoritism at the expense and welfare of the rest of the community. **OHVs DISTURB THE PEACE / GET THEM OFF OUR PUBLIC STREETS!** The State Legislature outlawed smoking in public places to protect the health of its citizens. Noise pollution needs to be treated with as much concern for public health. Noise pollution degrades the quality of life and lowers property values. The State Legislature has turned our public streets and neighborhoods into highways for commercial exploitation for one special interest group. **OFF ROAD VEHICLES should be BANNED from PUBLIC STREETS.** Just as smoking has been banned from public spaces. Require all UTVs / ORVs / Side x Sides / personal 4x4 ATVs be electric by 2022. No exceptions.

Sarah Topp - I live on Murphy Lane, just outside the city limits. Excessive noise has been **PROVEN** to cause health problems, so this issue goes beyond mere annoyance. I am strongly in

favor of strict enforcement of existing vehicle regulations relating to noise, speed limits, and vehicle compliance. It isn't just UTV's, there are incredibly noisy pickup trucks roaring up and down the streets too. Noise ordinances and speed limits are in place and need to be enforced. Suggesting that people obey the law is not good enough. Revenues for more law enforcement could be generated by issuing citations to violators. I don't think we're in any danger of losing tourists if we start enforcing the laws. Businesses in town should not be allowed to rent machines that violate noise rules, and should only be allowed to rent machines that are muffled. I am opposed to allowing new UTV rental businesses unless they are renting muffled machines. I am very strongly opposed to designating routes through town. This will only make it unbearable for those living along designated routes and it won't lessen the background roar that you can hear from miles away. In my opinion, Moab should break from state law and require trailering these machines to trailheads, just like they used to do. This should be top priority for our mayor and city council to address the state. Our town is becoming a motorized free-for-all, and this is unacceptable to those of us who live here. Also, if the city has the power to regulate what type of businesses operate here, you need to pull the plug on the flying motorized parachutes. It's bad enough we have noisy streets, but to have them flying low over people's back yards is atrocious. Thank you for considering my comments.

Bobbie Day - I'm respectfully asking that GC stop all commercials from the travel council regarding a destination for ORV and or any other obnoxious vehicle use. We are over ran, and fed up. How much more do you think we can take? There are no noise enforcement whatsoever. Ppl camp wherever they want. Something needs to be done before it's too late.

Barbara Zinn - The UTV noise in Moab is intolerable. As a long-time resident, I am angry that I cannot sit on my porch or in my backyard without being continually blasted by roars and squeals. Although I installed expensive windows that have always blocked most sounds, these days the UTV noise penetrates these. Even inside my home I am now bombarded by this racket. I support all five of the proposed options, but additionally, and I believe most importantly, the Travel Council needs to stop promoting Moab as a motorized destination. We have always had lots of visitors who come for our peace and quiet. I have spoken to many people who say they have stopped visiting Moab because it is overrun by unbearably loud motorized recreationists. Please make strong noise ordinances, institute metering, and do not permit large OHV events or issue business licenses to OHV rental businesses. We need to show the Utah legislature that we have done our local due diligence in addressing the noise issue, to encourage them to change their laws.

Carol Mayer - I think we know how hard it is to put the "genie" of OHV Tourism back in the bottle once its giant bottle cap got unscrewed. So now that it has manifested into a gargantuan problem for residents that are not directly and financially benefiting from pre-dawn to pre-dawn OHV traffic noise in our rock-lined valley, what can we do to mitigate the horrible unintended consequences of the State allowing them to be everywhere in Moab and Grand County? You have several choices in front of you enabling the start to change the status-quo. But how about discussing the end result we are trying to achieve? We don't want to STOP tourism (I personally wish we could reduce it by at least 50% but since we are still building hotels and overnight rentals at a dizzying pace the effective date for that wish was 2018) but we want QUIETER tourism. I propose your item numbers 1 and 3 TO BEGIN with followed by a huge (maybe TRT funded) campaign that would make the END RESULT an ordinance that only electric engines on OHV's and muffled Dirt Bikes would be allowed to be driven on streets in town and in the county. Otherwise they must be trailered. Your Item #4 would then take care of itself, the genie doesn't get screwed and residents will maybe, hopefully, finally have some relief.

Serena Supplee - The noise in Moab is an intolerable high. The big groups of side by sides going down the street stifles life, & the thoughts in my head. They are even out at 2am now. If we can't get them off the streets can we make the groups smaller or give them a curfew for the streets of Moab, some kind of new boundary so we can have hours that are quieter?

Nissa Holleman - I am very happy to see you are discussing UTV's and noise in Moab. The noise is becoming too much for our town. It's making living in town unbearable and stressful. Though aside from the noise, UTV drivers are also seeming to be very disrespectful of traffic rules. It seems people driving UTV's think they can do whatever they want here because they're in their special little dune buggy. I would like to see tourism go back to hikers, mountain bikers, photographers, nature lovers and people with quieter interests. If we are going to have UTV's on the street, they need to be as quiet as an ordinary vehicle. The quality of our town is being ruined. I often think our town just looks trashy like we don't care about anything except money.

Janet Buckingham - I am writing to voice my concerns with what has happened to Moab in the past 5-10 years. None of it has been good. The noise, the traffic, the motels, the out of control tourism and finally the unbearable presence of UTVs has ruined Moab. I have lived here for 30 years. I raised my son here. It is not only home physically, but in my heart, yet every day I think about moving away because of what an unlivable place it has become. And it's not just those of us who moved here in the last few decades, it's "old Moab" too. In my husband's work, he talks with the old timers all the time, those born and raised in Moab, and they hate UTVs and everything they bring with them as well. The most pressing issue (although it's hard to separate them) is the noise. Grand County MUST STOP advertising Moab as the motorized adventure capitol of the world. The state should certainly stop advertising Moab as a "Covid Vacation" spot. Looking at the options you listed for discussion, I would say "almost all of the above." Instruct the PD to write more tickets (and make them hurt) which will generate more revenue so you can hire additional officers who can help control the mayhem. Fight the state! Go against state law and write an ordinance restricting UTVs from ALL of our roadways. Be the bold, extraordinary town we've always been known to be. Definitely put a moratorium in place on any new UTV rentals. There are enough! I do not like the option of designating a UTV route through town. That is simply going to push the problem into one area of town, which is unfair to residences and/or businesses on that route. You might as well declare that route a sacrifice zone or disaster zone because every business and home owner would move out! As far as new noise ordinances or decibel measurements, I feel like both of those would be a waste of time and resources, especially if they are not going to be enforced. I really encourage you to do whatever you can to reclaim Moab. I would support anything that would make UTV tourists feel unwelcome here. If they threaten to move their events and "fun pig" style recreation to St. George or Kanab, tell them bye, bye! Thank you for listening. Best of luck.

Josephine Kovash - Specific comments on Agenda Item 8.1, in addition to my letter already sent to the Council, addressing each possible option for mitigation of OHV noise. 1.) With noise metering, is it possible that the revenue from citations could pay for the expense of enforcement? This would be a good option if combined with others. 2.) I live on Locust Lane, and anyone like myself who lives on or adjacent to a main trailhead access point (Sand Flats and Kane Creek) would continue to suffer even with designated routes. You cannot get around the fact that these trails have to be accessed THROUGH residential neighborhoods. 3.) This would be good in combination with option #1, even if it would have to wait until next June to take effect. (Perhaps companies would begin earlier if option #1 was implemented speedily.) 4.) This needs to happen yesterday! But good in combination with options 1 & 3. 5.) Yes! In conclusion, all options minus option 2 should be done in tandem, with the hope of eventually achieving the ability to locally opt out. And lastly, on the idea of a curfew, I strongly advocate that this is not

just a nighttime issue. I am a stay at home parent and also there is a pandemic keeping many of us home more than usual, and we deserve to have this mitigated during ALL hours of the day for our health, sanity, and that of our children as well. Thank you.

Mary Weingarden - I have been a resident here for thirty years. This is not the Moab I fell in love with and moved to. I'm weighing in about the incessant noise which is decaying our quality of life. The silverlining to this Springs pandemic shutdown was the reminder of what a noise free Spring in Moab is like. It was lovely! I could hear the birds singing. What we have here is bordering on unhealthy. I just read an article on how continuous noise negatively affects children's learning. This is science. Please help draft policy to address this continuous incessant noise. It is not good for any living beings. Also, I live on a dead end street. This year there has been a constant parade of big rigs with toy hauler trailers coming down to the end and trying to turn around, some end up backing up past five residents to turn around. This is after passing three signs stating there's no through street and big trailers are not recommend. I love the Moab I moved to, not what it's devolved to now in 2020. Please help us restore some quality to our lives. Thank you MaryW

Kiley Miller - My friends who have lived here some for decades are moving away. They can no longer deal with what Moab has become, so loud from utvs and so overrun with tourists. We can't escape the roar of motors in our home because it comes through the walls, we can't find a parking spot at our small neighborhood market or post office because the tourists have taken them all. We can't get away from the roar of motors in the backcountry because there's thousands of utvs out there. It takes twice as long to get home on 191 because utvs and tourists are holding all the traffic up. The list goes on and on. I feel so sad for the residents of this region I feel so sad for the land and wildlife because we're all being terrorized by the astronomical increase of utvs as well as tourists. I lost my mind a few weeks ago when Area Bfe had a utv racing event, I did literally lose my shit. I started screaming the roar of engines all day and through the nite for 3 days. Then I go to town and get triggered because there they are in our neighborhoods roaring around. It's wrong it's got to stop. Sue the state, start enforcing noise ordinances, we need to have a reputation like Wellington. You don't speed through Wellington or Richfield. Get the utvs off the street, ban any new proposed utv rental businesses. Our home our community our beautiful backcountry is being destroyed. It's unacceptable. Time for drastic measures. Oh yeah and stop advertising us to the world. Just stop. Ban them on our streets, let's see what the state does. Our reps make excuse after excuse blaming us for being a tourist town and saying our local govt deal with it. Ok then we take matters into our own hands and we make the rules. At my wits end- Kiley Miller 23 year resident of this place

Sheila Strahan - The noise from traffic, particularly from off road vehicles and particularly on the weekends, has become seemingly out of control. I hear the noise from them very late at night (sometimes past 11pm), and very early in the morning (sometimes earlier than 6am). My house is 2 blocks off Kane Creek, but on weekends, I hear and see a constant parade of hundreds of side by sides that lasts for hours and hours: the sounds of their motors fills the entire neighborhood and is VERY loud. I am hoping that there is a way out community can help mitigate this as it is greatly decreasing the quality of life for myself and my neighbors. I have heard that some places require off road vehicles be trailered to the trails instead of driving through town. Perhaps this is something we can do? Or maybe come up with an arrangement where local companies that rent them out can park them at the most popular trailheads, refueling them and re-renting them there, so that they aren't constantly being driven through town. Any change would be helpful to cutting out the crazy amount of noise that is plaguing our town. Thank you.

Leann - When you see pictures of famous Moab in calendars do you envision hearing the horrific noise that goes with it? It's terrible and constant nowadays, constant. When I push my children in the stroller along the sidewalk we stop conversations so many times to wait for them to pass, when we do the pledge of allegiance at my children's school and it's interrupted by the parade of atv noise it's saddening. Leaving Chicago to come here for the calm nature slower life to raise a family was what we desired but what's quieter...the hustle bustle Big city noise, or the constant roaring of ATV's? I wonder. I really do. If it's not handled, we are leaving. The noise and crowd. Our favorite hikes are now like a busy city street. It's not an escape anymore, it's a crowded big city on rocks.

Spencer Finch - As a non-resident of Moab, I find it highly concerning that you are taking actions against the UTV community. As an owner of a recreational vehicle rental company myself, I understand the off road industry and the struggles that come with it. The benefits far outweigh the struggle. I would propose ways to invite more people to the community so it can thrive. I personally don't see what Moab can offer tourists besides the off road trails it has. I know many business owners that have left your community because of the depressing political structure that is crippling your town. They come to Southern Utah to escape the struggle of what Moab has become and we welcome them with open arms because we know the value they can add to our community. Fix the problem before everyone is talking about how crappy Moab has become. Because that's exactly what they are all saying. I heard that phrase countless times at the Tail Hero event last weekend. Fix it now and you'll be surprised at how forgiving the off road community can be.

Bud Bruening - As a resident of Utah and President to Utah's largest UTV group we understand the issue Moab is faced with. We want to help. UTV owners pay various taxes and fees to ensure their right to drive their street legal machine on the roads in Utah. The fees paid go towards maintenance and the building of these very roads. I would encourage Moab City and Council to work on solutions to address the noise problem that doesn't involve discriminating (via legislation) against an entire user group made up of more than 200,000 Utahns. Solutions I would strongly encourage be considered: Lower the speed limit for UTV's on residential roads. Lowering the speed drastically decreases the sound from a UTV. This would have a huge impact on the noise in town. Posting "preferred routes" in town and rerouting people through areas that are less dense. Encouraging specific routes after dark to mitigate noise in targeted areas. Our group at UTV Utah would be willing to pay for additional signage, education, etc, to help accomplish these goals for Moab residents. Let me say, as a UTV group we understand the issues the Moab residents are faced with and we'd like to help you solve them. Let's work on solutions that target the key issues and the key offenders first and fix that problem. What we don't support is all out ban or legislation that targets all UTV owners and strips away rights from law abiding citizens. Curfews and legislation prohibiting law abiding citizens and targeting a specific user group is bad public policy. If we can be of assistance please reach out. Thank you for your time.

Marsha Marshall - I have lived in Moab for 67 years. I have spent my life in four different locations and my husband and I worked hard to purchase our home. I have some serious concerns that the value of our home will be affected by the quality of life along our street due to noise and speeding. We need at least one more City Officer assigned to Moab. Looking at this past Spring and Summer, we can do better, and must. I have lived at my present 500 W. location for around 20 years and I would estimate at least half of the traffic the past popular weekends this season were speeding (if not more). I and other family have experienced not being able to get into the driveway without honking, bumper riding, and insults for driving the speed limit. Please do not consider changing it because there are many more visitors, dog walkers, bikers,

and law abiding vehicles, busses, ambulances, businesses, and children all just trying to contribute to the neighborhood. Please don't go for the "A few bad apples" Excuse me, but give them a damn ticket so we can get this under control. San Juan County must work together with Moab and Grand. Let's not blame, but tame this situation. The signs are flashing and posted. We are over crowded and need to clean this mess up, before some more people are run down or hurt. Sincerely, Marsha Marshall

Eric - When Hard working Moab locals can't get rest in their home during the incredibly loud rzzr noise season which is more and more constant, or get out of the driveway for 15 minutes due to so many rxrs in a pack not obeying public safety regulations, it's gone to far. Take them off the roads, highway and Pavement, make a noise ordinance, because it's not going to get louder if not done NOW!

Chloe Hedden - I currently live on 100 South. I have lived in the area since 1979 when I was born here. I've seen this place in a lot of other incarnations. The current Moab is not a place I want to be. The UTVs roar past my home all day every day. They do not obey the speed limits or any norms of common decency. Revving their engines and generally behaving as if they own the place (often driving on the wrong side of the road for fun or speeding up if a pet or deer is crossing the road.) they make my blood boil and our town less wonderful. Silence is one of the great commodities we used to have. It's what brought many of us to live in this wild red desert. It's also what brings visitors from around the world: a chance to reconnect with some deep part of themselves in the silence of the canyon country. Our town has catered to the interests of a few and sold our town to the off-road crowd. I personally know many hikers and bikers who used to come here who don't anymore. The crowds and UTV noise are just too much. Not only in town but also out in the desert. I also know plenty of locals, good people who have dedicated their lives to this place, who are selling their properties and leaving because of what this place has become. Is this really the Moab we want? Run by Fun Pigs for Fun Pigs? (for those of you who remember that old sign up on I-70) Do these type of tourists really make our town and the surrounding desert so much better? Do we have to tolerate this? Or can we use our local authority to heavily regulate and perhaps outlaw them entirely? Please, I beg you, as a concerned citizen who loves this place, represent the people who elected you and get rid of these noisy monsters. Also take note of the new 'flying razors' that are noise polluting our skies recently and deal with that problem before it gets out of hand. Helicopters, low flying planes, jet boats and any other noise makers should also be heavily regulated. Thank you!

Gregory J Child - I reside in Castle Valley and own a home in Moab. UTV noise and recklessness and damage is out of control county-wide. I support city/county opt out of law permitting UTVs to drive around as if they are cars, on residential streets. I support slapping high user fees/taxes on UTV use.

Colin Heasman - Colin Heasman - "Excerpt of Post on FB - sorry no photo.." New Member of 'Make Moab Quiet Again' "...Mama' and I enjoying the 'peace & quiet' on our first hike together. She's from Underdog and her last pup was adopted this morning - I'm a recovering Brit and we are helping each other heal - no pun intended. The point is being able to pick your silence unlike down in Moab. I'm sure not so long ago, as it was in England - that at the very least there were a few hours on Sunday Morning for a chance at Serenity. I left New York State four months ago and have spent the last three in Moab, I left a plague of leafblowers emitting toxic fumes at obnoxious decibels and now reveled in the Silence of these Magnificent Magic Canyons that surround us here. However I can no longer ignore the 'noise pollution', it's everywhere - parades of atvs, trucks bellowing on the '191 Drag Strip' one way, 'Ninja 4cyl Turbo Warriors' the other (where are the cops). As in NY the few can disturb the many (some are selfish - most oblivious).

However in NY many municipalities passed ordinances that governed hours, areas of use and decibel levels. We had State Troopers testing and diverting 'modified' Harleys away from nesting areas. It can be done, the response here from politicians is predictable and pathetic - they obviously have drifted away from 'quality of life' concerns of the many. Make your voices heard above the din!

Liz Ballenger - Dear Council- I know you're getting a lot of email on this topic, so I'll keep this short if not sweet. PLEASE do everything you legally can to lower the noise from UTVs in our community. It's gotten noticeably worse this season, and with UTV rental businesses popping up like weeds in every vacant lot (it seems), it will keep getting worse. Please consider that this recreational user group affects our community like none other with their noise, emissions, degrading off-road trail conditions, increasing dust, and not to mention excessive use of fossil fuels while we're in the midst of a climate crisis. Is this really what we want Moab to be known for-- Motorhead Capitol, where even hotels hand out earplugs to their guests so they're not kept up at night by the UTV noise?? Although I would love to see UTV's completely OFF our city streets, I know that's probably not realistic at this point. Of the options I've heard so far to mitigate the noise issue, requiring mufflers for any UTVs driven in town makes the most sense. And if they don't have mufflers, they need to be trailered, just like they used to be. Thanks for listening, Liz Ballenger

Nancy Orr - Last Friday at 11am, an old friend stopped by on his way through town. We stood in my backyard to converse, but were constantly interrupted by UTVs going by on 400 North, making it impossible to hear while all passed (I counted 11 in one pack.) He commented that he is very glad to have moved away, to Texas, no less. That evening, I had a Zoom meeting where I had to keep the microphone muted to prevent other attendees from being punished by the noise. This was just a regular day in the life of a 400 North resident. I must take my phone calls and meetings in my bathroom or back garage in order to escape the noise. I must keep my windows closed on the front of my house to reduce (but not eliminate) the noise and fumes; no cross-ventilation possible any more. No longer is the noise confined to weekends, and it is not unusual for it to happen late at night. The 25 mph speed limit sign right at my property line must be invisible to most. In fairness, not all are obnoxious. Yesterday two side x sides quietly putted by at 15 mph. I wanted to chase them down and thank them - that feels backward and creepy. I moved to Utah in 1977 and was warned by many that Wellington was a speed trap. I doubt they've bothered with a speed trap there for decades, since their reputation is firmly established. Moab could achieve a similar reputation for noise ordinance enforcement. We are not going to suffer economically if the extremists boycott our town. There are plenty of well-behaved tourists who will spend their money here, especially if we are reputed to be quieter. It will also help with congestion, since there will be fewer gigantic trailers crammed with Razrs (I have seen two instances of double trailers, which makes my head explode! Is that even legal?) I am willing to pony up the funds for one of the Soundtrax LXT N/Forcer meters (at \$3233) mentioned in the council packet, if the city will set up a regular checkpoint on 400 N. I suspect others would also be willing to donate \$ or time to an effort to set up checkpoints throughout town. If enough citations are handed out, word will get around.

Derek Schumann - UTV's are not the only vehicles causing excessive noise on Moab streets (e.g. Harley motorcycles, other off-road vehicles). To single out UTV's in these complaints is discriminatory to the owners and the UTV community as a whole. The first step should always be education and awareness campaigns; not bans and/or access restrictions.

Larry Van Slyke - The UTV use and noise, from that use, with the city limits of Moab is ludicrous. The racket started at 0630 this morning. Those units that have some semblance of

muffler system are reasonable for driving the streets within town. Require UTVs to have a factory muffler if driven within the city limits. Set decibel limits. Surely a city government can do that!

Justin Rosenthal - Even if 1 RZR doesn't violate the noise ordinance, how about 6, or 10? I live on 1st South and during high season I can have dozens of caravans of 6-30 RZR's cruise by. Even if they're going the speed limit, which they often are, the noise is unbearable. I work at home and this frequently interrupts my conference calls. I have to apologize to the other professionals on the call and explain that I don't work in a hot rod garage... it looks very unprofessional. I support: 1) Designated RZR routes through town - NOT in residential areas, fine for violations. 2) Local regulation of RZR rental companies, but MORE IMPORTANTLY of visitors. Most of the noise isn't the local rental companies, it's the large caravans of people from out of town with their own modified RZR's, many of which have been modified to be MORE LOUD, not less. This is hard to enforce though, and I don't really expect it to be enforced, so 1 and 4 are more important. 4) ****Local opt-out of state law**** - how about we manage Moab for the people who live, work, and pay taxes here, and not the tourists who are here for maybe a few days? Finally, how about a public awareness campaign with signs all over town?

Carrie Bailey - Thank you Council and Mayor for addressing the UTV traffic and noise issues that are so negative for our community: I have communicated with our Utah state representatives, Watkins and Albrecht and others in the last few days, about the problems I think we face by allowing UTV vehicles on our city streets. They say they are unwilling to address state law until our local leaders, elected and law enforcement, take a stand by enacting law and enforcing existing municipal law. Your proactive agenda tonight is welcomed and supported by many of us citizens who feel we have been ignored and are frustrated by the lack of response to the out-of-control traffic on our streets. The community group "Throttle Down In Town", while a positive idea with sincere effort in the beginning, turned out to be nothing but signs and talk. Our local Travel Council continues to focus on advertising and promotion of motor vehicle off road/trail "adventuring" without reasonable planning and thought about the consequences for the community. UTV rental businesses are set-up on temporary sites in town without reasonable thought or planning. Law enforcement seems over-whelmed. Meanwhile the community finds their homes and public areas bombarded with noise, trash, over-night street campers, unsafe conditions for pedestrians and children, dangerous speeding vehicles and the blatant disregard for motor vehicle laws. We are stressed and over-whelmed. There are always those who want to dampen criticism of any aspect of our local economy, and promote fear-mongering... "we will kill the goose that lays the golden egg".. if we restrict any of the activity that calls itself tourism. I disagree. If Grand County and Moab don't establish a quality visitation experience soon, one that has common respect for all visitors, the environment, and community alike, the resulting negative reaction and publicity will only hurt us. Surely a continuation of the loud crazy chaos that Moab and Spanish Valley have been experiencing for the last few years will eventually affect home and property values, and the economic well-being of the lodging industry too.. This is our home, not a poorly-run factory.

I agree that the 5 options presented on the agenda should all be considered. Thanks again so much for listening and making efforts to take action. Carrie Bailey

Shane Firestack - I am a resident of Grand county, just outside of the city limits of Moab. I abide by and respect all traffic laws and drive my OHV as respectfully as possible anywhere I am at. I understand that some residents are frustrated with noise and traffic. They also come down my street at high rates of speed which creates additional noise and dangers. We don't have sidewalks, so there are additional issues. Do not misunderstand, I am not asking for sidewalks,

most locals who drive by when you are walking are very respectful and move over and slow down especially if you have animals with you. I would like to disagree with section 4. c. ii. of the agenda item, that the "Perception" mentioned about the rental companies not being at fault is quite the opposite. When we are out on trails and in town, I witness more careless operation of OHV's from rental companies machines and their users (they are easy to recognize) than I do personally owned machines. That does not imply that personally owned machines do not create problems, just that the majority in my opinion, come from the rental companies. Disrespectful owners and renters alike typically press hard on the accelerator which in turn creates extra noise that is avoidable by gently accelerating instead. Another issue, the disrespect of our trails and back country by rental users is high. I stopped once to ask a user this year to please stay on the trail, and their reply was "I paid X amount of money for this, I can do what I want". My suggestion, be more proactive at speed checks on the local streets. I find we have way more abuse of this element than anything. Not only would you help reduce folks creating additional noise, you will increase awareness that we as a town do not accept disrespectful drivers in general. There are lots of people in all vehicles creating these issues and poor driving habits create more problems than just noise. I would like to mention if you do make OHV only routes, how do you expect the locals who do abide by the laws, to maneuver their OHV's from their neighborhoods? If you set a time limit, how do you expect drivers to get back to their camp, hotel, house, if they were stuck on a trail or started later in the afternoon/evening especially when temps are hot? I feel the Off Road community is being unfairly singled out because a few locals can't stand the sight of these vehicles. In contrast, I see people of every sport, hobby, passion who are poor stewards of our town.

Alayne - We bought a home on Murphy Lane in 2010 and thought we were buying in a quite rural neighborhood. It was, until about five years ago. Some days the noise from ATV's is unbearable. This is clearly disturbing the peace! If we had barking dogs making this kind of noise, we would surely get a visit from the local enforcement. I don't believe the law was intended for these machines to be racing up and down neighborhood streets, but for farmers to use in rural areas. We feel they should be required to trailer their machines to the trailheads. Please consider the residents of Moab. We pay our taxes and contribute to the economy as well!! Thank You

Ben Rizner - Outside of an assertive, consistent plan to enforce noise restrictions, I believe the only viable option of these 5 is to advocate for an exemption from the law and adopt something similar to Ouray where vehicles cannot be driven within city limits. In the meantime; I don't think rental companies are particularly large source of OHVs being driven through residential areas, I think the large majority of vehicles seen are privately owned. Also, I don't see a lot of good in limiting traffic to the main roads, such as 500W, 300S, 400N, Mill Creek, etc. The issue is too many in these residential areas in the first place, designated routes doesn't change that at all. Moab should explore creating a simple permit system, in which OHVs would have to pass inspection first and driver sign off on the rules of courteous conduct in town in order to be allowed to drive on city streets. Part of the permit terms would be respecting noise restrictions or other traffic laws, and if not followed they could be revoked/cited. Permits could be capped at a specified amount per week, to regulate group size, and could be displayed on the vehicle for easy enforcement. Please take substantive actions on this issue, it's affecting both property values and quality of life for those of us on the main thoroughfares in town.

Ariel Atkins - I currently reside on Park Road and am so grateful for my location while raising a family, I have close access to schools, parks, pools and fantastic neighbors. Unfortunately, I've been having more and more experiences in my neighborhood that have diminished these amenities. My family and I are often on foot, stroller or bike and because of the minimal

sidewalks we are often on the side of the street. I'm constantly on high alert for speeding vehicles, distracted drivers, large vans and motorhomes backing out of parking spaces at the park, folks running stop signs and I'm rarely given the right of way in the crosswalk (yes, the one in the school zone of HMK). I'd expect more traffic and parking enforcement in a school, park and residential zone, but rarely see any. In addition to the actual safety concerns are the noise pollution concerns. I suspect with the Entrada Development (45 unit vacation rental touting large spaces and 2 car garages), 400 North has become the main thoroughfare for those coming to Moab where they can operate their otherwise street illegal vehicles. There is a constant hum in my backyard of traffic noise, this I can live with. But what really starts to impact me is when the noise cranks up between 9pm-11pm as I'm trying to go to sleep or get a restless toddler back to sleep. I'd love to be able to sleep with my window open for some fresh cool air, but it sounds like a freeway is going through my house. Even with them shut, I have to use whitenoise makers to help my family sleep. I know that many complain about the UTV's being the problem but I often hear and see regular vehicles driving at extraordinary speeds in my neighborhood, this is not only agitating but makes me feel like my families safety is jeopardized and disrespected. I'm also a small business owner and operate a tent-only campground 2 blocks off Main Street. The amount of noise and traffic has been a topic of complaint among our guests, many of them here for human powered sports feel impacted by the ever-presence of loud motors, particularly in town. Numerous long-time patrons have been appalled to see how Moab has transformed, particularly around the UTV's and noise pollution. I implore those within local government to make strong noise ordinances, enforce traffic laws including speed limits, enforce parking and ideally work with the UT legislator to trailer UTVs to the trails so we can have some sanity in our neighborhoods.

Lucy Wallingford - The noise issue in Moab City is unbearable. I live on First North between 3rd and 4th East. Some days the noise is almost constant, all day long, starting early and well past dark. Because big groups of people who travel together each want their own Razor, they travel in packs of 4, 6, 8. You can hear them coming a long time. Then as each one passes it sounds like a dirt bike race as they pass by, which lasts several minutes. Then you can hear them receding for a long time. If you are standing in your front yard or driveway visiting with a friend, you cannot communicate as they pass, you can't even yell at each other and be heard. And a few minutes later, it starts all over again. 1. Stop advertising Moab, completely! We don't need any more visitors. We can't even get into town without an hour wait. Moab is over-run. 2. Do NOT designate OHV routes, as that simply funnels all of the noise by one set of houses. There is no street in Moab except the highway that does not have people living on it. 3. Require mufflers, no exceptions. 4. No more rental companies! 5. Set up a curfew, no OHVs on the streets except after 8 am and before 8 pm. The rest of the time people are trying to sleep. 6. Ultimately lobby the state to allow us to get them off our streets completely. I have friends that are moving away because of this. Please, please, PLEASE deal with this issue. This is the second go round of asking for comment. I dutifully commented last time (four years or so ago) and zero come of it. Don't send the message that we are wasting our time by commenting. I know it's not easy. Thank you.

Fritz Bachman - The suggested solutions seem good except for designated routes. That would subject the same people to repeated assaults of noise.

Lauren - There can be tourism without terrorism. ATVs and UTVs should not be street legal. Mandate that their rental companies and owners tow them to the recreational sites where they are approved. In addition, they should aim to become electric- at bare minimum they need better mufflers. A COVID spring without noise has reminded us all what our town could be. Reminded us of warm days where we can have a conversation on our porches without getting

constantly interrupted by blaring engines. Tourism will live on. The businesses that rent and people who own these vehicles will adapt to a new system that respects local residents. We have had enough with the noise terrorism. Give us back our town where we can put our babies down to nap, listen to the birds, call our family while walking to the library. Give us back a town that listens to residents, not to blaring motors.

Serena Supplee (2) - I have lived in Moab for almost 40 years. As many long term residents, I have witnessed the drastic increase in noise. It is not just the OHVs, it is an increase of trucks, and it is worth noting that not only are they loud but usually driving much too fast. I believe it is well-worth the cost to establish noise-metering and citations. We should also lobby to opt-out of the state law; our noise situation in Moab is unique. Local regulation of OHV companies and a moratorium on new local companies seem like a given that should have already been put in place. The only option that does not seem as if it would have a beneficial effect is the designated routes; visitors are not going to follow the suggested signs.

John Johnson - I think we need to treat these visitors a lot better than we do. They come here and spend way more for accommodations, food and other purchases than they do in many other areas. Moab is recognized now as a city full of UTV haters (ATVs Jeeps and trucks suffered the same scrutiny until UTVs took the stage). I know there is some bad behavior from some in this group (as in every group) but for the most part I see them going overboard to keep resident annoyances at a minimum. Find the bad ones in the group and reprimand. Don't target the whole group and practice some tolerance towards the ones trying to do the right thing.

Colin Evans - I live on millcreek, and the ohv noise is seemingly endless. It scares my toddler, keeps him up and wakes him up as they continue well into the night. I tried reading a book to him at 7 pm on our back deck the other night and we couldn't it was so loud for so long. We couldn't get through a 12 page book about a bunny without going inside. I have lived here for 15 years and the noise pollution of these machines is unbearable. Jeep week is one week, not every god damn day. Do something!!!!

Bret Blosser - The Council's document for OHV Noise Mitigation presents five approaches for consideration. Unfortunately, of the five approaches, only the fifth can solve this problem. Even more unfortunately, the fifth option, "Lobby the state Legislature to allow Moab an opt-out of the state law allowing street-legal OHVs on City streets" will not receive a sympathetic hearing from State legislators. Therefore the Council should focus on mounting an effective campaign to sway legislators. I'm guessing arguments based on defending our tourism economy will be better received than arguments based on alleviating residents' misery. The following points contribute to an economic argument: 1. The strength and resilience of Moab's tourism industry has historically been founded on welcoming visitors to experience our extraordinary landscape in an exceptional range of modalities. Anecdotal evidence from Moab businesses which interact daily with all sorts of visitors indicates that ATV tourism has curtailed visitation by non-ATV tourists distressed by ATV noise and pollution. Business staff report that visitors not uncommonly say they enjoy vacationing here but will never return because of ATVs. Our economy will become weaker and less resilient if one recreational modalities reduces the viability of the others. We should design and conduct surveys to determine if these anecdotes reflect an actual trend. If so, this represents a challenge to the continuity of our tourism sector which deserves serious attention by State legislators. 2. Win-win. Since State legislators support ATV tourism and ATV-based business in Moab our pitch cannot be framed as "getting rid of ATVs". We need a solution which eliminates ATV noise and pollution from town without knee-capping our five licensed ATV rental and tour businesses. Existing infrastructure is not sufficient to accommodate trailering ATVs from business locations to trailheads. Our plan

needs to include construction of large trailer lots at all designated ATV trailheads. This should enable ATV businesses to thrive after opt-out. 3. There are financial and spatial constraints on how much trailer space can be constructed at trailheads. Therefore we should not accept applications for additional ATV business licenses until trailhead parking for existing businesses is assured. Bret Blosser

Bruce Dissel - I support all 5 of the options regarding UTV noise listed on the City Council agenda. For me the added tax revenue is in no way equal to the loss of quality of life.

Erin Groves - The OHV noise issue in Moab City is unbearable. I live in Mulberry Grove, on the north boundary, across the creek from the Mill Creek route to Sand Flats. Some days the noise is almost constant, all day long, starting early and well past dark. Because big groups of people who travel together each want their own Razor, they travel in packs of 4, 6, 8. You can hear them coming a long ways away. Then as each one passes it sounds like a dirt bike race as they pass by, which lasts several minutes. From inside my home, which is brand new and has high quality insulated windows, I can see but not hear vehicles of all sizes off in the distance, through the trees, as they travel along Mill Creek. I don't hear a sound when other vehicles go by. In contrast, I can hear and even FEEL the rumble of OHVs (in groups or alone) as they go by, as if they were in my front yard. The worst disruption is at night, when they come down from Sandflats at all hours, waking me (and often waking my 9 month old) at 2am, 3am, etc. Here is what I ask: 1. Stop advertising Moab, completely! We don't need any more visitors. We can't even get into town without an hour wait. Moab is over-run. 2. Do NOT designate OHV routes, as that simply funnels all of the noise by one set of houses. There is no street in Moab except the highway that does not have people living on it. 3. Require mufflers, no exceptions. 4. No more rental companies! 5. Set up a curfew, no OHVs on the streets except after 8 am and before 8 pm. The rest of the time people are trying to sleep. 6. Ultimately lobby the state to allow us to get them off our streets completely. I have friends that are moving away because of this and have even considered this personally. Please, please, PLEASE deal with this issue. It's not fair that one industry can solely destroy the quality of life for an entire community.

Brandy Bowmaster - I am heartened to see on the agenda for tonight's meeting several possible options that will be discussed to mitigate vehicle noise in the city. Thank you for bringing this issue to the table! As a years-long resident of downtown Moab, it has become almost shocking how loud it can be, especially after that gloriously quiet spring we had this year. I've tolerated the noise downtown as partial payment of my ridiculously convenient location, but it has gone too far! Despite my love for the community, I am now seriously considering a permanent move away from Moab as the constant stress and anxiety brought on by the exceptional noise and mayhem is no longer worth it for me. Therefore, I strongly support any effort to reduce noise from OHVs and other loud vehicles. Aside from the longer term strategy of working at the state level for legislative change to the law allowing OHVs on our streets (which I think we should definitely be doing despite the strong opposition we will surely face) I feel that creating stronger noise ordinances and actually enforcing them would be the most effective route to reducing noise in town. I would also support not permitting new OHV rental companies, but focusing on a noise ordinance would also include other excessively loud vehicles and motorcycles, such as the many painfully loud cars that cruise Main Street most nights of the week (painful to my ears at least, should I be unlucky enough to be passed by one while on my evening dog walk, shall I need to start wearing earplugs when I leave my house??) Please, PLEASE, PLEASE!! take strong and swift action on this issue. It is truly a major quality of life issue for me, and for almost everyone else I know in town with whom I have spoken about this. Again, I thank you all for bringing this issue to the forefront, let us get back some of our peace and quiet!!

Eve Tallman - UTVs: Carl Albrecht's recent comments belie a disingenuous lack of accountability regarding his role in prohibiting local control. It appears the utv lobby is more powerful than our local governments. Strict enforcement of noise limits 24 hours plus strict enforcement of other "street legal" issues such as noncompliant fenders is worth extra leo costs.

Nate Rydman - When it comes to OHV noise in our community, the only real solution based on what is mentioned in the packet is to invest in noise measuring equipment and enough enforcement officers to accomplish enough checkpoints to make a serious difference- and it has to apply to everybody. I would avoid singling out local businesses to comply with harsher restrictions than the regular visitor. I would encourage the design and sale of quieter mufflers too- we do have the technology for that in this world. The only way any of this succeeds is if we have the community support and political will to make the rules, and a police force staffed well enough that they have the time and comparative luxury to enforce those rules. At best right now we have two of the three. Our current force currently is spread pretty thin on higher priorities. I know budgets are stressed, but at some point we have to acknowledge that although we are only about 10,000 (city and county) tax paying community residents, we have the problems of a 25,000 population much of the time. The goal should be to generate enough revenue through noise violations to pay for the additional law enforcement resources. We get what we pay for. Over time our community may gain the reputation of being hard on noise abusers and this may dissuade some visitors. So be it. Discouraging the more negligent visitors in this way should be the goal as well. When we look across town at crowded restaurants etc, it's obvious we don't need the negligent niche of clientele. It would improve our quality of life as residents, and improve the experience of the tourists that do come here, and those are good things.

Bonnie Anderson - I have lived in the same house on Spanish Valley Drive for 22 years, and been a resident of Moab for 30. The first decade was wonderful. This last, not so much. These past several years have been FULL of heartbreak and devastation that our beloved, remote, peaceful and QUIET Moab is no longer. ALL HELL BROKE LOOSE FOR ME when side by sides were allowed on pavement. I AM STILL GOBSMACKED that this was allowed! The noise is beyond anything I could've imagined. It is ALL DAY, EVERYDAY. And they are EVERYWHERE! I can hear them coming from all the way down Spanish valley, they roar past, then hear them going, and they're almost always in packs, so it never ends. I am not in a position to just sell out and leave, nor do I want to, I have roots here. But my MENTAL HEALTH IS AT STAKE. THEY SHOULD BE TRAIERED TO THE TRAILHEAD. I AM BEGGING YOU AS A LONG TIME HOME OWNER AND CITIZEN OF MOAB, TO PLEASE TAKE THIS NOISE OFF OUR STREETS. Thank you for hearing me and for your time. Bonnie Anderson

Travis Nauman - I live across the street from city limits (Hecla neighborhood near recycle center). Noise from OHVs and other loud vehicles has a large impact on my quality of life. I highly support any legal regulation of noise we have available. I also would like no further permitting or expansion of local OHV rental business or organized events like Jeep week or Rally on the Rocks. These vehicles have disproportionate impacts on everyone via noise, dust emissions (multiple recent scientific studies in this region), erosion, vegetation damage, infrastructure, and climate (burning fossil fuels all day). We should focus on diversifying our economy in general and trying to appeal to the various less impactful forms of tourism that Moab has appeal for (hiking, biking, climbing, rafting, eco-tourism, etc). Our quality of life is threatened by these vehicles and ultimately we need to lobby to fix the state laws that allow them to run around our streets keeping everyone awake at night.

Ben Burr - I am the policy director for BlueRibbon Coalition/ShareTrails. We champion responsible recreation and support efforts to protect and increase access to recreation resources.

We have worked with elected officials in Moab on a continuing basis to ensure that the millions of recreationists who visit Moab and the surrounding area create great experiences for themselves and for the community where they are a guest. Outdoor recreation is an explosive industry where new markets for experiences and products emerge suddenly. This provides challenges for policymakers to accommodate new users. This growth also creates significant economic opportunities that have benefitted Moab greatly. We are aware that the recent surge in UTV use in Moab is leading to noise nuisance complaints. Utah state law allows street legal UTVs and ATVs to use public roads, and we support these protections. Street legal access increases access for these users and eliminates problems such as trail-head congestion. We recognize the challenges that come with abating noise nuisances, and we are willing to work with the City of Moab to educate our users in ways they can minimize noise impacts while riding on public roads. We wouldn't support the codification of any policy that would unfairly discriminate against street-legal OHV users. We believe the city should find ways to enforce violations of ordinances in a way that targets wrongdoers instead of trying to find ways to categorically deny use of roads to street-legal OHV users. We look forward to finding common-ground solutions to these challenges at the same time we recognize that a categorical denial of use of a public benefit by a specific group is discriminatory by nature and can't be the starting point for authentic compromise.

Ashley Bunton - Dear Moab City Council, Please accept my comments regarding the new business on the agenda for today regarding off-highway vehicle (OHV) noise. In addition to what you have outlined in your agenda docs, I urge you to consider implementing a city-wide speed limit that is consistent. Right now you have a 30 mph speed limit on Main Street, that turns to a 20 mph speed limit on 300 S, that turns to a 25 mph on 400 E, all within 1-mile. If you could agree to a 20 mph speed limit on all roads, I think this would make Moab quieter and also safer. I was awakened at 1:00 a.m. the other night by a racket. Partly because the store had no women's earplugs in stock so I had settled for the regular sized ones that are a bit too large and they tend to fall out during the night. I have gone through two boxes of earplugs this summer. I believe the noise is made worse from speeding traffic. Almost daily I have seen ATVs drive 40-60 mph on residential streets. Please make it your priority to change the speed limits to a safe speed that is consistent across town. Let's not expect vacationers to be consistent in reading and looking for the signs that go from 30 mph to 20 mph to 25 mph as they roar off toward Sand Flats. My octogenarian neighbor screamed at tourists to stop trying to run the deer over in town, and this saddened me. It seems truthful to say we have seen the deer enforce the city speed limit more than the city council because the deer are making drivers slow down. I would like to request that you honor this community, its inhabitants including the deer, and have some respect for yourself as a city by changing the speed limit so that vacationers reciprocate that respect in a way that is simple for them to understand. We all want to get along and coexist and I want to sleep at night without earplugs, and without thinking about how my neighbors are moving away to escape the sound of the speeding traffic. Thank you for considering my comments. Please take action. Truly, Ashley

James King - I have been enjoying Moab for at least 20 years. I am a US Army veteran. We spend each Valentines Day in Moab as HQ for hiking the area and parks. We spend Spring & Fall either ATV'ing or Jeep'ing the various trails. We usually rent an AirBnB in Spanish Valley, though we'd prefer to be in Moab proper. We spend much \$ in the various restaurants and stores in town for the ~4-5 days per trip we spend. Of late, we're finding Moab not so ATV/SxS friendly, save for the rental places taking massive groups out to run the Sand Flats area (Hells Revenge, etc). Seems to me as an Army transplant to Utah that out-of-state folks have a larger voice in Moab than Utahns.

Rebecca Every - Noise pollution isn't just annoying, it's bad for your health! Moab is inundated....with tourists of all types, those seeking to run the river, off-road 4x trails, skydive, base jump, mountain bike, ride motorbikes, also to hike, dine, shop, attend Music festivals, Jeeping Jamboree's, old car shows, running trail races, new events of all kinds popping up each and every year to take place in this area. And, with off-road vehicles of every kind, but most notably of those are the OHV/Razor type vehicles. These type that do not have a muffler, omit the most horrendous noise that is considerably disturbing to our person, and one that is also detrimental our health. It has been shown that exposure to prolonged or excessive noise cause a range of health problems, ranging from stress, poor concentration, communication difficulties and fatigue from lack of sleep, to more serious issues such as cardiovascular disease, cognitive impairment, tinnitus, hypertension, etc. I have lived in Moab for 25 yrs, in that time have seen much change, and HUGE growth. Not the best planned out growth at that, leading to much congestion on our streets from the hoards of folks and traffic they bring. We as a community have been doing our best to adapt the changed Moab, but are reaching a boiling point when it comes to the issue of OHV/razors, and the noise pollution they bring with them. It is down right unbearable. I must say, in addition to the noise, it is the rude and entitled behavior coming from many of them that is driving many of us to the edge. Many are choosing to move for the loss of quality of life this new Moab has brought with it. It is one of the hardest things to witness, and to endure day in and day out, with the constant droning buzz that comes from those vehicles. Not to mention, many don't like to follow the laws, like stopping at stop signs for example. When there is a group riding together, often they bypass the stop sign for the sake of staying together as a group. They are up and down our neighborhood streets, they are EVERYWHERE. Noisy, stinky, rude. And we Moab residents are tired of it. I do not believe it is fair to all of us tax paying residents to have to endure this kind of torture year after year. I don't want to have to move. But how much more can I or we take? Not much. Please, let's bring SOME peace back to Moab. Thank you, Becka Every

Laura Hines - The UTV noise has been hard to deal with as long as I have lived in Moab (8 years). I used to live on Spanish valley drive and the UTV noise would wake me and my babies in the middle of the night and at nap times. I now live on Murphy Lane and I regularly hear UTVs buzz by at late night hours 11pm, 12 am, 2 am etc. The noise wakes me and my children and it seems to happen more and more. Additionally the UTVs race so fast on the Sand Flats road and on the Geyser Pass road. The washboards created by them makes it hard to drive my 4x4 truck comfortably. Any changes to reduce the constant noise in town will help. I worry that a curfew will not be enforced. Could traffic cameras that send tickets be used? Of course only if the UTVs are licensed. Lastly, in the Sun News article interviewing the Rally on the Rocks organizer, he mentions that the tires are the significant source of noise. Yes, tires make noise but the idling UTVs sure are noisier than any vehicle with a muffler. The engine is also a major source of noise.

Kristen Hayes and Mike Bassett - As longtime Moab city residents and home owners, we feel our lives have been negatively impacted by the overwhelming number of UTV's on our streets and public lands in the last few years. These impacts seem to increase exponentially each year. It is time for our City's lobbyist, along with our city and county government, to stand up to the state legislature and demand local control regarding the use of UTV's on our streets. The intent behind the initial state bill that made them street legal, which claimed rural and agricultural use, was clearly driven by dollar signs from the UTV lobby. The abundance of recreational use of UTV's, from both private owners and rental companies, has made Moab's streets loud and crowded, even uninhabitable for residents. Noise in town is a significant bipartisan and economic issue, affecting the viability of local businesses, the experience of visitors, and the wellbeing and even property values of residents. Not only are noise and traffic from UTV's an issue in town, but the noise and resource destruction on public lands overwhelms the

experiences of visitors who seek a non-motorized experience such as hiking, boating on the river, biking, climbing, base jumping, photography, etc. not to mention impacts on wildlife. Even some members of the Jeep community express frustration with their impact. There is no reprieve from the noise and lights of these vehicles riding trails at night and driving the city streets at all hours. We plead for our city and county representatives to advocate at the state level for local choice over UTV's on our streets. In the meantime, we advocate for implementing other solutions as follows: 1. Quiet hour curfews on streets and public trail systems (Sand Flats would be a start) 2. Requiring rentals to add mufflers and pay fees towards education and resource rehabilitation 3. Moratorium on licensing new rental companies 4. Follow through from law enforcement on noise, speed limits, and street legal registration 5. Encouraging rental companies to use trailers and guided tours to maintain slower speeds and reduce resource damage 6. Establishing a permit system/ quota for commercial and private trail users. Given the growing impacts we've seen in UTV use each year, the near future for our community's wellbeing is terrifying. Please consider taking a strong stand on managing these issues. Sincerely, Kristen Hayes and Mike Bassett

Administrative Reports:

Mayor Niehaus provided a COVID-19 update based on information from Jen Sadoff, CEO of Moab Regional Hospital. She said that Ms. Sadoff reported that the University of Utah and Intermountain Health ICU are the transfer hospitals for Moab COVID-19 patients and the U of U is out of beds and Intermountain Health is at 92% capacity. She said they are seeing huge spikes happening in rural towns around the state and we are considered in the moderate transmission category. She said social gatherings are limited to 10 or fewer people for the next two weeks and masks are required in areas of high transmission. [27:29](#)

City Manager Linares reported that city hall is open for business after a COVID-19 incident in the buildings and thanked facilities staff for their quick response. He reported on the visit from the legislators and said they had an eye-opening experience and thanked them for their visit. He reported on the salt shed repair, illegal dumping along Kane Creek, bike thefts, and Proposition 8. [30:04](#)

Chief Edge provided an update on the status of their investigation into the series of bike thefts. [34:21](#)

Finance Director York provided an update on the budget and sales tax numbers. [37:51](#)

Mayor and Council Reports:

Mayor Niehaus reported meeting with legislators, attending the League of Cities and Towns annual convention and board meeting, meeting with students of the month, attending the Market on Center, attending Walnut Lane meetings, attending the Rural Summit and the Governor's Rural Partnership board meeting, participating in a two and a half-hour phone call with Bud Bruening, Director of UTV Utah, and Ben Burr, Director for the Blue Ribbon Coalition, and participating in meetings with Congressman Curtis in Moab this afternoon. [47:32](#)

Councilmember Derasary reported attending meetings of the Southeast Utah Riparian Partnership and provided details of the participating groups and the work they are doing on riparian areas throughout the community. [56:40](#)

Councilmember Duncan reported speaking with Phil Gardner, USGS hydrologist, regarding water chemistry work on our aquifer and conducting UTV noise research on Sand Flats. [1:00:26](#)

Councilmember Knuteson-Boyd reported attending the candlelight vigil for suicide awareness, two Canyonlands Healthcare Special Service District meetings, a webinar on the intersectionality of race and gender, a webinar with Utah Women in Leadership on Utah Women in 2020- challenges, opportunities, and next steps, and bias training from Utah Local Government's Trust, and plans to attend a museum meeting later in the week. [1:02:55](#)

Councilmember Guzman-Newton reported attending two airport board meetings, a Chamber board meeting, participating in discussions with UDOT and consultants regarding transit and off-Main Street parking, and two Arches Hotspot Committee meetings. [1:08:17](#)

Councilmember Jones reported attending multiple Arches Hotspot meetings, a Housing Task Force meeting, a small City, County, and Solid Waste district meeting, and having conversations to prepare for the City's comments on the Manti-La Sal forest plan pre-scoping period. [1:11:44](#)

Approval of Minutes: September 8, 2020, Regular Meeting, September 17, 2020, Special Meeting, September 22, 2020, Regular Meeting, September 30, 2020, Special Meeting – Approved

Motion: Councilmember Guzman-Newton moved to approve the minutes for September 8, 2020, September 17, 2020, September 22, 2020, and September 30, 2020. Councilmember Duncan seconded the motion.

Discussion: There was no discussion.

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

Old Business:

Overview of Invitation for Bids (IFB) for Manufactured Units at Walnut Lane
Senior Projects Manager Kaitlin Myers provided an overview of the bids and the selection process for the recommended bid for the Walnut Lane project. [1:15:24](#)

Motion: Councilmember Jones moved to direct staff to bring more information regarding the specific additional equity needs and how that would fit into the city budget. Councilmember Knuteson-Boyd seconded the motion.

Discussion: Councilmembers expressed concern about the cost of the development and other city infrastructure needs and felt the financial information was necessary in order to prioritize projects and see how the development fits into the overall budget. City Manager Linares suggested either having staff present financial information based on discussions with Zions Bank or arranging for a member of the Zions Bank team to present financial information during a Council meeting. Councilmembers asked about the Architectural Squared contract and how this IFB fits with the master planning, how many residents are affected, and where the funding is coming from for the project. [1:34:56](#)

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

Update on Progress of the Arches Hotspot Region Coordinating Committee

Discussion: Assistant City Manager Carly Castle provided an update on the progress of the Arches Hotspot Region Coordinating Committee. She explained that the Committee will be forwarding a concept package to the City Council and Grand County Commission for approval during a joint meeting to send to UDOT. She said the final three projects include off-Main Street and dispersed parking, a transit shuttle pilot program, and the Spanish Valley Trail. [1:50:43](#)

New Business:

Off-Highway Vehicle (OHV) Noise Mitigation Options

Discussion: City Attorney Laurie Simonson and Police Chief Bret Edge presented information about noise mitigation options for OHV’s within the City limits. The options discussed were noise-metering devices and citations, designated OHV routes, local regulation of OHV companies including muffler/noise mitigation requirements, a moratorium on new local rental OHV companies, and local opt-out of state law. Councilmembers discussed the pros and cons of the options presented. [2:21:26](#)

Proposed Resolution 38-2020: A Resolution Approving the Lot Consolidation of properties located at 1315 and 1317 Dream Drive, Moab UT 84532

Motion: Councilmember Guzman-Newton moved to approve Moab City Resolution 38-2020, a resolution approving the lot consolidation of properties located at 1315 and 1317 Dream Drive, Moab, UT. Councilmember Duncan seconded the motion.

Discussion: Councilmember Derasary thanked Assistant Planner Shurtleff for explaining the role of the HOA with zoning.

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

Sidewalk Inventory – Discussion for future policy considerations

Discussion: Mayor Niehaus requested two Councilmembers volunteers to work on a sidewalk inventory in order to make policy suggestions. Councilmembers Jones and Duncan volunteered to work on this project. [3:22:48](#)

Appointment of Aaron Nielson as the City’s Employee Discipline (Disciplinary Transfer and Discharge) Hearing Officer pursuant to Utah Code Annotated 10-3-1106 and the City’s Employee Handbook

Motion: Councilmember Derasary moved to approve the appointment of Aaron Nielson as the City’s employee discipline hearing officer pursuant to Utah Code Annotated 10-3-1106 and the City’s Employee Handbook. Councilmember Duncan seconded the motion.

Discussion: There was no discussion.

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

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 \$1,879,071.50. Councilmember Jones seconded the motion. The motion passed 5-0 with Councilmembers Jones, Duncan, Guzman-Newton, Derasary, and Knuteson-Boyd voting aye in a roll call vote.

Adjournment: Councilmember Knuteson-Boyd moved to adjourn the meeting. Councilmember Jones seconded the motion. The motion passed unanimously. Mayor Niehaus adjourned the meeting at 10:30 p.m.

APPROVED: _____
Emily S. Niehaus, Mayor

ATTEST: _____
Sommar Johnson, City Recorder