

**MOAB CITY COUNCIL
REGULAR MEETING
September 27, 2016**

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.

REGULAR MEETING &
ATTENDANCE

Mayor David Sakrison called the Pre-Council Workshop to order at 6:58 PM. In attendance were Councilmembers Heila Ershadi, Tawny Knuteson-Boyd, Kyle Bailey and Kalen Jones. Also in attendance were City Recorder/Assistant City Manager Rachel Stenta, City Treasurer Jennie Ross, Planning Director Jeff Reinhart, Community Services Director Amy Weiser, City Police Lieutenant Steve Ross, City Parks, Recreation and Trails Director Tif Miller, Public Works Administrative Assistant LeighAnne Reinhart, City Attorney Chris McAnany and City Engineer Phillip Bowman.

PRE COUNCIL WORKSHOP

In Pre Council Workshop a discussion was held regarding Sewer Agreement with Spanish Valley Water and Sewer Improvement District.

Councilmember Bailey mentioned that the agreement is complete just waiting for Final Approval with the District and ERUs are still being reviewed.

Councilmember Ershadi requested clarification on if the City will require more restrictions on Pre-Treatment than the Department of Water Quality requires.

Mayor Sakrison reported that the Department of Water Quality's approval is next.

Councilmember Jones inquired about the requirements for grease-traps within the City.

Engineer Bowman explained that the grease-traps with in the City are used more for the Sanitary Sewer than for Waste Water Treatment.

Engineer Bowman also explained that pre-treatment is still being discussed and worked out.

September 27, 2016

During Pre-Council Workshop Departmental Updates were given.

Under Community Services Update, Community Services Director Weiser reported that the Planning and Zoning Office will be closed on Wednesday, Thursday and Friday, October 5 through 7, 2016, from 3:00 PM to 5:00 PM due to staff attending conferences and previous obligations. Community Services Director Weiser informed the Council that they will soon be seeing the Planned Affordable Development Ordinance (PAD) again. City Attorney McAnany will be coming back to the City within a month with an update. Community Services Director Weiser mentioned scheduling another Joint Planning Commission/City Council Meeting sometime in November. Community Services Director Weiser mentioned the department will be working on revamping the Subdivision and Site Plan submittals.

Under Engineering Department Update, City Engineer Bowman updated the Council on filling vacancies in his department as well as working on the Sewer Agreement, Safe Routes to School Grant and Salary Survey.

Under Public Safety Report Police Lieutenant Ross reported that the Police Department is gearing up for the Pride Parade. The Police Department will be promoting public relations with a Coffee with a Cop program. Lieutenant Ross mentioned that Sergeant Edge will be the new Facebook Administrator for the Police Department's Facebook page. Lieutenant Ross also mentioned that there are four permanent vacancies in the Police Department however there is one officer at POST in final testing.

Mayor Sakrison called the Regular City Council Meeting to order at 7:00 PM and led the pledge of allegiance. Twenty-two (22) members of the audience and media were present.

REGULAR MEETING CALLED TO ORDER

Councilmember Jones moved to approve the minutes of August 9, 2016 minutes. Councilmember Bailey seconded the motion. The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

APPROVAL OF MINUTES

There were no Citizens to be Heard.

CITIZENS TO BE HEARD

Mayor Sakrison presented Willow Nichols with the Mayor's Student Citizenship of the Month Award for September 2016 for Helen M. Knight

PRESENTATION OF STUDENT OF THE MONTH

September 27, 2016

School.

DEPARTMENTAL UPDATES

Continuing in Departmental updates Under Public Works Department, Administrative Assistant Reinhart reported the Streets Department has been trimming trees along bus routes at the request of the School District; marking sidewalk trip hazards that may be a liability; maintaining weed control in City Rights-of-Way; roadway and pothole patching; street sweeping and working with Special Events including the traffic control set up and breakdown for the Homecoming Parade. Public Works Administrative Assistant Reinhart continued with the Facilities Department report including their weekly maintenance and cleaning and getting ready for winter; constructing a fenced area to house the four wheeler/snowplow and painting the stair rail at City Hall. Public Works Administrative Assistant Reinhart reported that the Parks Department continues to with the daily routine at the City Parks; weed control at the BMX Track, Ball field and other parks; removal of dangerous branches on the trails; fence repair on Millcreek Trail near Hecla Subdivision; stage repair at Old City Park. The Parks Department will be replacing the decking on a bridge at Rotary Park on October 18, 2016, the public will be notified.

The Sewer Department has been cleaning sewer lines in the downtown area according to Public Works Administrative Assistant Reinhart. Reported by Public Works Administrative Assistant Reinhart, the Water Department just completed lead and copper testing; replacing old waterlines and meters and has completed the yearly report to the State. Moab City's water system is in compliance with the State of Utah Division of Water Quality.

Mayor Sakrison congratulated the Public Works Department on all of their hard work.

Under Recreation and Trails Department, Recreation and Trails Director Miller reviewed the events on the current Info Ad and gave an update to the upcoming bridge work.

Under Recorder and Human Resources Report, City Recorder/Assistant City Manager Stenta reported on Human Resources with open positions and upcoming interviews scheduled as well as a Deputy Recorder retiring and being replaced internally. City Recorder/Assistant City Manager Stenta reported that the IT Committee had hoped to have a recommendation for Council on hiring a firm, however due to a lot of

September 27, 2016

shifting of priorities and unexpected demands, the committee was not able to finalize their recommendation. City Recorder/Assistant City Manager Stenta distributed a written update.

Under Treasurer Report City Treasurer Ross updated the Council with information concerning a new program that more accurately follows water usage as well as the monthly bills being readied to send to users.

Mayor Sakrison opened a Public Hearing at 7:17 PM on the following item:

PUBLIC HEARING OPENED

Solicitation of Public Input on an Application to the Permanent Community Impact Fund Board for the Utah State University Infrastructure Project.

Joe Kingsley commented that this is a turning point in our community and he really appreciates all the effort. Mr. Kingsley addressed some community concerns including housing shortages and mentioned that SITLA is a partner and aggressive in designing housing for on campus population.

Councilmember Jones commented that it appears the infrastructure will serve a block of commercial development.

Mr. Kinglsey explained that the project will be a phased in program.

Mayor Sakrison informed the Council that the total cost of construction would be \$2,316,245.00. Approximately \$1,000,000.00 will come from Moab City and Grand County with \$250,000.00 coming from SITLA. The CIB Application is a request for a 100% Grant. Mayor Sakrison also reported that the application has been vetted by the Association of Governments and will go to the Permanent Community Impact Board by October 3, 2016.

Mayor Sakrison mentioned that the infrastructure will be a critical part. Including water, sewer, and roads.

Mr. Kinglsey agreed that SITLA is ready to build and has 360 acres.

Stephanie Dahlstrom of Utah State university (USU) reported to City Council on progress so far including an item from the CIB Application:

September 27, 2016

WHY – Has the applicant investigated other sources of funding for this project and an explanation of why the applicant agency requires financial assistance from CIB. A great deal of time, energy, and money has gone into the design and development of this project. • The full site has been incorporated into the City of Moab; • USU Moab has acquired ownership of a 40-acre parcel (valued at \$990,000); • A master plan for the entire site has been developed (\$96,510, see Figure 1); • A conceptual design has been created for an initial USU building (\$27,838, see Figure 3); • An infrastructure engineering study has been completed by Kimley-Horn (\$59,640, Attachment #2); • Multi-year set aside funds have been created by Grand County and the City of Moab (currently totaling \$975,000); • Rights of Way have been granted by SITLA and the private property owner. At this point, funding through the CIB will provide a critical mechanism for closing the gap on remaining funding needed to initiate Phase I of this infrastructure development. As detailed in the Kimley-Horn engineering study (see Attachment #2), Phase II of this project will require an additional \$468,343. • A dialogue has been established with Patrick Waggoner and Trent Thompson with the Economic Development Administration (EDA) based in Denver and a pre-proposal for this project has been invited and will be submitted in the near future. • Stephanie Cecil with USDA Rural Development has provided guidance and contacts that will allow us to submit funding proposals to the USDA for additional project support.

Mayor Sakrison concluded with how much teamwork has gone into this project.

Mayor Sakrison closed the Public Hearing at 7:29 PM.

CLOSE PUBLIC HEARING

Councilmember Ershadi moved to approve a Special Business Event License for Plein Air from October 1 - 8, 2016 located at the Moab Arts and Recreation Center (MARC) at 111 East and 100 North.

APPROVAL OF SPECIAL BUSINESS EVENT LICENSE FOR PLEIN AIR

Councilmember Bailey seconded the motion. The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

Councilmember Jones moved to approve a Class II Beer License for Jason Dean Parkinson, d.b.a. Bangkok House Too located at 59 S Main St., Suite #8. Councilmember Knuteson-Boyd seconded the motion The

APPROVAL OF CLASS II BEER LICENSE

September 27, 2016

motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

Councilmember Jones moved to approve Granting of Local Consent for a Limited Service Restaurant Liquor License for Jason Dean Parkinson, d.b.a. Bangkok House Too located at 59 S. Main St., Suite #8. Councilmember Ershadi seconded the motion The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

GRANTING OF LOCAL
CONSENT

Councilmember Bailey moved to approve the Confirmation of Steve Ross as Acting Chief of Police. Councilmember Knuteson-Boyd seconded the motion. The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

APPOINTING OF ACTING
POLICE CHIEF

Councilmember Ershadi inquired of Mayor Sakrison as to his reason for appointing Lieutenant Ross. Mayor Sakrison explained that Lieutenant Ross is the most qualified and second in command in the Police Department.

Councilmember Ershadi moved to approve a Sanitary Sewer Agreement for Moonflower Market. Councilmember Jones seconded the motion. The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

APPROVAL OF SANITARY
SEWER AGREEMENT FOR
MOONFLOWER MARKET

Councilmember Knuteson-Boyd moved to approve Change Order #2 and #3 for the 2016 Sanitary Sewer Rehabilitation Project with Lance Excavating. Councilmember Jones seconded the motion. The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

APPROVAL OF CHANGE ORDER
#2 and #3 WITH LANCE
EXCAVATING, INC.

Councilmember Jones moved to approve Proposed Ordinance #2016-12 – An Ordinance Amending the City Municipal Code, Sections 12.20.005 and 12.20.030 and Adding Section 12.20.060 by Amending and Defining Restricted Park Uses. Councilmember Knuteson-Boyd seconded the motion.

SECOND READING AND
APPROVAL OF PROPOSED
ORDINANCE #2016-12

Councilmember Jones asked if the definition of Slacklines needed to be changed.

Councilmember Ershadi asked if slacklining will still be allowed in
September 27, 2016

designated areas.

Recreation, Trails and Parks Director Miller informed Council that slacklining will still be allowed in designated areas and if the Council wishes to change the wording he could do so.

The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

Councilmember Bailey moved to Approve Proposed Ordinance #2016-13 – An Ordinance Amending City Procurement Procedures, Enacting Certain Ethics Provisions, and Providing for Disclosure of Transactions in which City Employees or Officials may have a Personal Interest. Councilmember Knuteson-Boyd seconded the motion.

SECOND READING AND
MOTION TO APPROVE
PROPOSED ORDINANCE #
2016-13

City Attorney McAnany reviewed changes to the ordinance.

Councilmember Ershadi asked where in code is states that the City Recorder is the Purchasing Agent.

City Attorney McAnany read code section 2.28.010, explaining that City Council can change the code by Resolution.

Councilmember Jones asked if suggestions that were made concerning an official with a parent/child relationship disclosure had been omitted.

City Attorney McAnany explained that he felt that the suggestion had been covered in other wordings within the changes.

City Attorney McAnany mentioned if the Council would like to go to a third reading they certainly can. He also mentioned that he did not receive mandate from Council to add Christina Sloan's comments to the ordinance.

Councilmembers Ershadi and Jones asked for a definition of ExParte.

Councilmember Ershadi moved to table Proposed Ordinance #2016-13 – An Ordinance Amending City Procurement Procedures, Enacting Certain Ethics Provisions, and Providing for Disclosure of Transactions in which City Employees or Officials may have a Personal Interest. Councilmember Jones seconded the motion.

MOTION TO TABLE PROPOSED
ORDINANCE # 2016-13,
APPROVED

September 27, 2016

The motion carried 3-1 aye, with Councilmembers Ershadi, Jones and Knuteson-Boyd voting aye and Councilmember Bailey voting nay.

Councilmember Bailey moved to approve a Sewer Agreement with Spanish Valley Water and Sewer Improvement District subject to Final Approval. Councilmember Knuteson-Boyd seconded the motion.

DISCUSSION AND POSSIBLE APPROVAL OF SEWER AGREEMENT WITH SVWSD

Mayor Sakrison introduced Art Wollenweber the new manager at Spanish Valley Water and Sewer Improvement District.

The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

Councilmember Jones moved to Approve Proposed Resolution #24-2016 – A Resolution to Accept the Street, Waterline, Sanitary Sewer System Improvements and Releasing the Warranty Assurance Funds for Said Public Improvements in Deer Trail Subdivision. Councilmember Knuteson-Boyd seconded the motion.

APPROVAL OF PROPOSED RESOLUTION #24-2016

Planning Director Reinhart explained to council that all improvements have been made.

The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

Councilmember Bailey moved to approve the Request to Send Proposed Ordinance #2016-11 - An Ordinance Approving the Annexation of 8.77 Acres for the City of Moab Waste Water Treatment Plants on Properties Located along the Western Extension of 400 North Street Right-of-Way to Public Hearing. Councilmember Ershadi seconded the motion. The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

REQUEST TO SEND PROPOSED ORDINANCE #2016-11 TO PUBLIC HEARING

Councilmember Bailey moved to Rescind Previously Adopted Resolution #11-2016 – A Resolution Amending the Personnel Policies and Procedures Manual which Revised Section 7.25 - Statutory Appointees - by Removing the Public Works Director Position. Councilmember Knuteson-Boyd seconded the motion.

MOTION TO RESCIND RESOLUTION # 11-2016, APPROVED

Councilmember Bailey mentioned that he feels rescinding the resolution may help move things along faster and taking it back to one director

September 27, 2016

makes more sense.

Councilmember Ershadi agreed that it may make things go faster but is not sure that it would equal quality.

Mayor Sakrison mentioned that he had extensive discussion with the Public Works Employees and reported that those employees feel only one supervisor would be needed.

Councilmember Ershadi discussed why the Public Works Director was split into two separate positions.

Mayor Sakrison explained that there may not be that much work as previously discussed.

Councilmember Jones asked why the position is an appointment.

City Recorder/Assistant City Manager Stenta explained the position has been recruited for and is going through the regular employment process.

City Attorney McAnany explained that the Mayor and Council could appoint anyone at any time and he feels that the Council has chosen wisely to have people actually apply and go through the employment process.

Councilmember Jones inquired that if a City Manager was hired for their Public Works experience how are we behind in infrastructure assessment and would a new Public Works Director have the skills to assess infrastructure.

Councilmember Knuteson-Boyd asked how many Department Heads are under a Public Works Director.

City Recorder/Assistant City Manager Stenta answered there are six (6) Department Heads under the Public Works Director.

Councilmember Ershadi mentioned that she would like to gather department heads and others to discuss this topic more.

Councilmember Jones asked where we are with the Salary Survey.

September 27, 2016

City Recorder/Assistant City Manager Stenta replied that since she has taken on more duties as Acting City Manager that the Salary Survey is on hold but almost complete.

Councilmember Bailey questioned whether we need one or two people to fill the position.

Councilmember Ershadi mentioned she does not feel comfortable making a decision on her own or feeling a decision should not be made in haste.

Councilmember Knuteson-Boyd stated she does not think the decision is being made in haste.

Councilmember Bailey asked how many people will be in the Engineering Department.

City Engineer Bowman listed the number of people to possibly still be hired in his department.

Councilmember Bailey suggested to hold the interviews as planned and then decide.

The motion carried 3-2 aye, with Councilmembers Bailey and Knuteson-Boyd voting aye, Councilmembers Jones and Ershadi voting nay and Mayor Sakrison breaking the tie by voting aye.

Councilmember Bailey moved to approve an application to the Permanent Community Impact Fund Board for the Utah State University Infrastructure Project. Councilmember Jones seconded the motion. The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

APPROVAL OF CIB
APPLICATION FOR USU

Under Mayor and Council Reports, Councilmember Jones reported that he attended the Utah League of City and Towns Conference as well as a meeting in Park City.

MAYOR AND COUNCIL
REPORTS

Councilmember Jones reported the Throttle Down Committee met and there will now be rack cards available in town.

September 27, 2016

Councilmember Knuteson-Boyd mentioned attending the City Staff Meeting about Employee Assistance Program (EAP) with Councilmember Jones and spoke to employees concerning how professional they all have been and how appreciative council is.

Councilmember Ershadi reported she had an impromptu meeting with BioRegional Planning Students and also attended Dancing With the Stars.

Mayor Sakrison revisited the Acting Police Chief conversation to inform council that he has asked Acting Chief Ross to submit a Job Description for review so the position can be advertised. The job description will be reviewed by Council prior to posting.

There was no correspondence to be read.

READING OF
CORRESPONDENCE

There was no Administrative Report given.

ADMINISTRATIVE REPORT

A Report on City/County Cooperation was not given.

REPORT ON CITY/COUNTY
COOPERATION

Councilmember Bailey moved to pay the bills against the City of Moab in the amount of \$355,081.38. Councilmember Jones seconded the motion. The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

APPROVAL OF BILLS

Councilmember Jones moved to enter an Executive Session at 8:35 PM for the purpose of 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 carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

EXECUTIVE SESSION ENTERED

Councilmember Ershadi moved to close the Executive Session at 10:32 PM. Councilmember Bailey seconded the motion. The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

EXECUTIVE SESSION CLOSED

Councilmember Jones moved to table the reconsideration of the approval of a Purchasing Exception to Parr, Brown, Gee and Loveless in the amount not to exceed \$33,928.38. Councilmember Ershadi seconded the motion. The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye.

RECONSIDERATION OF
PURCHASING EXCEPTION,
TABLED

September 27, 2016

Under Request for Authorization of Interim Employment Attorney Services Council requested updates on a regular basis and directed staff to stay the same course for Interim employment Attorney Services.

REQUEST FOR
AUTHORIZATION INTERIM
EMPLOYMENT ATTORNEY
SERVICES

Councilmember Bailey moved to adjourn the meeting. Councilmember Knuteson-Boyd seconded the motion. The motion carried 4-0 aye, with Councilmembers Bailey, Ershadi, Jones and Knuteson-Boyd voting aye. The meeting was adjourned at 10:40 PM.

ADJOURNMENT

APPROVED: _____ ATTEST: _____
David L. Sakrison Rachel E. Stenta
Mayor City Recorder