

**MOAB CITY COUNCIL MINUTES  
REGULAR CITY COUNCIL MEETING  
JULY 9, 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 12:06 PM, Mayor Emily Niehaus called a workshop meeting to order for a briefing on the Sustainability Action Plan presented by Sustainability Director Rosemarie Russo. In attendance were Councilmembers Karen Guzman-Newton, Rani Derasary, Kalen Jones and Mike Duncan. Also in attendance were City Manager Joel Linares, Planner Nora Shepard, Administrative Executive Assistant Carmella Galley, Records Specialist Eve Tallman, Communication and Outreach Director Lisa Church and Recorder Sommar Johnson. Five members of the public were present. An audio recording is archived at: [www.utah.gov/pmnl/index.html](http://www.utah.gov/pmnl/index.html). A video recording of the workshop is archived at: [www.youtube.com/watch?v=ter4zvJXS5U](http://www.youtube.com/watch?v=ter4zvJXS5U).

Dr. Russo reviewed methodologies for collecting data and presented adjusted and new goals including an accelerated timeline from 2032 to 2030. Discussion ensued regarding the prioritization of transportation goals. She mentioned water consumption reductions, along with other positive points of the City's sustainability status. Housing burden (percentage of income used for housing expenses) was noted as a negative along with the relative energy inefficiency of Moab's current housing stock. Councilmember Duncan asked about water consumption by hotel guests and discussion followed regarding energy efficiency measures for visitors. Russo announced a grant that was secured locally to finance an energy-efficient hotel. She also touched on the ongoing Vulnerability, Consequences, and Adaptation Planning Scenarios (VCAPS) assessment in addition to grant-funded projects at the Old City Park. Mayor Niehaus brought up projects discussed with Deb Dull of Rocky Mountain Power. Russo concluded with proposed amendments to the Municipal Code, including bicycle infrastructure, building standards, mandates for electric vehicles in the City fleet and safeguards for drinking water protection zones. An update to the Transportation Plan was suggested. Councilmember Derasary asked about including the County in projects. Councilmember Jones asked about moving forward with commenting on the draft. Funding for sustainability projects was discussed.

***Motion to Recess and Vote:*** Councilmember Duncan moved to recess the meeting. Councilmember Karen Guzman-Newton seconded the motion. The motion passed 3-1 with Councilmembers Duncan, Guzman-Newton and Derasary voting aye and Councilmember Jones voting nay. Mayor Niehaus recessed the meeting at 1:32 PM.

***Executive (Closed) Session:*** Mayor Niehaus reconvened the meeting at 6:34 PM. Councilmember Duncan moved to enter an Executive Session to discuss the Purchase, Exchange, or Lease of Real Property. Councilmember Jones seconded the motion. The motion passed 3-0 aye with Councilmembers Jones, Derasary and Duncan voting aye. Councilmember Derasary moved to end the Executive Session. Councilmember Duncan seconded the motion. The motion passed 3-0 aye with Councilmembers Jones, Derasary and Duncan voting aye. Mayor Niehaus ended the Executive Session at 7:02 PM.

***Regular Meeting—Call to Order and Attendance:*** Mayor Niehaus called the regular meeting to order at 7:06 PM and led the Pledge of Allegiance. Additional staff in attendance included City Attorney Chris McAnany, Finance Director Rachel Stenta, Police Chief Bret Edge, Treasurer Chantel Lindsay, City Engineer Chuck Williams, Facilities Superintendent Chace Gholson and several members of the law enforcement staff. Twenty-nine members of the public and media were present. An audio recording is archived at: [www.utah.gov/pmnl/index.html](http://www.utah.gov/pmnl/index.html). A video recording of the meeting is archived at: [www.youtube.com/watch?v=8MTkSwWcWQk](http://www.youtube.com/watch?v=8MTkSwWcWQk).

**Approval of Minutes:** Councilmember Derasary moved to approve minutes of the June 25, 2019 meeting with corrections. Councilmember Karen Guzman-Newton seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

**Presentation:** Mike Thurston was sworn in as Assistant Chief of Police by Recorder Johnson. Police Chief Edge commented on his qualifications.

**Mayor and Council Reports:** **(:05 on audio recording)**

Mayor Niehaus reported she attended a meeting of the state Water Quality Board and she also thanked staff for help with the July Fourth celebration. She stated she had met with local church representatives about sewer rates for churches and nonprofits. She also reported she met with the new coordinator of Four Corners Behavior Health and Niehaus mentioned an update she had received regarding the uranium tailings pile. She noted she will be absent at the next Council meeting and requested a Council member to draft a letter of support for the Dark Sky ordinance for Council review. Councilmember Jones volunteered to draft such a letter.

Councilmember Derasary noted progress with the City's crosswalk striping. She mentioned a brush-clearing project for properties behind the hospital. She reported on the Uranium Mill Tailings Remedial Action (UMTRA) Project, noting the project has surpassed the 60 percent completion mark. She mentioned a Travel Council effort to mitigate human waste in popular outdoor areas, and remarked the Tamarisk Coalition had changed its name to RiversEdge West and also noted a new Moab Outdoor Adventure Guide from the Moab Information Center (MIC). She concluded with a mention of two helpful informational sheets available through the Southeast Utah Riparian Partnership for people planning Russian Olive removal.

Councilmember Duncan praised the success of the July Fourth celebration and mentioned he had been attending water-related meetings. He noted advantageous flows into Kens Lake and mentioned the upcoming Vulnerability, Consequences, and Adaptation Planning Scenarios (VCAPS) workshop.

Councilmember Guzman-Newton touched on the July Fourth celebration and noted the Chamber hosted 23 booths for local businesses and organizations and eight new businesses joined the Chamber. She reported on a visit by Justin Lee of the Governor's office to gather information about federal impacts on local businesses. Guzman-Newton mentioned she attended an airport board meeting and July Fourth planning meetings.

Councilmember Jones reported on a regional mobility planning meeting with the Utah Department of Transportation (UDOT) and Grand County. He noted his work as the Councilmember responsible for reviewing the bills against the City was redundant due to excellent staff oversight and stated he had never found any errors. He added he would be willing to continue to do spot checks. Councilmember Knuteson-Boyd offered to take over as the Councilmember responsible for reviewing the bills. Jones concluded with a mention of a fire on his property that received a robust response from emergency crews.

**Administrative Report:** City Manager Linares thanked the staff for assistance with the July Fourth celebration and mentioned heavy law enforcement activity at the ballparks due to illegal fireworks. He remarked on a piano installed for the public at the Moab Information Center (MIC) and explained the City's burn ban. Linares mentioned progress regarding hiring an architect for the Walnut Lane development, construction of a new fence at Rotary Park, a planned Council workshop regarding public works infrastructure and upcoming studies regarding speed limits and crosswalks.

***Change of September 10 Regular Meeting Date—Approved***

***Motion and Vote:*** Councilmember Guzman-Newton moved to change the regularly-scheduled meeting of September 10 to September 9. Councilmember Derasary seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

***Administrative Report—Continued***

Facilities Superintendent Chace Gholson spoke as a member of the Mosquito Abatement District Board of Trustees. He updated Council on the district's mosquito fogging activities. City Engineer Williams explained upcoming traffic revisions related to construction projects on Uranium Avenue and 100 East between the Middle School and City Market. He also shared upcoming changes to traffic signals and signage on Main Street. Police Chief Edge reported on a law enforcement escort through Moab for children of fallen officers. He discussed staffing levels in the department and noted nine fires were caused by fireworks. He mentioned leadership training for senior officers and invited Council to participate in ride-alongs. Finance Director Stenta reported that a debt management policy would be proposed soon, a Memorandum of Understanding regarding funding for the Moab ArtTrails was being drafted along with a Master Fee Schedule and she updated Council on sales and property tax revenue topics with the State.

***Citizens To Be Heard:***

Krehl Stegelmeier stated he is building a nightly rental unit on property adjacent to the Entrada subdivision. He recounted several communications with staff to ensure he would be exempt from the moratorium and yet was refused a building permit when he attempted to submit an application. He requested his property to be grandfathered in as an allowed overnight accommodation.

Sara Melnicoff spoke about recycling bins at the ballfields and the ineffective management by City staff of the trash and recycling bins. She volunteered to sort the recyclables. She also brought up Option 1 of the solid waste code amendments and noted the specter of a monopoly on recycling services and also mentioned the definition of trash therein.

Ruth Dillon expressed gratitude for work on the C-2 zone in the overnight accommodation code revision. She noted the work on established overnight accommodations, specifically in the Cottonwoods subdivision as existing and established uses.

Bob Wood stated he owned a condominium in the Entrada subdivision and is president of the homeowners' association there. He stated he respects the process and expressed gratitude regarding established overnight accommodations as existing uses. He concluded with a mention that Entrada is an economic engine for City revenues.

***Old Business:***

***(1:37 on audio recording)***

***Removing Overnight Accommodations as a Permitted Use—Tabled***

***Discussion:*** City Planner Shepard presented an update regarding Proposed **Ordinance 2019-18**, an Ordinance Amending The City of Moab Municipal Code Removing Overnight Accommodations as a Permitted Use and Allowing Established Overnight Accommodations to Remain Legal Uses in the C-1, C-2, C-3, C-4, RC, and Sensitive Area Resort (SAR) Zones; and Amending Sections 17.06 Definitions, 17.20, 17.21, 17.24, 17.27, 17.31, and 17.32. She reported the Planning Commission gave a positive recommendation of the draft ordinance. City Attorney McAnany stated he will review and edit the draft without making substantive changes to the intent. He mentioned the ordinance would be a text amendment to the Code. Shepard noted she had forwarded all citizen comments that were sent to the Planning Commission on to the Council. Mayor Niehaus thanks the Planning Commission for their work.

**Motion and Vote:** Councilmember Knuteson-Boyd moved to table for two weeks **Ordinance 2019-18**, an Ordinance Amending the City of Moab Municipal Code Removing Overnight Accommodations as a Permitted Use pending attorney and Council review. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

**New Business:**

**(1:49 on audio recording)**

**Integrated Software Services Proposal—Approved**

**Discussion:** Councilmember Guzman-Newton asked about the overall cost of adopting the new software and ongoing costs. Finance Director Stenta explained the costs, noting the overall maintenance cost would increase approximately \$5,088 per year.

**Motion and Vote:** Councilmember Jones moved to award a Financial Software Services Proposal to Caselle for a proposal price of \$47,288 and a monthly maintenance and hosting fee of \$3,674 after implementation. Councilmember Duncan seconded the motion. The motion carried 5-0 aye, with Councilmembers Derasary, Jones, Knuteson-Boyd, Duncan and Guzman-Newton voting aye.

**Mill Creek Drive Water Improvements Project—Approved**

**Discussion:** Councilmember Knuteson-Boyd asked if the project would overlap seamlessly with the planned Arbor Drive/Hecla project. City Engineer Williams stated the Mill Creek project would be a year out.

**Motion and Vote:** Councilmember Jones moved to approve a Consultant Services Task Order for the Mill Creek Drive Water Improvements Project in the amount of \$139,500.

Councilmember Knuteson-Boyd seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

**Idling Ordinance—Tabled**

**Discussion:** Mayor Niehaus explained the City had received a lot of community feedback requesting a stronger idling ordinance. She said the Council was presented with a draft amendment to the Code and a more recent version had been sent earlier in the day. Niehaus requested feedback from the Council regarding a twenty minute limit or a two minute limit with exceptions. Sustainability Director Russo explained a common idling standard was thirty seconds. Councilmember Duncan expressed his opinion that the proposed amendments seemed austere and he mentioned drive-through restaurants. City Manager Linares explained signage could be posted at both ends of town explaining that Moab is “idle free.” Councilmember Derasary stated her support of a two-minute standard and Councilmember Guzman-Newton concurred. Councilmember Knuteson-Boyd stated she likes the exceptions as presented. Russo brought up windshield covers that reduce the need for scraping ice and also keeping cars cooler in summer. She shared the “Idling Gets You Nowhere” slogan. Councilmember Duncan said he could settle for a ten-minute rule and suggested it would be hard to enforce. Councilmember Derasary pointed out that science backs up the desire for a shorter idling limit.

**Motion and Vote:** Councilmember Jones moved to table for two weeks an Update to Moab Municipal Code, Section 10.04.230, 8.B. and 8.C. (Idling). Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

**Solid Waste Updates—Tabled**

**Discussion:** Sustainability Director Russo explained the various options the City Council had considered in the past months regarding the waste hauling franchise agreement. The choices were described as Option 1, which reflects the Code revisions previously approved. Additionally, the definitions for waste would change to reclassify the terms food scraps, cardboard, yard waste, glass, plastic, paper and wood from solid waste into new categories of recyclable and compostable material. Russo explained Option 2 required recycling for commercial accounts; Option 3 proposed construction debris recycling for projects above 5,000 square feet, and

Option 4, which proposed mandatory cardboard recycling for residential, commercial or all accounts. Discussion ensued regarding trash categories, recycling construction materials, and input from the manager of the County solid waste district. Russo stated she did not recommend mandatory recycling for commercial accounts and mentioned most businesses were enthusiastic already. She also mentioned that Moab Springs Ranch was a demonstration “recycling hotel” working with best management practices. City Attorney McAnany brought up the need for an intergovernmental agreement between the City and the Solid Waste district. Councilmember Jones asked about the franchise agreement and the intention for sole access to the recycling market. City Manager Linares explained no for-profit recyclers could compete under the agreement. Councilmember Guzman-Newton asked if source-separated vendors would be precluded from future bids for service.

**Motion and Vote:** Councilmember Jones moved to table for two weeks consideration of Chapter 8.04- Solid Waste code revisions. Councilmember Guzman-Newton seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

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

**Motion and Vote:** Councilmember Jones moved to approve bills for \$306,381.77. Councilmember Derasary seconded the motion. The motion passed 5-0 aye with Councilmembers Jones, Derasary, Knuteson-Boyd, Guzman-Newton and Duncan voting aye.

**Adjournment:** Councilmember Guzman-Newton moved to adjourn the meeting. Councilmember Jones 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 9:37 PM.

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

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