



**MINUTES OF THE SPRINGDALE TOWN COUNCIL
WEDNESDAY, MAY 11, 2022
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH**

The Regular Meeting convened at 5:00 pm

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

EXCUSED: Council member Suzanne Elger

ALSO PRESENT: Town Manager Rick Wixom, Director of Community Development Tom Dansie, Police Chief Garen Brecke, Parks & Recreation Director Ryan Gubler, Public Works Superintendent Rob Totten, Streets Superintendent Robert George, and Town Clerk Darci Carlson recording. See attached list for meeting attendees.

Pledge of Allegiance led by Mayor Bruno.

Approval of the agenda

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

Aton: Aye

Zumpft: Aye

Bruno: Aye

Burns: Aye

Motion passed unanimously.

A. Announcements/Information/Community Questions

1. General announcements: Ryan Gubler announced the community bike ride on Thursday, May 26th would start at Gazebo Park and end at Zion Canyon Village.

Ms. Zumpft said on June 2nd at the Rockville Community Center, Z-Arts would present The Matt Flinner Trio, a well-known bluegrass band.

2. Zion National Park update: Susan McPartland reported for Superintendent Bradybaugh:

- First quarter visitation numbers were up. April numbers were also trending higher than last year.
- On May 22nd the Park would switch to their summer shuttle schedule
- Park staff were busy planning the South Campground redesign project.
- Seasonals were on-board, trained, and ready for a busy summer.

Mr. Aton asked if there had been any issues with people abiding by the new Angels Landing permit system.

- Park staff were situated at The Grotto and the start of the West Rim Trail. Many visitors knew about the permit system prior to arriving at Zion. Some were frustrated; however, most understood the program's goals.

Ms. Zumpft mentioned Bear Lake was planning a reservation system and asked when the ZNP Visitor Use Management Plan (VUMP) would start addressing this.

- Ms. McPartland said the Park had recently refocused efforts on the VUMP and by late summer/early fall would go back out to the public for comment. They would evaluate site-specific, park-wide, and combination reservation systems.

Mr. Burns asked if the Park had any comments related to the huge influx of e-bikes in the canyon.

- The Park was excited about the bike ambassador program and was looking into bike use trends in the canyon.

Mr. Burns asked the status of a road safety audit; however, Ms. McPartland did not know.

3. Council department reports:

Mr. Aton reported:

- Deputy Chief Gildea from the Hurricane Valley Fire District was retiring. Jeff Bassett and Joe Decker were hired as new Deputy Chiefs. John Postert would be the new fire marshal. The May fire and EMS statistics were provided (Attachment #1).
- The Public Works Department was dredging the irrigation pond which would take approximately 40-50 days to complete. About 1/4 to 1/3 of the pond was unusable right now due to sediment.
- The Streets Department was busy repainting the red curbs. Parking kiosks were being re-installed near the Tiley Hill sidewalk project and staff discussed working with the Historic Preservation Commission to create an interpretive plaque by the old irrigation wall preserved in that area.
- Coalville and Oakley City recently joined the Utah Renewable Energy Program which brought the total to 18 participating communities. A rate system to determine costs had not been determined; however, committee members would meet with Rocky Mountain Power personnel to discuss. Communities would have an opportunity to pass a final ordinance late in the year to accept the program.

Ms. Zumpft reported:

- Attended the Utah League of Cities and Towns Conference in April. Major topics included the drought and lack of housing. Thanks to the application submitted by Ryan Gubler, Springdale was designated as a "Get Healthy Utah" Community.
- Attended the Creative Age Conference sponsored by the Arts Council of Washington County to discuss healthy lifestyles through creative activities.
- The state of Utah recently removed Tamarisk and Russian Olive along the Virgin River. This activity had been going on for several years.
- The Transient Lodging Task Force had met for several months. The work they had done would now go before the Planning Commission and then the Town Council. Ms. Zumpft expressed appreciation for the participation of resident Teresa Silcox and business owner Hans Dunzinger.

Mr. Burns reported:

- Attended a Zion Regional Collaborative workshop, budget planning session, and National Scenic Byway Committee meeting.
- The Mosquito Abatement Board would meet tomorrow. Based on information in a recent mosquito surveillance monitoring report, none of the test sites tested positive for West Nile Virus.
- The History Center Committee had been meeting every Friday. There were a number of challenges associated with the project location. The Town was unable to negotiate a shared parking agreement with an adjacent business owner, and the contractor resigned from the project to pursue other interests out of state. With this, the committee took an opportunity to pause and discuss the project in general. An alternative concept would be on the June agenda for Council

consideration. Mr. Burns said the architectural firm had been amazing to work with and willing to make changes as needed.

Mayor Bruno reported:

- Asked community members to respond to the Active Transportation Plan survey.
- During the recent Washington County Mayor's meeting, Zach Renstrom from the Washington County Water Conservancy District indicated the county was in a better position water-wise this year due to runoff.
- Mayor Bruno and Ms. Zumpft spent a day with Clayton Calloway, Mayor of Brian Head. Both communities have similar populations and issues. It would be a great alliance.
- Springdale was asked to send a representative to the Southern Utah Air Quality Task Force. Town Manager Rick Wixom was appointed.
- Worked continued to bring fiber to residents. Companies were competing for the Town's business. The CEO of Utopia Fiber would present to the Council next month.
- Starting next month, Council department reports would be submitted in advance and sent out with the packet material. Questions could be asked at the meeting if necessary.

4. Community Questions and Comments: Betina Lindsay suggested the Town release information on the high-water users in the community. She raised concerns about water use in hotels.

- Mr. Wixom said private or protected records could not be released. He said the Town planned to update the Water Master Plan in the next budget year which would look specifically at water rights and water usage.
- Mayor Bruno said the Town was closely watching the drought situation. The Governor's State of Emergency gave Springdale local authority to take some action if necessary.

B. Consent Agenda

The Consent Agenda items included:

1. Review of monthly invoices
2. Minutes: April 13th, and April 28th
3. Proclamation 2022-02 – Proclaiming May 2022 as Bike Month in Springdale
4. Proclamation 2022-03 – Declaring May 2022 Law Enforcement Appreciation Month in Springdale
5. Appointment of Gil Kiefer as the Town of Springdale Bike Liaison
6. Resolution 2022-08, a Resolution amending the Town of Springdale fee schedule for accessory dwelling units

Motion by Lisa Zumpft to approve the Consent Agenda, and direct the Mayor to sign where required. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Burns: Aye

Motion passed unanimously.

C. Legislative Action Items

1. Public Hearing – Ordinance 2022-05: Repeal of Chapter 10-13F Cottage Housing Development Overlay Zone: This overlay zone was adopted with the hope of creating more diverse and affordable housing options in the private market through development incentives and bonuses. Based on the Town's experience with the ordinance over the last four years, the Planning Commission determined it was not achieving the intended goals and therefore recommended repeal. Findings and justifications were summarized in the staff report.

Council questions to staff: None were asked.

Community questions to staff: None were asked.

Motion made by Lisa Zumpft to open public hearing for Ordinance 2022-05 Repeal of Chapter 10-13F Cottage Housing Development Overlay Zone. Seconded by Jack Burns.

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

Public comment: No public comments were made.

Motion made by Lisa Zumpft to close public hearing. Seconded by Randy Aton.

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

Council deliberation: Given the amount of thought and community input, Ms. Zumpft was regretful that the overlay zone was not successful. High demand, lack of housing, increases in value, costs of construction, and land availability all contributed to the issue. She supported the repeal.

Mr. Aton said initially this did look like a good way to address affordability; however, the one Cottage Housing Overlay Zone that was approved was very disappointing. It did not work and was an abuse of the zone.

Although unfortunate, Mr. Burns said there were lessons learned that he hoped strengthened the Council's commitment to accountability.

Motion made by Lisa Zumpft to repeal Chapter 10-13F Cottage Housing Development Overlay Zone based on the following findings:

- 1) **The increased densities and other incentives allowed by the Cottage Housing Development Overlay Zone have not produced the desired outcome of lower-cost housing in the private market.**
- 2) **The increased density, design, and appearance of the projects in the Cottage Housing Development Overlay Zone are not consistent with the Town's village atmosphere and have resulted in a significant negative impact on the Town's character.**
- 3) **Because the intended goals of the Cottage Housing Development Overlay Zone have not been met, the Town Council finds the impacts of the Cottage Housing Development Overlay Zone on the Town's character are not justified.**
- 4) **The original General Plan justification for adopting the Cottage Housing Development Overlay Zone no longer applies.**
- 5) **This Ordinance failed to meet any of the General Plan objectives of 2.3.1 and 5.1.2.**

Seconded by Randy Aton.

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

2. Public Hearing - Ordinance 2022-06: Changes to the definition of “setback” and related terms in Section 10-2-2, clarifications to setback standards for recreational facilities in Section 10-7A-4: Springdale measured setbacks from the furthest projection of a building rather than a building wall. This ordinance revision clarified the setback standard. It added additional requirements for outdoor commercial recreational facilities in order to mitigate their impacts on residential properties.

Council questions to staff: Ms. Zumpft confirmed ‘permanent element’ was a typically used term and, if looking at the down view of a property, described the measurement of the roofline versus the walls.

Mr. Burns asked for clarification on the definition of recreational facilities.

- A recreational facility included a pool, tennis court, or playground operating as a standalone commercial enterprise or as an accessory.
- Based on the Planning Commission’s recommendation, commercial recreational facilities needed to be set back 100’ from a residentially zoned property, and have screening such as a fence or landscape. A building could also serve as the required buffer.

Since it could take several years for vegetation to grow to twelve feet (12’), Mr. Burns questioned the effectiveness of a vegetative buffer.

Community questions to staff: None were asked.

Motion made by Jack Burns to open public hearing. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Burns: Aye

Motion passed unanimously.

Public comment: No public comments were made.

Motion made by Randy Aton to close public hearing. Seconded by Jack Burns.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Burns: Aye

Motion passed unanimously.

Council deliberation: Council members considered the standards in 10-7A-4(F)(3). If the building totally blocked the view from the adjacent residential property, it was deemed sufficient to buffer the commercial recreational facility. Also, the noise ordinance was in place to help regulate noise impacts.

- Mr. Aton commended the Planning Commission for their work on this ordinance.

The Council discussed the definition of ‘building’ in 10-2-2. Theoretically, someone could build a three-sided structure. The screening was intended to be a visual screening and not a noise buffer.

- To counter concerns, the Council could add language in the motion stating a building placed between the recreational facility and a residentially zoned property must be enclosed on all sides.

Motion made by Lisa Zumpft to approve Ordinance 2022-06, changes to the definition of “setback” and related terms in Section 10-2-2, clarifications to setback standards for recreational facilities in Section 10-7A-4. Include language in (F)(3) that a building must be enclosed on all sides.

Findings come from the General Plan Objective 2.1.2 about the need to protect residential properties from the impacts of adjacent commercial uses and direct the Mayor to sign. Seconded by Jack Burns.

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

3. Ordinance 2022-08 – Prohibiting Open Fires and Fireworks in Springdale: For many years the Council has adopted an ordinance to prohibit open fires and fireworks for each fire season, generally defined as June 1st through September 15th. In 2020, the ordinance was codified in Chapter 4.9 of the Town Code so it was searchable. Then every subsequent year, the previous Ordinance was repealed and replaced with updated dates.

State Code Section 53 Chapter 7 provides for municipalities to prohibit fireworks if there were existing or historically hazardous environmental conditions such as areas covered in brush, dry grass or had a wildland/urban interface. This ordinance was supported by the Hurricane Valley Fire District.

On page 2, the date 2021 should be changed to 2022. The Town had provided a map of the municipality to the county as required. This map showed the entire boundary of Springdale restricting fireworks and open fires.

Motion made by Lisa Zumpft to approve Ordinance 2022-08, Prohibiting Open Fires and Fireworks in Springdale with changes to the seventh “Whereas” to change 2021 to 2022 and direct the Mayor to sign. Seconded by Randy Aton.

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

D. Administrative Action Items

1. Request for Local Consent for a Limited-Service Liquor License for Slice of Zion, DBA Tsunami Juice and Java at 180 Zion Park Boulevard: Ms. Zumpft asked if the property was in compliance with land use codes.

- Mr. Dansie indicated there was an ongoing enforcement action for a land-use violation concerning a structure at the front of the property. The code enforcement officer had been working with the property owner to come into compliance.

Mr. Aton said a settlement agreement for this property stipulated it complied with all the Town ordinances. He understood the DABC was a separate legal entity, but this was a way to encourage the business owner to come into compliance with ordinances.

Ms. Zumpft asked how long it would take for the property owner to come into compliance.

- Mr. Dansie said the timing was up to the property owner.

Jack Fotheringham addressed the Council and said the land use violation and the local consent request were two separate issues. He was already working with a contractor and intended to come into compliance.

Motion made by Lisa Zumpft to approve the Local Consent for a Limited-Service Liquor License for Slice of Zion, DBA Tsunami Juice and Java at 180 Zion Park Boulevard contingent on the applicant coming into compliance with the current land use violations on the property. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Burns: Aye

Motion passed unanimously.

2. Review and approval of the Fiscal Year 2022-23 tentative budget: Mr. Wixom announced there were no changes to the budget worksheets since the April 28th work meeting. Any changes between now and the final budget adoption in June would be noted. State law required the Council to review and adopt a tentative budget during their May meeting. The final budget would require a public hearing and a resolution.

Springdale's property tax rate was the lowest in the county. Generally, as property values increased, the tax rate went down. Should the Council want to raise the property tax rate, or hold it steady, they would need to go through a Truth in Taxation process. If the Council wanted to accept the county's certified tax rate, the form needed to be signed and returned by June 22nd.

The property tax rates were collectively set by the county assessor, treasurer, and clerk auditor.

Mr. Aton asked how Springdale ended up with such a low property tax rate.

- Mr. Wixom explained when the resort community tax rate was increased in 1999, rather than accept the county's certified rate, the Council reduced the property tax rate.
- Springdale could impose the resort community tax because the tourist population was above a certain percentage of the permanent population.

Property tax was a small percentage of revenues. Raising the tax rate would result in a relatively insignificant amount but was still something the Council had an option to consider.

- Ms. Zumpft suggested two Council members at a time meet with Mr. Wixom to learn more for next year. The community would also be educated on the process when appropriate.
- The Council decided to accept the county's certified tax rate and not make any adjustments to Springdale's property tax rate for the upcoming year.

Motion made by Lisa Zumpft to adopt the tentative budget for FY 2022-23 and schedule a public hearing for adoption of the FY 2022-23 budget at the regular Council meeting on June 8, 2022. The Council accepts the county's certified property tax rate. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Burns: Aye

Motion passed unanimously.

3. Approval of the contract award for architectural services for the Public Works Maintenance Building and Community Recreation Building to Naylor Wentworth Lund Architects (NWL): Mr. Aton asked that the date in the contract be updated from March 10th to today's date.

- Mr. Wixom confirmed legal counsel reviewed the contract.

Mayor Bruno was familiar with this firm and comfortable with the decision.

Motion made by Randy Aton to approve the contract award for architectural services for the Public Works Maintenance Building and Community Recreation Building to Naylor Wentworth Lund Architects and date the AIA document as of today and direct the Mayor to sign. Seconded by Jack Burns.

Aton: Aye

Zumpft: Aye

Bruno: Aye
Burns: Aye
Motion passed unanimously.

4. Consideration of setting a public hearing date to amend Section 1-6-5 to change the compensation schedule for elected and appointed officials adding a yearly cost of living adjustment (COLA): State law required a public hearing to change this ordinance.

Motion made by Lisa Zumpft to update Section 1-6-5 to include a yearly cost of living allowance for elected and appointed officials and set the public hearing on June 8, 2022 during the regular Town Council meeting. Seconded by Jack Burns.

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

E. Administrative Non-Action Items

1. General Council Discussion: Ms. Zumpft said the community had lost a number of restaurants including Rosita's which was approved under a Conditional Use Permit (CUP) in the agricultural zone. This type of CUP was no longer allowed but Ms. Zumpft suggested the Planning Commission open the discussion to consider an allowance for restaurants in the agricultural zone.

- Mr. Burns said the Town had the ability to add more restaurants in the commercial zones which should be the focus. He was concerned about degrading the agricultural zone further.
- The Council agreed to direct the Planning Commission to discuss the topic and bring back a recommendation.

Adjourn

Motion made to adjourn at 6:33 pm by Lisa Zumpft. Seconded by Randy Aton.

Aton: Aye
Zumpft: Aye
Bruno: Aye
Burns: 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.



PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD

Please print your name below

Meeting Town Council Date 6/11/22

IN PERSON ATTENDEES:

**REMOTE ATTENDEES:
(Clerk will complete)**

JACK E. FOTHERINGHAM
Name (please print)

Kyla
Name (please print)

Jack FOTHERINGHAM
Name (please print)

J. Alfred
Name (please print)

Mike Grim
Name (please print)

Jane se
Name (please print)

RYAN LEE
Name (please print)

Passek
Name (please print)

Bitna Lindsey
Name (please print)

Dawn Brecke
Name (please print)

Name (please print)

Dianne
Name (please print)

Name (please print)

APRIL 2022 TOTALS
ROCKVILLE

Total Calls	2
Medical Transports	0
Medical Refusals	1
CPTA	0
Fire Calls	1

APRIL 2022 TOTALS
SPRINGDALE

Total Calls	7
Medical Transports	2
Medical Refusals	2
CPTA	1
Fire Calls	2

APRIL 2022 TOTALS

ZION

Total Calls	3
Medical Transports	1
Medical Refusals	2
CPTA	0
Fire Calls	0