

**MOAB CITY COUNCIL
REGULAR MEETING
February 23, 2010**

The Moab City Council held its Regular Meeting on the above date in the Council Chambers of Moab City Offices, located at 217 East Center Street, Moab, Utah. Mayor David L. Sakrison called the Pre-Council Workshop to order at 6:30 PM. In attendance were Councilmembers Gregg Stucki, Kyle Bailey, Sarah Bauman and Jeffrey Davis; City Manager Donna Metzler, City Recorder/Assistant City Manager Rachel Ellison, City Engineer Dan Stenta, City Treasurer Jennie Ross, Planning Director Jeff Reinhart and Police Chief Mike Navarre.

REGULAR MEETING &
ATTENDANCE

Mayor Sakrison called the Regular City Council Meeting to order at 7:00 PM and Citizen B.D. Howard led in the Pledge of Allegiance. Twenty-four (24) members of the audience and media were present.

There were no minutes to approve.

APPROVAL OF MINUTES

Under Citizens to be Heard, Page Holland spoke regarding Approval of Proposed Resolution #06-2010 – A Resolution Declaring Default with Respect to the Haciendas Subdivision. Ms. Holland read a letter delivered that day from her attorney to City Manager Donna Metzler. Ms. Holland stated that she felt that city staff had not been enforcing city code on certificate of occupancy issues and that city laws should not be bent because staff felt sorry for the developer. Ms. Holland stated that she was very concerned, after speaking to staff, that some improvements outlined in the agreement would be completed and funds would be refunded to the developer. Ms. Holland stated that after her attorney had spoken to City Attorney Chris McAnany, it was her attorney's impression that the matter before the City Council was not vacation of the subdivision plat, but that the proposed resolution contemplates that. Ms. Holland brought to the Council's attention that some of the lots had been conveyed from the developer in October 2009 by quit claim deed. Ms. Holland stated that she felt it was too soon to vacate the plat and that she had been opposed to the original subdivision approval. Ms. Holland stated that her understanding was that a requirement of the annexation was screening on the northern boundary. Ms. Holland stated that she would like to see that continue as mandated in the agreement.

CITIZENS TO BE HEARD

A Community Development Department Update was not given.

COMMUNITY DEVELOPMENT
UPDATE

Under Engineering Department Update, City Engineer Stenta stated the 500 West Road Construction Project bids had closed that day and five bids were received. City Engineer Stenta stated that the bids would fit within budget but without street lights.

ENGINEERING UPDATE

Mayor Sakrison inquired what the time frame would be and how it would impact the hospital construction project.

City Engineer Stenta stated that construction should begin around April 1, 2010 and that the hospital contractor would be working with the 500 West construction contractors to mitigate any potential issues.

Planning Department Update was not given.

PLANNING UPDATE

A Police Department Update was not given.

POLICE UPDATE

A Public Works Department Update was not given.

PUBLIC WORKS UPDATE

Mayor Sakrison presented Clare McGraw with the Mayor's Student Citizenship of the Month Award for February 2010 for Helen M. Knight Intermediate School.

MAYOR'S PRESENTATION OF STUDENT OF THE MONTH FOR HMK INTERMEDIATE SCHOOL

Councilmember Davis moved to approve the Consent Agenda as follows:

CONSENT AGENDA, APPROVED

1) Approval of a Moved-on Structure for Temporary Seasonal Sales by a Permanent Business for Lost River Located at 90 North Main Street to Conduct Seasonal Sales at 90 North Main Street from March 15 to October 15, 2010; 2) Approval of a Moved-on Structure for Temporary Seasonal Sales by a Permanent Business for City Market to Conduct Seasonal Sales at 425 South Main Street from March 5 to June 25, 2010; 3) Approval of a Peddler License for Chad Niehaus and Colin Topper, d.b.a. Moab Pedicab Company to Conduct a Pedicab Service; 4) Approval of a Special Event Business License for Tap Enterprises Inc., to Conduct a Tool Sale Located at 711 South Main Street on March 14 and 15, 2010; 5) Approval of a Special Business Event License for Mark Griffin and Beth Logan to Conduct the Skinny Tire Festival Road Cycling Event Located at 1551 North Highway 191 from March 12 to 16, 2010; 6) Award and Approval of the Photographic Concessionaire Contract to Perpetual Images; 7) Award and Approval of the Ballpark Concessionaire Contract to Sharee Carlson, d.b.a. Granny's Snack Shack.

Councilmember Bauman seconded the motion. The motion carried 4-0 aye.

Councilmember Stucki moved to approve a Proposed Conditional Use Permit for Ben Byrd for Thirty-one Twin Homes in the Preserve Subdivision with conditions outlined by the Moab City Planning Commission in Resolution #14-2009. Councilmember Davis seconded the motion. The motion carried 3-0 aye with Councilmember Bailey abstaining.

CONDITIONAL USE PERMIT FOR BEN BYRD FOR THIRTY-ONE TWIN HOMES IN THE PRESERVE SUBDIVISION, APPROVED

Councilmember Bailey moved to approve Proposed Ordinance #2010-01 – An Ordinance Amending the City of Moab Land Use Code Chapter 17.55, Hillside Developments as Applied in All Zones as amended. Councilmember Stucki seconded the motion. The motion carried 4-0 aye.

PROPOSED ORDINANCE #2010-01, APPROVED

Councilmember Bauman moved to approve Proposed Ordinance #2010-02 – An Ordinance Amending Title 10, Vehicles and Traffic, Specifically Chapter 10.04, Vehicle Code, and More Specifically, Chapter 10.04.230, Unlawful Parking-Vehicles Left Standing for More than Forty-eight Hours and Overnight Camping in Vehicles as amended. Councilmember Davis seconded the motion. The motion carried 4-0 aye.

PROPOSED ORDINANCE #2010-02, APPROVED

Councilmember Stucki moved to approve Proposed Resolution #06-2010 – A Resolution Declaring Default with Respect to the Haciendas Subdivision. Councilmember Davis seconded the motion. The motion carried 4-0 aye.

PROPOSED RESOLUTION #06-2010, APPROVED

Councilmember Bauman moved to approve Proposed Resolution #07-2010 – A Resolution Declaring Default with Respect to the Portal Vista Subdivision Planned Unit Development. Councilmember Stucki

PROPOSED RESOLUTION #07-2010, APPROVED

seconded the motion. The motion carried 4-0 aye.

Councilmember Stucki moved to approve Change Order #2 to the Grand County Recreation and Aquatic Center Contract with Hogan & Associates Construction, Incorporated. Councilmember Bailey seconded the motion. The motion carried 4-0 aye by a roll-call-vote.

CHANGE ORDER #2 TO THE GRAND COUNTY RECREATION AND AQUATIC CENTER CONTRACT WITH HOGAN CONSTRUCTION, APPROVED

Councilmember Bailey moved to approve a Purchasing Exception and a Purchasing Agreement with Fast Corporation for the Material Purchase of a Fiberglass Water Slide in the Amount of \$32,098.40. Councilmember Stucki seconded the motion. The motion carried 4-0 aye by a roll-call-vote.

PURCHASING EXCEPTION AND AGREEMENT WITH FAST CORPORATION TO PURCHASE A FIBERGLASS WATER SLIDE, APPROVED

Councilmember Davis moved to appoint Kirstin Peterson to the Moab City Council to Fill a Mid-term Vacancy for a Term Ending December 31, 2011. Councilmember Bailey seconded the motion. The motion carried 4-0 aye.

KIRSTIN PETERSON APPOINTED TO FILL A MID-TERM CITY COUNCIL VACANCY FOR A TERM ENDING DECEMBER 31, 2011, APPROVED

Councilmember Bailey moved to approve Proposed Resolution #05-2010 – A Resolution Amending the Fiscal Year 2009-2010 Budget. Councilmember Davis seconded the motion. The motion carried 4-0 aye by a roll-call-vote.

PROPOSED RESOLUTION #05-2010, APPROVED

Councilmember Davis moved to approve Proposed Resolution #08-2010 – A Resolution of the Governing Body of the City of Moab, Utah, Authorizing the Execution and Delivery of a Lease-Purchase Agreement and Related Documents. Councilmember Stucki seconded the motion. The motion carried 4-0 aye by a roll-call-vote.

PROPOSED RESOLUTION #08-2010, APPROVED

Under Reading of Correspondence, Mayor Sakrison stated that the 2010 Census was coming up and was critical to our community and urged all citizens to participate in the 2010 Census. Mayor Sakrison distributed a list of all bills being considered by the State of Utah Legislature this session.

READING OF CORRESPONDENCE

Under Administrative Report, City Manager Metzler stated that Departments were working on budget preparation and that departmental meetings would begin on March 8 and that a balanced budget would be presented to the City Council on April 1. City Manager Metzler stated that City staff had been working with the Humane Society and Grand County to coordinate animal intake at the Animal Shelter as well as preparing a press release on the City's visioning process. City Manager Metzler stated that she had been working on a contract for the Lions park design.

ADMINISTRATIVE REPORTS

Under Report on City/County Cooperation Councilmember Stucki inquired when the next joint City/County meeting would be.

REPORT ON CITY/COUNTY COOPERATION

Mayor Sakrison said he would follow up with the Grand County Council Chair.

Under Mayor and Council Reports, Councilmember Bauman stated that she would attend a Housing Authority Meeting on February 24, 2010.

MAYOR AND COUNCIL REPORTS

Mayor Sakrison stated that he had attended an Association of Local Governments meeting in Price, Utah.

Councilmember Stucki moved to pay the bills against the City of Moab

APPROVAL OF BILLS

in the amount of \$388,837.33. Councilmember Bailey seconded the motion. The motion carried 4-0 aye by a roll-call-vote.

Mayor Sakrison adjourned the meeting at 8:20 PM.

ADJOURNMENT

APPROVED: _____ ATTEST: _____
David L. Sakrison Rachel Ellison
Mayor City Recorder/Asst. City Mgr.