

**MOAB CITY COUNCIL MINUTES
REGULAR CITY COUNCIL MEETING
NOVEMBER 13, 2018**

Call to Order and Attendance: The Moab City Council held its Regular Meeting on the above date in the Council Chambers at the Moab City Center, located at 217 East Center Street, Moab, Utah. A recording of the meeting is archived at <http://www.utah.gov/pmnl/index.html>. In attendance were Mayor Emily Niehaus, Councilmembers Kalen Jones, Rani Derasary, Mike Duncan, Tawny Knuteson-Boyd and Karen Guzman-Newton. Also in attendance were City Manager David Everitt, Recorder/Assistant City Manager Rachel Stenta, City Attorney Chris McAnany, Development Services Manager Sommar Johnson, Treasurer Chantel Lindsay, Public Works Director Pat Dean, Assistant City Manager Joel Linares, City Engineer Chuck Williams, Communication Director Lisa Church, Police Chief Jim Winder, Assistant City Engineer Eric Johanson, Records Specialist Eve Tallman and Sustainability Director Rosemarie Russo.

Workshop: Mayor Niehaus called the workshop to order at 5:00 PM. The workshop consisted of briefings on the Draft Downtown Master Plan and the Draft Citywide Parking Plan. Consultant Ben Levenger of Downtown Redevelopment Services presented his work on the Downtown Plan. He described current conditions of City infrastructure in the downtown including sidewalks and curb conditions. Thomas McMurtry of Avenue Consultants discussed pedestrian and traffic counts. Downtown buildings were discussed in terms of architecture and signage was characterized as distracting. The results of a citizen survey about downtown needs were briefly presented, including public meeting input about Main Street parking, reducing traffic, and more. The consultants made transportation recommendations regarding pedestrian sidewalks, bike lanes, back-in angled parking on side streets and eliminating left turns from Main Street. Councilmember Jones asked about how to diversify the businesses on Main Street. Mayor Niehaus brought up the notion that downtown is a shopping district and added there are emergent business districts, notably on 400 East. Jones asked about how to develop side streets with businesses and about other civic amenities such as courtyards. Councilmember Derasary asked about downtown housing and Levenger stated that residential parking was a concern and offered that people who live in a downtown are not likely to have cars. He added that second stories of existing buildings are commonly used for professional offices.

Mr. McMurtry then moved to the presentation of the draft parking plan. City Engineer Williams introduced the project. He described the results of the inventory and activity study. Councilmember Derasary asked about some of the data collected and suggestions for trailer parking. Williams acknowledged the long vehicle conundrum. Councilmember Duncan brought up better signage for the existing public parking lot west of Main Street. Councilmember Guzman-Newton stated the data suggests there is ample parking available, and Williams pointed out the inventory of empty spaces is perceived to be too far from destinations. He suggested the proposed parking structure downtown would solve for lack of available parking near Center and Main, and a dispersed lot near the north curve of Main Street to serve businesses and events at Swanny Park. Councilmember Jones asked about signage and brought up the likelihood of downtown residents having their own cars. Councilmembers discussed nightly rentals versus the development of apartments, as well as limiting large corporate hotels in the downtown and requiring street-level retail storefronts. Councilmember Jones also asked about the procedure for implementing a façade plan.

Regular Meeting:

Mayor Niehaus called the Regular City Council Meeting to order at 7:00 PM and led the Pledge of Allegiance. Fifty members of the public and media were present.

Approval of Minutes:

Councilmember Duncan moved to approve the minutes of the October 23, November 1 and November 5, 2018 meetings. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Mayor and Council Reports: Mayor Niehaus reported on meetings that she attended including for BEACON, joint City Council/County Council, Powerhouse area planning, the Community Reinvestment Area (CRA), key-leaders and the school district community coordinator, public safety, a business summit and Moab's Veteran's Day celebration. She mentioned the Moab Charter School wants a City Council liaison. She also mentioned progress on a reusable bag plan.

Councilmember Derasary reported on a meeting with TrailMix where the City was praised for passing funding in the budget amendment. She brought up a crosswalk near Dogwood and mentioned TrailMix had questions about the 100 West bike lane striping. Derasary reported she attended meetings of the Canyonlands Health Care Special Services District and Emergency Medical Services. She also acknowledged letters she had received regarding the CommuniTea Garden.

Councilmember Duncan brought up the school district's bike mechanic program.

Councilmember Knuteson-Boyd mentioned a housing authority meeting she attended and noted the Moab Area Project for Seniors (MAPS) was moving forward.

Councilmember Guzman-Newton reported she attended a meeting of the Chamber and noted there are openings. She mentioned a grant from the National Park Service to solve for access to Mill Creek at Powerhouse. She also attended meetings for the CRA, with the school district community coordinator and the school board. She urged people to visit the school district's Facebook page to read the Superintendent's message regarding a petition that has been circulating regarding the proposed new middle school and added that the proposed construction will not raise taxes.

Councilmember Jones reported on meetings he attended for the housing task force, the solid waste district, the CRA, and the International Dark Skies group. He mentioned a new solid waste manager had been hired.

Administrative Report: City Manager Everitt reported on a panel he participated in for the Upper Colorado River Basin workshop. He stated his impression that the City is doing the necessary work regarding water conservation.

Presentations:

Students of the Month: Mayor Niehaus awarded the Mayor's Student of the Month Awards for November 2018 to Moab Charter School Student Danger Bell, Helen M. Knight Elementary School Fifth Grader Kaci Hamilton, Eighth Grade Grand County Middle School Student Wyatt Miller and Seventh Grade Grand County Middle School Student Reinee Roberts.

Annual Audit: Jon Haderlie of Larson and Company presented the annual audit of the City of Moab for Fiscal Year 2017-2018.

Citizens to Be Heard:

Claire Core spoke about the Resiliency Hub's CommuniTea Garden and the damage done during recent sewer line work. She urged the City to integrate green infrastructure as per the General Plan. She explained the intent of green spaces and referred to water conservation goals and green stormwater management.

Kelly Thornton spoke in favor of the Planned Area Development (PAD). She stated a great deal of work by many persons including three City Managers and experts had culminated in much feedback. She mentioned that on a regular basis, she meets people who are living in cars while maintaining jobs due to the lack of housing stock. She said that density is the only way to make a dent. She said that the City's Walnut Lane project is a drop in the bucket. She urged the Council to be brave.

Kaitlyn Myers implored the Council to pass the PAD and workforce housing ordinances. She stated she moved to Moab in 2016 as a worker for Volunteers In Service To America (VISTA) with a goal of alleviating poverty. She said she works full time and has four roommates and knows many workers who do not have adequate housing. She concluded that the City needs action now.

J.D. McClanahan stated that two-thirds of his salary goes to rent a room in someone else's home. He said that the PAD policy may be imperfect but it is better than none. He urged the Council to open up affordable housing opportunities.

Judy Powers referred to the code changes including bed and breakfasts in the downtown area. She added she likes the new sidewalks in the northwest part of town. Referring to the downtown parking plan, she said she likes no left turns, a median, and wants to close Center Street west of Main. She agreed with the TrailMix concern about a crosswalk near Dogwood. She mentioned signage and requested no trailers and recreational vehicles in downtown and wanted a definition of group homes. She urged Council to pass the code changes by the end of the year.

Special Events:

Seekhaven Fundraiser Fee Waiver—Approved

Motion and Vote: Councilmember Guzman-Newton moved to approve a Special Event Fee Waiver not to exceed \$200 for Seekhaven's Puttin' on the Ritz event on February 16, 2019. Councilmember Derasary seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Duncan, Derasary, Knuteson-Boyd and Guzman-Newton voting aye.

Old Business:

Conditional Uses Amendments—Approved

Motion and Vote: Councilmember Jones moved to adopt **Ordinance #2018-01** to removed conditional uses from the Moab Municipal Code and amend the uses to be allowed uses with standards in Title 17 of the Municipal Code, with the understanding that the following are associated with the intent of this motion: one, that the Council will hold a workshop in the next two months to discuss code enforcement and associated standards for residential properties; two, that the Council will discuss and act upon an occupancy limit for residences in the next two months; and three, that staff will develop a licensing program for long-term rentals. Councilmember Knuteson-Boyd seconded the motion. Councilmember Duncan moved to amend the motion to add language in the definitions section to include that the definition of household shall read: "household means one or more persons related or unrelated who live in the same dwelling and share meals or living accommodation, and may consist of a single family or some other grouping of people. A household shall not be occupied long-term by more than

two individuals per bedroom, plus one additional individual per household.” Councilmember Derasary seconded the amendment. The vote on the amendment failed 2-3 with Councilmembers Duncan and Derasary voting aye and Councilmembers Jones, Knuteson-Boyd and Guzman-Newton voting nay. The vote on the original motion passed 5-0 aye with Councilmembers Jones, Duncan, Derasary, Knuteson-Boyd and Guzman-Newton voting aye.

Planned Affordable Housing Developments—Tabled

Discussion: Mayor Niehaus stated she was in favor of the proposed ordinance as written. Councilmember Knuteson-Boyd said she agreed with the proposed changes and Councilmember Duncan stated he wanted to table the motion until the R-2 issues were worked out and urged the scheduling of another Town Hall meeting. Councilmember Derasary stated she needed more time to examine the document. Councilmember Guzman-Newton also said she needed more time and wants the community to weigh in on R-2 issues. Councilmember Jones stated he wanted to pass it and acknowledged the work that had gone into it and was frustrated with the document editing process since his suggestions were lost. He mentioned differentiating between retirees and workforce residents and the differentiation between moderate and low income candidates for housing. A joint Planning Commission and City Council workshop with public hearing was announced for November 27.

Motion and Vote: Councilmember Duncan moved to table to the December 11 meeting the consideration of proposed **Ordinance #2018-19** – Planned Affordable Housing Developments. Councilmember Derasary seconded the motion. The motion to table passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Assured Workforce Housing—Approved

Discussion: Councilmembers and staff edited the draft document to address concerns.

Motion and Vote: Councilmember Jones moved to approve **Ordinance #2018-20** – Assured Workforce Housing. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Annexation Public Hearing—Approved

Motion and Vote: Councilmember Derasary moved to send Proposed **Ordinance #2019-01** – Annexation of Hansen/Holyoak Property to Public Hearing on December 11, 2018 at approximately 7:15 PM. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Waste Hauling Contract—Discussion

Sustainability Director Rosemarie Russo introduced the waste hauling contract and stated there was one qualified bidder and stated the City was now negotiating the possible terms of the contract. Mandatory recycling and varying rates and bin sizes were mentioned. She said options would be presented to Council in the near future.

New Business:

Annual Audit—Accepted

Motion and Vote: Councilmember Derasary moved to accept the Annual Audit of the City of Moab for Fiscal Year 2017-2018. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Community Reinvestment Project Area Plan—Approved

Motion and Vote: Councilmember Duncan moved to approve **Ordinance # 2018-21** – Adopting the Community Reinvestment Project Area Plan for the South Moab Community Reinvestment Project Area for Utah State University (USU). Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Extension to an Improvements Agreement—Approved

Motion and Vote: Councilmember Duncan moved to approve **Resolution # 51-2018** – An Extension to an Improvements Agreement with Chad Harris. Councilmember Derasary seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Community Contributions—Approved

Motion and Vote: Councilmember Duncan moved to approve the Community Contributions ad hoc committee’s recommendations for 2018 grants. Councilmember Guzman-Newton seconded the motion. The following funding was approved: Moab Valley Multicultural Center (\$5,000), Humane Society of Moab Valley (\$5,000), KZMU Moab Community Radio (\$5,000), Moab Free Health Clinic (\$7,500), Youth Garden Project (\$3,000), Grand County Schools BEACON Afterschool (\$3,000), Seekhaven Inc. (\$10,000), Grand County Schools Grand Area Mentoring (\$3,000), WabiSabi Inc. (\$5,000), Canyonlands Arts Council doing business as Moab Pride (\$3,000) and Moab Solutions Inc. (\$2,000). The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Approval of Bills: Councilmember Guzman-Newton moved to approve payment of bills against the City of Moab in the amount of \$180,451.90. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

Executive Closed Session:

Motion and Vote: Councilmember Jones moved to enter an Executive Session to Discuss the Character, Professional Competence, or Physical or Mental Health of an Individual. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye. Mayor Niehaus opened the executive session at 10:30 PM. Councilmember Knuteson-Boyd moved to close the Executive Session. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye. Mayor Niehaus closed the Executive Session at 11:07 PM.

Adjournment: Councilmember Knuteson-Body moved to adjourn the meeting. Councilmember Jones seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye. Mayor Niehaus adjourned the meeting at 11:07 PM.

APPROVED: _____
Emily S. Niehaus, Mayor

ATTEST: _____
Rachel E. Stenta, City Recorder