

**MOAB CITY COUNCIL
REGULAR MEETING
June 14, 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 Sakrison called the Pre-Council Workshop to order at 6:03 PM. In attendance were Councilmembers Rani Derasary, Tawny Knuteson-Boyd and Kyle Bailey. Also in attendance were City Manager Rebecca Davidson, City Recorder/Assistant City Manager Rachel Stenta, City Treasurer Jennie Ross, Planning Director Jeff Reinhart, Community Services Director Amy Weiser, Parks, Recreation and Trails Director Tif Miller, Police Chief Mike Navarre and City Engineer Phillip Bowman.

PRE COUNCIL WORKSHOP

Mayor Sakrison called the Regular City Council Meeting to order at 7:00 PM and led the pledge of allegiance. Seventy-six (76) members of the audience and media were present.

REGULAR MEETING CALLED TO
ORDER

Councilmember Derasary moved to approve the Council meeting minutes of May 3, 2016 (Special City Council Meeting), May 3, 2016 (Special Joint City/County Meeting) and May 6, 2016. Councilmember Bailey seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

APPROVAL OF MINUTES

Under Citizens to Be Heard, Marc Thomas stated that he lives in Moab and is a member of the Sierra Club. Mr. Thomas requested that the Council draft a resolution opposing the state of Utah taking control of public lands. Mr. Thomas stated that there would be a significant loss of revenue from loss of public lands and he then read a section of the Utah State Constitution as well as a prepared public statement.

CITIZENS TO BE HEARD

Kelly Green stated that he is a resident of Moab and he thanked the Moab City Police Department for doing a great job. Mr. Green also thanked the Council for working very hard on important issues and stated that he felt the employee satisfaction survey was important and that a Citizen Satisfaction Survey would be appropriate down the road.

Mr. Green inquired if every employee had to sign a conflict of interest form.

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City Recorder/Assistant City Manager Stenta stated that each newly elected official and employee is provided with a form and it is at their discretion to fill out the form and make appropriate disclosures.

Chris Baird stated that he resides at 1275 San Juan Drive and thanked the Council for the opportunity to speak. Mr. Baird stated that there had been analogies comparing the City of Moab with corporate America and asked the Council what they thought the importance was of a privately maintained company maintaining the trust and confidence of their investors and if the organization could be successful without that trust. Mr. Baird stated that the citizens are the City's investors and he believes that their trust and confidence in the City is essential. Mr. Baird stated that he thinks the procurement of IT services has eroded that confidence and trust through a conflict of interest between that company and the City Manager. Mr. Baird stated that when he discussed the issue with Councilmember Ershadi the previous November that she was not aware of the conflict which to him would mean that proper disclosures were not made. Mr. Baird stated that he feels the conflict of interest should have been made known to the Council before the transaction occurred. Mr. Baird asked the Council what they would be accomplishing by defending the transaction as well as defending side stepping the competitive procurement process.

Mr. Baird continued regarding the reorganization of City Staff, about his interpretation of the Open and Public Meetings Act and provisions for closed meetings and remarked that those provisions are to be taken literally. Mr. Baird stated that when the governing body enters a closed session to discuss the professional competence of an individual, that is all that can be discussed and stated that his opinion is that it would not include the general structure of the City's organization. Mr. Baird stated that the same process at Grand County was conducted in open session.

Janet Buckingham stated that she lives on Spanish Valley Drive and that when she heard of the termination of David Olsen and Ken Davey that she was shocked. Ms. Buckingham stated that she believes that Mr. Olsen and Mr. Davey were dedicated to the community and were fired without warning, dignity or ceremony. Ms. Buckingham stated that she did not believe that those two individuals earned how they were treated. Ms. Buckingham stated that the reorganization was conducted behind closed doors and she doesn't know why the reorganization was needed. Ms. Buckingham continued that she doesn't know if the

reorganization was a directive from the Council to the new City Manager of if the City Manager recommended it to the Council and earned consensus. Ms. Buckingham continued that then employees Jeff Foster and Tara Penner left. Ms. Buckingham stated that Ms. Penner was banned from her office and her personal phone number was stolen until today. Ms. Buckingham continued that these things would never have happened when she worked for the City and that a different culture now thrives at the City. Ms. Buckingham asked the Council to stop before the City is beyond the ability to repair.

Annie Payne stated that she was a washed up river guide and stay at home Mom who didn't do well in High School and who met her husband in Moab. Ms. Payne stated that she attended remedial classes at Utah State University and left Moab to take classes in Logan and then came back. Ms. Payne stated that she was raised with no home and no family and this town was her community and when this community has trouble she will come back to defend her home. Ms. Payne read a prepared statement that she stated was signed by 20 people and she requested that all closed meetings cease. Ms. Payne stated that she believes that the dismissals of Olsen, Davey and Penner were outside of normal, best and accepted practices and that it could be considered discrimination. Ms. Payne stated that the City had an obligation to tell citizens in detail why the employees were let go. Ms. Payne requested that all payments to Tayo Inc. cease and stated that City Manager Davidson had an obligation to post an RFP for IT services to address the need. Ms. Payne requested that the City reprimand both City Manager Davidson and City Recorder/Assistant City Manager Stenta for the gross dereliction of their duties in the case of Tayo Inc. Ms. Payne requested that the Council enact a section of Davidson's employment contract pertaining to engaging in transactions involving a conflict of interest and calling for a termination of employment with the City of Moab.

Pete Gross stated that he lives at 853 Mountain View Drive and that his sister lives in Los Angeles adjacent to an eight lane freeway. Mr. Gross stated that the noise level at his house exceeds that of his sister's house in LA. Mr. Gross stated that one noise stands out which is coming from UTVs. Mr. Gross continued that he would like law enforcement to do something about the noise.

Mayor Sakrison opened a Public Hearing at 7:25 PM on the following items:

PUBLIC HEARING OPENED

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Solicitation of Public Input on Proposed Ordinance #2016-07-An Ordinance Amending the City of Moab Classified Hourly Pay Rate Schedule and Exempt and Elected Officials' Salaries.

No public comment was given.

Mayor Sakrison closed the Public Hearing at 7:46 PM.

PUBLIC HEARING CLOSED

Councilmember Knuteson-Boyd moved to approve a Special Business Event License for Moab Century Tour on October 1, 2016.

APPROVAL OF SPECIAL BUSINESS EVENT LICENSE FOR MOAB CENTURY TOUR

Councilmember Derasary seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

Councilmember Bailey moved to approve the Award of the Water Reclamation Facility (WRF) Site Preparation Project to Harrison Field Services and Approval of the Project Agreement. Councilmember Knuteson-Boyd seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

AWARD OF SITE PREPARATION AGREEMENT

Councilmember Derasary moved to approve sending Proposed Ordinance 2016-08 - An Ordinance Amending the City of Moab Municipal Code, Sections 13.25.060 B and 13.25.060 C to modify the Sewer Impact Fee, to a Public Hearing and Second Reading on June 28, 2016, at approximately 7:15 P.M. Councilmember Knuteson-Boyd seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

CONSIDERATION AND FIRST READING OF PROPOSED ORDINANCE #2016-08, APPROVED

Councilmember Bailey moved to Approve Proposed Resolution #18-2016 – A Resolution Approving a Property Line Vacation between lots 10-B and 10-C of the Haidust Subdivision #2 Located in the R-2 Zone and Owned by RNB Moab Properties LLC. Councilmember Derasary seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

PROPOSED RESOLUTION #18-2016, APPROVED

Councilmember Derasary moved to approve Proposed Resolution #16-2016 – A Resolution Adopting the Fiscal Year 2016-2017 Budget. Councilmember Knuteson-Boyd seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

PROPOSED RESOLUTION #16-2016, APPROVED

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Councilmember Bailey moved to Send Proposed Resolution #19-2016 – A Resolution Amending the Fiscal Year Budget 2015-2016 to a Public Hearing on June 28, 2016 at approximately 7:15 PM. Councilmember Derasary seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

REQUEST TO SEND
RESOLUTION #19-2016 TO
PUBLIC HEARING, APPROVED

Councilmember Knuteson-Boyd moved to approve a Purchasing Exception to Parr, Brown, Gee & Loveless in an amount not to exceed \$11,676.50. Councilmember Derasary seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

REQUEST OF PURCHASING
EXCEPTION, APPROVED

Councilmember Derasary moved to approve Proposed Resolution #20-2016 – A Resolution Confirming Satisfactory Completion of Due Diligence as to Real Property Owned by Stewart Lane, LLC. Councilmember Bailey seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

PROPOSED RESOLUTION #20-
2016, APPROVED

Mayor Sakrison stated that he attended a Legislative Update Committee Meeting concerning short term rentals and that the State is considering taking away a City's ability to regulate overnight rentals.

MAYOR AND COUNCIL
REPORTS

Mayor Sakrison mentioned that there has been software developed to monitor eighteen (18) overnight rental sites and that the cost of the initial set up would be \$3000 with ongoing costs of \$2500 to monitor fifty (50) facilities.

Mayor Sakrison reported that the Governor's Office of Planning and Budget (GOPB) has Utah Business Starter Kits. Mayor Sakrison also mentioned that he has a sample of an Ogden City Business Survey and that this is something he feels Moab City needs to do for contractors and businesses.

Mayor Sakrison reported that he received an Economic Report from Zions Bank on the State of Utah. Grand county is doing pretty well. Mayor Sakrison stated that if anyone is interested the report is on the Zions Bank website.

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Councilmember Knuteson-Boyd reported that she hosted, along with Councilmember Derasary, Coffee with the Council and that one resident came to talk. Councilmember Knuteson-Boyd mentioned that she will do this weekly.

Councilmember Knuteson-Boyd along with Councilmember Derasary attended a Land Use Academy of Utah training. Councilmember Knuteson-Boyd stated that they received a lot of useful information which is available on their website as well as an update on the Open and Public Meetings Act.

Councilmember Derasary mentioned holding another Coffee with the Council on Friday, June 17, 2016, from 10:00 AM to 12:00 PM.

Councilmember Derasary reported she attended a Moab Regional Hospital meeting and that a summary of the recent Community Health Needs Survey was given. Councilmember Derasary stated that the survey identified top community health concerns.

Councilmember Bailey mentioned that Moab Regional Hospital is required to do a needs survey every three years.

Councilmember Derasary reported that she also attended the Grand Opening of the Boulder Park at Lions Park and the Canyonlands Watershed Council Meeting.

Councilmember Derasary stated that she attended a Trail Mix Meeting with Parks, Recreation and Trails Director Tif Miller. Mentioned at the meeting was the possibility of funding for restrooms at Anonymous Park.

Councilmember Derasary received an email from Kara Dohrenwend complimenting Parks Superintendent, Mike Huts, on how wonderful the Parkway looks.

READING OF
CORRESPONDENCE

In Administrative Report City Manager Davidson distributed a written

ADMINISTRATIVE REPORT

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report.

A Report on City/County Cooperation was not given.

REPORT ON CITY/COUNTY
COOPERATION

Councilmember Derasary moved to pay the bills against the City of Moab in the amount of \$435,670.22. Councilmember Knuteson-Boyd seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

APPROVAL OF BILLS

Councilmember Knuteson-Boyd moved to enter An Executive Session to Strategy Session to Discuss the Purchase, Exchange, or Lease of Real Property, and to Discuss the Character, Professional Competence, or Physical or Mental Health of an Individual at 7:52 PM. Councilmember Derasary seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

MOTION TO ENTER EXECUTIVE
SESSION, APPROVED

Councilmember Derasary moved to close the Executive Session. Councilmember Bailey seconded the motion. The motion carried 3-0 aye, with Councilmembers Bailey, Knuteson-Boyd and Derasary voting aye.

MOTION TO CLOSE EXECUTIVE
SESSION, APPROVED

The Executive Session was closed at 9:27 PM.

EXECUTIVE SESSION CLOSED

Mayor Sakrison adjourned the Regular Council Meeting at 9:30 PM.

ADJOURNMENT

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