

**MOAB CITY COUNCIL MINUTES  
REGULAR CITY COUNCIL MEETING  
JUNE 25, 2019**

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.

***Pre-Council Workshop:***

At 12:20 PM, Mayor Emily Niehaus called a workshop meeting to order to receive a briefing and to discuss and approve Change Orders for the 100 West Infrastructure Improvements Project. In attendance were Councilmembers Karen Guzman-Newton, Rani Derasary, Tawny Knuteson-Boyd, Kalen Jones and Mike Duncan. Also in attendance were City Manager Joel Linares, Engineer Chuck Williams, Public Works Director Oscar Antillon, Water Superintendent Levi Jones, Sewer Superintendent Obe Tejada, Engineering Construction Inspector Beachem Bosh and Recorder Sommar Johnson. One member of the media was present. A video recording of the workshop is archived at: [https://www.youtube.com/watch?v=t\\_QCoaSQDJO](https://www.youtube.com/watch?v=t_QCoaSQDJO). An audio recording is archived at: <https://www.utah.gov/pmn/index.html>. City Engineer Williams presented an overview of the project.

***Change Orders—Approved***

***Motion and Vote:*** Councilmember Derasary moved to approve change orders for the 100 West Infrastructure Improvements Project for Nelco Contractors Inc. in the amount of \$191,533.30 and for Bowen Collins and Associates in the amount of \$17,908. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

***Motion to Recess and Vote:*** Councilmember Jones moved to recess the meeting. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0. Mayor Niehaus recessed the meeting at 1:12 PM.

***Executive (Closed) Session:*** Mayor Niehaus reconvened the meeting at 6:02 PM. Councilmember Derasary moved to enter an Executive Session to discuss the Purchase, Exchange, or Lease of Real Property, to discuss Reasonably Imminent and/or Pending Litigation and to discuss the Character, Professional Competence, or Physical or Mental Health of an Individual or Individuals. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye. Councilmember Guzman-Newton moved to end 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 ended the Executive Session at 7:03 PM.

***Regular Meeting—Call to Order and Attendance:*** Mayor Niehaus called the regular meeting to order at 7:07 PM and led the Pledge of Allegiance. Additional staff in attendance included City Planner Nora Shepard, City Attorney Chris McAnany, Communication and Outreach Director Lisa Church and Records Specialist Eve Tallman. Eleven members of the public and media were present. A video recording of the meeting is archived at: <https://www.youtube.com/watch?v=9Jyak0JuMK4>. An audio recording is archived at: <https://www.utah.gov/pmn/index.html>.

***Approval of Minutes*** Councilmember Derasary moved to approve minutes of the May 28 and June 11, 2019 meetings with corrections. Councilmember Guzman-Newton seconded the motion. Councilmember Duncan requested clarification regarding technical difficulties pertaining to his electronic participation. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

**Mayor and Council Reports:**

**(:03 on audio recording)**

Mayor Niehaus reported on several recent and upcoming meetings, including the July 4 celebration and imminent mosquito abatement activity.

Councilmember Derasary thanked first responders for fire response at Arbor Drive and Grand Oasis. She noted a recent Colorado River Powell Expedition anniversary event she attended.

Councilmember Duncan reported he attended a Chamber of Commerce meeting and noted the “Do it like a local” campaign. He added he was working on an interpretive memo to Council regarding the recent report on the water budget and stated he attended a meeting of the Grand Water and Sewer Services Agency. He concluded with a mention of the Vulnerability, Consequences, and Adaptation Planning Scenarios (VCAPS) process which the City is helping to fund.

Councilmember Knuteson-Boyd mentioned a fire mitigation meeting she attended and noted free-of-charge dates at the landfill and transfer station for yard waste disposal. She also reported on Team Rubicon’s creek-bottom cleanups, a meeting of the Museum Board, a barbecue regarding protection of Bears Ears and a meeting of the Housing Authority at which the Moab Area Project for Seniors (MAPS) groundbreaking was announced for August 1.

Councilmember Guzman-Newton reported on progress of the Complete Count census committee and recapped her testimony on Capitol Hill regarding unintended consequences of tourism. She brought up the July 20 legislative tax task force meeting in Moab. She also reported that the Arts Council will take over management of art installations at the airport and City Center and noted the Moab Arts and Recreation Center staff had secured a grant. She outlined the program of events for the July 4 celebration and concluded with a note that she was becoming a certified mountain bike instructor so that she could help coach the school teams.

Councilmember Jones reported on improvements at the Solid Waste Special Service District including road improvements at Klondike Landfill, a new booth and a baler. He noted he had been working with the auditors on the Solid Waste financials.

**Administrative Report:** City Manager Linares reported on the interim legislative session, which he attended with the Mayor and Councilmember Guzman-Newton. He mentioned the July 20 tax task force meeting would be at noon. He updated Council on progress with speed limit signs and crosswalks and thanked Councilmember Derasary for her effort. Linares reported on a water pump failure during two recent fire events and introduced the new Public Works Director Oscar Antillon. He concluded with an announcement that department heads would give updates at future meetings.

**Citizens To Be Heard:** There were no citizens to be heard.

**Presentation: Trust Accountability Program (TAP)**

Doug Folsom, Loss Prevention Officer of the Utah Local Governments Trust, made a presentation of the Trust Accountability Program (TAP) Award and noted Moab was one of only twenty local governments to receive the award for risk management. City Manager Linares thanked Carmella Galley and Marcy Mason for their work to coordinate the City’s program.

**Public Hearing on Amending the Budget:**

**(:41 on audio recording)**

Mayor Niehaus opened a public hearing regarding Proposed **Resolution #34-2019** Amending the Fiscal Year 2018-2019 Budget at 7:48 PM. There were no comments. Councilmember Derasary moved to close the public hearing. 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 closed the public hearing at 7:48 PM.

**Old Business:**

**Amendment of the 2018-2019 Annual Budget—Approved**

**Motion and Vote:** Councilmember Jones moved to approve Proposed **Resolution #34-2019** Amending the Fiscal Year 2018-2019 Annual Budget. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

**Pay Plan Schedule—Approved**

**Discussion:** Council expressed support for a two percent Cost of Living Adjustment (COLA) for staff and an increase for the Planning Commission stipend to \$75.00 per meeting. Extensive discussion ensued regarding executive pay. Councilmember Jones explained he would propose an amendment that pay for Mayor and Council would be reduced by \$2,000.00 per person for the second half of the fiscal year.

**Motions and Vote:** Councilmember Duncan moved to approve Proposed **Ordinance 2019-12** - Adopting the City of Moab Pay Plan Schedule and Adopting the Exempt and Elected Officials Salaries for Fiscal Year 2019-2020 with an amendment that executive salaries for the second half of the fiscal year not include a COLA. Councilmember Guzman-Newton seconded the motion. The motion failed 2-3 aye with Councilmembers Guzman-Newton and Duncan voting aye and Councilmembers Jones, Derasary and Knuteson-Boyd voting nay.

Councilmember Jones moved to approve Proposed **Ordinance 2019-12** - Adopting the City of Moab Pay Plan Schedule and Adopting the Exempt and Elected Officials Salaries for Fiscal Year 2019-2020 with an amendment modifying Attachment B Section 2, Elected Officials Compensation January 1 to June 30, 2020 prorated six months as Mayor (\$18,705), Councilmembers (\$15,407). Councilmember Derasary seconded the motion. Councilmember Jones explained the stated amounts reflect an annualized \$4,000.00 reduction from the proposed funding level. Councilmember Guzman-Newton pointed out this reduction would result in the Mayor and Council being compensated at a lower level than 2015. The motion passed 4-1 aye with Councilmembers Jones, Derasary, Guzman-Newton and Duncan voting aye and Councilmember Knuteson-Boyd voting nay.

**Land Use and Overnight Accommodations—Update (1:02 on audio recording)**

Planner Shepard provided information regarding the pending moratorium on overnight accommodations. Discussion centered around the C-2 commercial zone, infill areas and a move away from regulating legal overnight accommodations with business licensure. Council presented Shepard with direction for Planning Commission topics to consider.

**New Business:**

**Fireworks Ban—Approved**

**Discussion:** City Manager Linares explained the new ordinance would allow legal fireworks in Swanny Park and at the City ballfields. Councilmember Derasary questioned the change and Councilmember Guzman-Newton expressed discomfort with fireworks at Swanny Park. After further discussion, Councilmember Derasary stated her desire to keep the ballfields closed to fireworks due to impacts on the neighborhood.

**Motion and Vote:** Councilmember Duncan moved to approve **Ordinance 2019-20** - An ordinance imposing a temporary ban on the discharge of fireworks within certain areas of the City of Moab. Councilmember Jones seconded the motion. Councilmember Guzman-Newton proposed a substitute motion that removed Swanny Park from the allowed areas for fireworks. Councilmember Jones seconded the motion. The motion passed 4-1 aye with Councilmembers Jones, Knuteson-Boyd, Guzman-Newton and Duncan voting aye and Councilmember Derasary voting nay.

***Bills Against the City of Moab—Approved***

***Motion and Vote:*** Councilmember Jones moved to approve bills for \$1,277,506.58. Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

***Adjournment:*** Councilmember Derasary moved to adjourn the meeting. Councilmember Duncan seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Duncan, Knuteson-Boyd and Guzman-Newton voting aye. Mayor Niehaus adjourned the meeting at 9:18 PM.

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

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