



**MINUTES OF THE SPRINGDALE TOWN COUNCIL
WEDNESDAY, JANUARY 12, 2022**

This meeting did not have an anchor location and was conducted entirely via electronic means. Council members connected remotely. The meeting was available to the public for live viewing/listening and included public hearings whereby public comments could be made electronically. If a member of the public did not have access to the internet, they could join the meeting audio via telephone.

The Regular Meeting convened at 5:00pm

MEMBERS PRESENT: Mayor Barbara Bruno, Council members Randy Aton, Lisa Zumpft, Jack Burns, and Suzanne Elger

EXCUSED: Director of Community Development Tom Dansie

ALSO PRESENT: Town Manager Rick Wixom, Ryan Gubler Police Chief Garen Brecke, Town Treasurer Dawn Brecke, Parks & Recreation Director Ryan Gubler, Public Works Superintendent Rob Totten, Street Supervisor Robert George, and Town Clerk Darci Carlson recording. Shelly

The Pledge of Allegiance was suspended due to the remote meeting.

Approval of the agenda

Motion made by Lisa Zumpft to approve the agenda. Seconded by Randy Aton.

Aton: Aye

Burns: Aye

Zumpft: Aye

Elger: Aye

Bruno: Aye

Motion passed unanimously.

A. Announcements/Information/Community Questions

1. General announcements: Mr. Wixom reminded the Council the legislative session would start next week. Bills on housing, water, and public safety retirement were anticipated.

Ms. Carlson announced the Public Officials training had been rescheduled to Friday, February 18th.

2. Zion National Park update: Superintendent Bradybaugh reported.

- The Park was dealing with a number of challenges related to Covid. Personnel continued to monitor the situation and follow the array of guidelines in place.
- Visitation numbers for December and all of 2021 were unavailable at this time.
- At the end of the year the Park compiled a number of statistics. Given the high level of visitation, lots of emergency service calls were received. The Search and Rescue (SARS) load increased dramatically in 2021 with 134 incidents requiring 8,172 hours of time. Over 4,900 of these hours were overtime meaning staff was not getting rest rotation. This was a concern. The Park also

responded to 389 emergency medical responses which represented 109 more than the previous year. Many neighboring jurisdictions had to assist the Park with these emergency operations.

- Project work and repairs were underway including the construction of a new restroom facility at the Human History Museum.
- The Angels Landing permit lottery was open through January 20th for hikers wanting to hike April 1st – May 31st.
- There was a small rockfall on Upper Emerald Pools Trail yesterday. The Park noted minor damage and the trail would likely be reopened within a few days.
- The shuttle contract was being finalized with the contractor. Shuttles would resume on February 19th for President's Day weekend.

Ms. Elger asked if shuttle stop 2 would be open.

- Like many others, the Park struggled with staffing and was receiving few employment applications. Therefore, once the restroom construction was complete, if the Human History Museum could be staffed, the shuttle stop would reopen.

3. Presentation Washington County Solid Waste District fee increases: District Manager Kevin Kunz was in attendance to address the Council. He indicated the Board voted to adopt fee increases in their December meeting and that their financial objective was to ensure rates fully funded the services provided. The District was not funded with taxpayer funds. Recent financial challenges had been driven by county-wide growth, increasing costs, and outdated infrastructure.

Mr. Kunz reviewed the content of a presentation (Attachment 1). He provided information on historic solid waste rates and needed infrastructure improvements. The District intended to pursue state and federal grants and bonding options to assist in funding the necessary enhancements. Additionally, the "Reduce, Reuse, Recycle" program would be promoted.

Fee increases would affect commercial disposal, compost rates, and residential curbside billing.

From the presentation, Ms. Zumpft asked for the meaning of MSW and C&D.

- Mr. Kunz responded Municipal Solid Waste and Construction & Demolition.

Ms. Zumpft asked what was planned regarding the "Reduce, Reuse, Recycle" program.

- The District intended to create a pad for large metal appliances that could be sold to a wholesaler. Mr. Kunz was also working with an environmental engineering professor from DSU to determine what waste was being generated by the community and identify potential options.

Ms. Zumpft asked about glass recycling.

- Glass recycling was managed through the binnie program since it could not be commingled in the recycling bins. Containers at the landfill were specific for glass and were ultimately taken to a vendor for recycling.

Mr. Burns questioned what financial buffer these fee increases created given the rapid growth in Washington County.

- Following the contract, county customers would see at least a 2-1/2% increase each year. If more was needed, it would go through due process.

4. Council department reports:

Mr. Burns reported:

- Involved with the Springdale History Center design process. The architect had been responsive to the Town and shared some initial concepts. A public outreach meeting to collect community input on the project had been rescheduled.

- Participated in a Zion Regional Collaborative Steering Committee meeting yesterday. Future meeting dates were shared.

Ms. Elger reported:

- Attended the Washington County Regional Trails meeting, and would attend the Dixie Transportation Expo on February 8th. More information would be pushed out to the community when it was available.
- The Springdale Trails Committee was working on extending the Paiute trail in the upcoming fiscal year.
- Attended a meeting with the Washington County Council on Aging. Springdale needed to tap into its programming so our residents could participate.

Ms. Zumpft reported:

- Along with Mayor Bruno and Mr. Burns, attended the Utah League of Cities and Towns (ULCT) elected officials training in December.
- Participated in ULCT Legislative Policy Committee calls and would continue to do so through the legislative session.

Mr. Aton reported:

- Public Works identified leaks on some of the recently installed secondary water meters. It appeared to be an installation error. The leaks would be repaired and the Town reimbursed. Staff was also doing work on the sewer lagoon access road.
- The Tiley Hill retaining wall project had halted due to UDOT's need for an engineering study. Landmark Engineering finalized this study and it was sent to UDOT for review.
- The Fire Board meeting scheduled for next Monday had been canceled. New appointments to the Fire Board were anticipated given recent municipal elections around the county. The District had hired twenty (20) new firefighters. They were also working to establish Fire Station 43 in La Verkin, slated to open later this year. Deputy Chief Jeff Bassett was recently hired from South Davis County Fire District to work on administrative and finance issues. Fire and EMS stats were provided via email to include with the minutes. (Attachment 2).
- The Utah Community Renewable Energy Program Design Committee had met several times. Both Mr. Aton and Ms. Elger participated. The group selected an attorney and was working on the non-disclosure agreement with Rocky Mountain Power. More information could be found on the website at www.Utah100communities.org.

Mayor Bruno reported:

- Attended a county Mayor's meeting on January 4th. The discussion focused on Covid and hospital statistics related to the number of non-vaccinated people being admitted. People needed to get vaccinated. The meeting was cut short due to technical difficulties but would resume at a later date at which time the Water Conservancy District would be discussed.
- The medical clinic open house scheduled for tomorrow was postponed to March 7th.

5. Community Questions and Comments: None were asked.

B. Consent Agenda

Mayor Bruno indicated the consent agenda would now include routine and non-controversial items in an effort to increase meeting efficiency. Items on the January 12th consent agenda included:

1. 2022 Councilmember Committee Assignments
2. Resolution 2022-01 appointing Suzanne Elger to the Washington County Solid Waste District Board, effective January 1, 2022
3. Resolution 2022-02 appointing Jack Burns to the Mosquito Abatement District Board, effective January 1, 2022

4. Request for blanket approval for up to 12 single event permits in 2022 for the Bit & Spur
5. Approval of a contract with Rosenberg Associates for Engineering Services for the rehabilitation of Black's Canyon Wash
6. Adoption of updates to the Canyon Community Center policies
7. Approval of revisions to the Town of Springdale Personnel Policy relating to holiday leave/accrual
8. Review and approval of monthly invoices
9. Approval of Town Council minutes for December 8, 2021

No Council member requested an item be removed from the consent agenda for discussion in the regular meeting.

Motion made by Randy Aton to approve the Consent Agenda. Seconded by Suzanne Elger.

Burns: Aye

Elger: Aye

Zumpft: Aye

Aton: Aye

Bruno: Aye

Motion passed unanimously.

C. Administrative Action Items

1. Resolution 2022-03 Revision to the Fee Schedule for increases to the Solid Waste District garbage rate: Based on the contract with the District, residential customers would have an automatic 2-1/2% rate increase starting January 1st. An additional fifty cents (\$.50) per month per residential connection would be effective February 1st.

Mr. Wixom noted that rates represented in the Town's fee schedule were consolidated for ease. Included in the packet material was a letter from WCSW District attorney Fay Reber which addressed the rate increases and changes.

Ms. Elger confirmed the fifty-cent (\$.50) increase was one-time only but was on top of a 2-1/2% yearly increase allowed by the agreement.

Motion made by Suzanne Elger to approve Resolution to 2022-03, Revision to the Fee Schedule for increases to the Solid Waste District garbage rate and direct the Mayor to sign. Seconded by

Lisa Zumpft.

Burns: Aye

Elger: Aye

Zumpft: Aye

Aton: Aye

Bruno: Aye

Motion passed unanimously.

D. Legislative Action Items

1. Consideration of Ordinance 2022-01 – Enacting a temporary land use regulation to prohibit the development of new transient lodging facilities and the conversion of existing structures to transient lodging uses – Mayor Bruno clarified this item was not a public hearing and was intended for Council deliberation only. Letters, phone calls, and text messages had been received by Council members and these public comments would be taken into consideration.

Tonight, the Council would discuss if there was a compelling, countervailing public interest to justify a temporary land use regulation as allowed by state code. Mayor Bruno said the General Plan, in Objective 3.1.1, 3.1.3, 4.1.1, and Goal 4.20, directed the Town to mitigate negative impacts of transient lodging uses by carefully crafting new regulations. Given feedback received in surveys and consistent concerns

expressed by residents, this ordinance would give the Council time to investigate revisions to the Town's transient lodging regulations. A task force would be formed to analyze options, make findings, and recommend changes.

No new applications for transient lodging would be accepted during the 180-day temporary land use ordinance window. Any applications received prior to the Town of Springdale initiating proceedings to adopt this temporary land use ordinance on January 7th, would be considered by the Planning Commission and Town Council following the usual process.

Mr. Wixom said based on state code, the Council could enact a temporary land use regulation without the recommendation of the Planning Commission for a period of up to six (6) months. The staff report contained a number of findings that addressed how changes in, and acceleration of, transient lodging development had impacted the Towns' village character.

Ms. Zumpft reiterated this was an opportunity for the community to step back and address the topic. She indicated the Planning Commission had been concerned about this issue for a while. The Town needed to find ways to counter the overwhelming number of nightly rentals that were decreasing long-term rentals and other types of businesses. Ms. Zumpft emphasized it was important to preserve village character.

During her tenure on the Planning Commission, Ms. Elger said a lot of time was spent looking at the overall buildout for Springdale. Increases in transient lodging, additional units promised in settlement agreements, and uncertainty surrounding DSU intentions were all a concern. Ms. Elger questioned if the Town's infrastructure could support this development. There also needed to be more amenities for visitors and residents.

Mr. Burns said this action was in response to concerns that had been raised by the Planning Commission and in surveys from residents. It was important to have a conversation about what Springdale would look like ten to twenty years down the road. The transient lodging trend was changing the character of Springdale. Mr. Burns fully supported this ordinance in order to pause and take a holistic view of what was going on in the community.

Mr. Aton expressed his biggest concern was that transient rooms had taken away long-term rentals. He knew businesses were having staffing issues and it was important for the Council to consider ways for people to live and work in the community. He said it was prudent to take a break, get input, study options, and generate ideas.

Mayor Bruno was becoming more aware of the Town's housing crisis. Although Springdale appreciated those who stayed and visited, there was concern over the loss of long-term rentals and business diversity. She said it was important for the Council to get its arms around the situation for the future of the community.

Town Attorney Greg Hardman recommended the Council deliberate on the points outlined in the staff report before making their motion.

- Mr. Aton said there was a lot of data to back up the conversion of long-term rentals into short-term rentals.
- Ms. Zumpft indicated business diversity had been lost and a significant number of homes had been converted.
- Ms. Elger noted at least three specific commercial businesses had become nightly rentals.
- Mayor Bruno said the Village Commercial (VC) zone had definitely seen an increase in the intensity of development on commercial properties adjacent to residential properties which resulted in more traffic, noise, and light, and degraded quality of life for residents. The VC zone was intended to be a transitional area.
- Mr. Burns agreed the VC zone was seeing more development that had a Central Commercial feel given size and density.

Ms. Elger raised concern over infrastructure demands and the availability of water.

- Mr. Aton agreed more transient rooms would have a greater impact on infrastructure. People traveling here would likely not be as frugal in their use of water.
- Mr. Burns said this concern applied to development in general. It was important for the Town to consider buildout and determine what the water supply looked like compared to lodging already approved.

The Council felt these points provided a compelling, countervailing public interest that justified the temporary land use regulation as allowed by the state code.

Motion made by Lisa Zumpft to approve Ordinance 2022-01, enacting a temporary land use regulation to prohibit the development of new transient lodging facilities and the conversion of existing structures to transient lodging uses and direct the Mayor to appoint a task force to research revisions to the Town's transient lodging land use regulations. Prohibitions include: 1) Converting long-term residential rental units in commercial zones to short-term transient lodging, thereby decreasing the amount of rental housing available in the Town and exacerbating the Town's affordable housing problems; 2) Converting non-lodging commercial properties into short-term transient lodging, which reduce the diversity of commercial uses in the Town and detracts from the Town's village character; 3) Creating a market which encourages the development of land primarily with transient lodging uses and no complimentary commercial uses, which reduces the diversity of commercial uses and services in the community; and, 4) Increasing the intensity of development on commercial properties adjacent to and nearby residential properties which results in more traffic, noise, and light in these areas and degraded quality of life for Town residents. Further, in the interim, the Town Council finds that there is a compelling, countervailing public interest to revise the transient lodging facility land use regulations to account for this rapid growth and in addressing the affordable housing problems, to create an eight-person Transient Lodging Review Taskforce to investigate the issues, develop recommendations, and present these recommendations to the Planning Commission and then the Town Council. This is being considered from the following findings: General Plan Objectives 3.1.1, 3.1.3, 4.1.1, and Goal 4.20, information collected from multiple surveys in drafting the new General Plan and Utah State Code UCA 10-9a-504 authorizing local governments to enact temporary land use regulations for periods of 180 days or less see. The moratorium can continue until no later than July 12, 2022 and direct the Mayor to sign. Seconded by Suzanne Elger.

Council discussion: Mr. Burns said the Council should also consider the impact of recent transient lodging, not included in the buildout plan, on the water supply.

Motion amended by Lisa Zumpft to add the finding of the need to address water use and infrastructure due to increase in development. Amended motion seconded by Suzanne Elger.

Vote on the full amended motion:

Burns: Aye

Elger: Aye

Zumpft: Aye

Aton: Aye

Bruno: Aye

Motion passed unanimously.

2. Public Hearing – Conditional Use Permit: Dusty Wright and Chance Wright request conditional use permits for the following transient lodging facilities: a) A three-unit transient lodging facility (one rented unit with three bedrooms) on parcel S-48 (1082 Zion Park Boulevard) in the Village Commercial (VC) zone – In comparing the agenda verbiage to the staff report, Mr. Wixom noticed a discrepancy. The Planning Commission referenced both 1082 and 1066 Zion Park Boulevard in their recommendation, however, the agenda only mentioned one location.

Although he had not reviewed the application, Town Attorney Greg Hardman said a CUP was specific to the property. The Council could only consider the one property noticed on the agenda.

The applicants agreed to wait and push the agenda item to the following month. They indicated a Design/Development Review had not been scheduled yet.

Motion made by Lisa Zumpft to table the Conditional Use Permit request for Dusty Wright and Chance Wright for transient lodging facilities at 1082 Zion Park Boulevard and potentially 1066 Zion Park Boulevard until the next Council meeting. Seconded by Suzanne Elger.

Burns: Aye

Elger: Aye

Zumpft: Aye

Aton: Aye

Burns: Aye

Motion passed unanimously.

3. Public Hearing – Subdivision Plat Amendment: Lyle Young requests an amendment to the Welch Subdivision Plat for the purpose of aligning lot lines with the existing improvements and infrastructure – This subdivision was originally approved in 1968. Mr. Wixom explained a number of changes had taken place over the years but were not reflected on the subdivision plat. This amendment would incorporate all changes and modifications to lots 5, 6, 7 to meet conformance standards.

Based on their review of the code, the Planning Commission found the amended subdivision request complied with all land use regulations and recommended approval.

Council questions to staff: None were asked.

Community questions to staff: None were asked.

Summary explanation and presentation from the applicant: Lyle Young explained this request was to bring everything into compliance for future reference.

Council questions to the applicant: If approved, Burns confirmed the intent was for the applicant to record the amended subdivision plat.

Questions from the public to the applicant: Robin Palmer said her property intersected with this subdivision and asked if this amended plat would have any effect on that property.

- Mr. Young clarified this only involved the four bottom residential lots of the Welch Subdivision and would not affect the Palmer's property.

Motion made by Jack Burns to open the public hearing for the Subdivision Plat Amendment for the Welch Subdivision. Seconded by Suzanne Elger.

Burns: Aye

Elger: Aye

Zumpft: Aye

Aton: Aye

Bruno: Aye

Motion passed unanimously.

Public comment: None were made.

Motion made by Lisa Zumpft to go out of public hearing. Seconded by Randy Aton.

Burns: Aye
Elger: Aye
Zumpft: Aye
Aton: Aye
Bruno: Aye
Motion passed unanimously.

Council deliberation: Mayor Bruno had no concerns.

- Ms. Elger applauded the applicant for getting this straightened out. Mr. Aton agreed.
- Ms. Zumpft said this was straightforward and put details in the right place.

Motion made by Lisa Zumpft to approve an amendment to the Welch Subdivision Plat for purposes of aligning lot lines with the existing improvements and infrastructure which conform to all applicable land use regulations. Seconded by Randy Aton.

Burns: Aye
Elger: Aye
Zumpft: Aye
Aton: Aye
Bruno: Aye
Motion passed unanimously.

E. Administrative Non-Action Items

1. **General Council Discussion:** Ms. Elger said she liked the new consent agenda format.

F. Adjourn

Motion to adjourn at 6:40pm made by Lisa Zumpft. Seconded by Suzanne Elger.

Burns: Aye
Elger: Aye
Zumpft: Aye
Aton: Aye
Bruno: Aye
Motion passed unanimously.

Darci Carlson, Town Clerk

APPROVAL: _____ DATE: _____

A recording of the public meeting is available by contacting the Town Clerk's Office. Please call 435-772-3434 or email springdale@springdale.utah.gov for more information.