



**MINUTES OF THE SPRINGDALE TOWN COUNCIL
WEDNESDAY, APRIL 12, 2023
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH**

The meeting convened at 5:01 pm.

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

ALSO PRESENT: Town Manager Rick Wixom, Director of Community Development Tom Dansie, Public Works Superintendent Rob Totten, Parks and Recreation Director Ryan Gubler, Police Lieutenant Jason Shafer, and Town Clerk Darci Carlson recording.

Pledge of Allegiance led by Mayor Bruno.

Approval of the agenda

Motion made by Randy Aton to approve the Regular Meeting agenda for April 12, 2023. Seconded by Lisa Zumpft.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

A. Announcements/Information

1. General announcements: Ryan Gubler reported there was a good turnout for the recreation building open house event. He thanked everyone who participated.

- The Zion Chalk and Earth Fest was scheduled for Saturday and Sunday, April 29th and 30th from 10:00 am – 6:00 pm at the Zion Canyon Village. A street cleaning project was planned in conjunction with this event starting at 9:00 am at the River Park.
- A line dancing class was planned for Friday, May 5th at the Canyon Community Center starting at 7:00 pm.
- A community bike ride was set for May 6th at 10:00 am, starting at the gazebo and ending at Zion Canyon Village. There would be prizes and refreshments.

Darci Carlson reminded Council members of the upcoming budget work meeting scheduled for Thursday, April 27th at 10:00 am. The agenda and packet materials were forthcoming.

2. Zion National Park update: Superintendent Bradybaugh reported:

- Visitation for March 2023 was down 23% from March 2022. Overall, Park visitation was up by approximately 40,000 people from 2019.
- The south entrance culvert project was nearly complete. Superintendent Bradybaugh expressed appreciation to the contractor and the Park's maintenance staff for their efforts.
- The highly pathogenic avian influenza was problematic this time of year. Waterfowl were very susceptible. Being scavengers, condors may consume dead waterfowl, but to date, the Park had

not witnessed any issues with local birds. There were, however, issues in northern Arizona, and birds were being tested.

3. Council department reports questions and comments: None were asked.

4. Community questions and comments: No questions were asked or comments made.

B. Consent Agenda

The Consent Agenda consisted of the following items:

1. Review and approval of monthly invoices
2. Approval of Town Council minutes for March 8, 2023
3. Approval of the RAP Tax Award Notification and Agreement for Z-Arts for the Chalk Festival in conjunction with Earth Fest
4. Proclamation 2023-01, proclaiming April 28, 2023, as Arbor Day in Springdale

Motion made by Jack Burns to approve the Consent Agenda and direct the Mayor to sign Items B3 and B4. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: No Ms. Elger voted no for Item B2.

Burns: Aye

The motion passed unanimously.

Ms. Zumpft declared she was on the Z-Arts Board but did vote. She gained nothing from the approval of the RAP Tax Award Notification and Agreement.

The Council recently adopted some new procedures for public hearings. With that, Mayor Bruno reviewed the public hearing protocol for the meeting attendees.

C. Legislative Action Items

1. Public Hearing – Ordinance 2023-04: Changes to Chapter 10-20 of the Town Code, prohibiting the creation of new split-zoned parcels (properties with more than one zoning designation), and adding standards for new development on existing split-zoned parcels: Mr. Dansie provided an overview and indicated this ordinance change would 1) prohibit the creation of new split-zoned parcels, 2) prohibit subdivisions and lot line adjustments that would have the effect of creating a split-zoned parcel, and 3) required development on existing split-zoned parcels to comply with the zoning designation where the development was located. Currently, five split-zoned parcels existed in Town.

The ordinance would allow an owner to develop the entire lot according to the most restrictive zoning designation on the property.

The Planning Commission reviewed the proposed ordinance in a public hearing and recommended approval. The Commission received some comments from the community expressing concern over the impact on existing split-zoned parcels. An additional written comment was received and emailed to the Council.

Council questions to staff: Ms. Elger clarified the whole parcel could revert to zone standards that were most restrictive.

Community questions to staff: No questions were asked.

Motion made by Suzanne Elger to go into public hearing for Ordinance 2023-04 changes to Chapter 10-20 of Town Code. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Public comment: Maria Chamberlain, representing both her husband Lloyd and herself, said approval of this ordinance would further complicate an already cumbersome process. She said they objected to the addition of standards making development even more difficult. Mrs. Chamberlain raised concerns this would negatively impact the value of their split-zoned parcels. Furthermore, she did not understand what benefit the Town would receive if the ordinance passed. She respectfully asked the Council to leave the split-zoned parcels as they currently were and to add standards to new properties. For those who already had a split-zoned property, Mrs. Chamberlain asked that they not be affected.

Motion made by Suzanne Elger to close public hearing. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Council deliberation: Mayor Bruno asked if this ordinance would impact the conditions put on the Chamberlain's property.

- Mr. Dansie said it would affect the existing Silverbear property and the new lot created through the subdivision process. Future development on both these parcels would be impacted.

For existing split-zoned parcels, Ms. Elger asked how they could be currently developed.

- Since uses were governed by zone, a commercial use could only be developed in the commercially-zoned portion of the property. However, other zoning standards were applied to the property as a whole. Therefore, hypothetically, if the front portion of a parcel was zoned Central Commercial (CC) and the rear portion Foothill Residential, the CC portion could be developed more intensely by leaving the rear portion vacant to satisfy zoning requirements.

Ms. Elger said the ordinance made sense to keep development clean and less dense. The Town did not want future split-zoned parcels. This ordinance would keep zoning and the scale of development in line with the General Plan.

- Mr. Aton agreed and said it was an appropriate change. This ordinance cleaned up any spill-over of standards that could occur if a parcel had two zoning designations.
- Mr. Burns did not support split-zoned parcels. As currently written, he said the ordinance was not in the best interest of adjacent landowners or the Town.
- Ms. Zumpft and Mayor Bruno both agreed the change was necessary.

Motion made by Lisa Zumpft to approve Ordinance 2023-04 changes to Chapter 10-20 of Town Code based on the following finding:

1) To reduce unnecessary complexities in land use regulation administration.

Seconded by Jack Burns.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

A. Administrative Action Items

1. Consideration of a contract extension with Zion Harvest for the community garden: The existing community garden agreement would expire on May 1, 2023. In working on a draft for a new agreement, the Town received a proposal from Zion Harvest. Their board decided to disband at the end of the year. Jan Passek was in attendance to represent the Zion Harvest board.

Mr. Aton asked about the garden plots being free of charge.

- Currently, there were two charges; one for the annual fee and one for a deposit. It was suggested that the annual fee be eliminated to better align with the General Plan. Jan Passek recommended that the deposit fee remains in place to provide more buy-in and accountability. The deposit would be returned when a gardener vacated their plot.

Mr. Burns clarified that the money in the Community Garden fund would remain and transfer to the Town. This balance included deposits.

- Ms. Passek said the board expected to spend approximately \$2,000 this year, but generally, annual expenses were minor.

Mayor Bruno said the Town was fortunate that Zion Harvest was willing to keep the garden through November, giving staff an opportunity to get a process in place. An extension made more sense than a new contract.

Motion made by Jack Burns that the current agreement between Zion Harvest and the Town of Springdale for the Springdale Community Garden, which expires May 1, 2023, should be extended for operation and administration of the Community Garden until November 30, 2023. At the termination of the agreement, Zion Harvest agrees to donate the remaining balance of funds in the Zion Harvest Community Garden fund to the Town of Springdale. In addition, garden plots will be free to residents for the 2023 season. Zion Harvest will return garden plots already paid for the 2023 season to residents. Zion Harvest will return the garden plot deposits to users prior to November 30th who are vacating their plots. Termination of the agreement of the Community Garden will be administered by the Springdale Parks and Recreation Department. The Town will consider recommendations provided by Zion Harvest for future management of the Community Garden. Seconded by Suzanne Elger

Aton: Aye

Zumpft: Aye Ms. Zumpft disclosed she was a member of the Zion Harvest board.

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

2. Review and possible approval of recent RAP Tax applications for FY 2023/24: The Council reviewed each application individually.

Desert Ministries: No one from Desert Ministries was in attendance to answer Council questions. Mayor Bruno wanted to understand why the request had increased so much over the previous year.

- Mr. Wixom clarified the award last year was \$500 for the Junior Zion After-School Club. This request was for the Zion Adventure Club. Mr. Wixom believed Zion Adventure Club was funded primarily by a grant but was uncertain about the amount.

Mr. Burns had an issue with the request and the application process. Each application should stand on its own merit, and in this instance, he said it was uncertain who benefitted. Mr. Burns suggested the applicant rewrite and resubmit the application so it was better understood.

Ms. Elger questioned the timing of the formation of their 501c(3) and wondered why the applicant was not present to speak to the application. She asked what the organization had done fundraising-wise to support the program.

- Mr. Burns added that the vagueness of information pointed to a problem with the application itself.
- Ms. Zumpft agreed that the application process could be improved to facilitate better information for the future.

Mayor Bruno noted that RAP Tax money could be used to fund cultural and recreational facilities within the Town. The Council had discretion over how the money was spent, and applications were not rubber-stamped. It was not a 'use it or lose it' scenario.

Mr. Burns felt applications should be submitted for projects that benefitted residents. He said there were several deficiencies in Springdale that could benefit from these funds.

- Mr. Wixom explained RAP Tax was a county-wide tax that was collected and dispersed to county municipalities. The Town of Springdale administered its portion of the money for purposes as defined by state code. He said it was unclear if funds needed to be expended specifically on residents of the community. They must go toward facilities and activities spelled out in the guidelines. He cautioned the Council not to overly restrict funds. Ultimately the Council had the discretion of how and where funds were expended.

The Council appreciated applications that clearly showed where the requested money would be spent and who benefitted. They agreed to be careful in how funds were allocated.

Mr. Aton said the Desert Ministries application had merit. There were schoolchildren in the community who benefitted; however, more clarification was needed. It was suggested that the applicant come back with more detail, especially regarding the budget.

- Mr. Burns added it was important that funds were spent responsibly and that applicants had accountability.

Mr. Wixom said that historically the Council reviewed and approved RAP Tax applications in the spring; however, the Council could also accept mid-year applications. The main goal was to have a predictable process so funds could be put to good use.

Motion made by Randy Aton to table the RAP Tax application for Desert Ministries and ask them to come back to the May 10th Council meeting to provide more detailed financial information to justify the request, inform the Council of their fundraising efforts, and discuss the success of their efforts. Seconded by Jack Burns.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Ms. Zumpft suggested she and Mr. Burns work with staff to guide how the conversation with applicants should take place and what information should be provided back to the Council to assist in the decision-making process.

Zion Canyon Mesa: No one from the Mesa was in attendance to answer Council questions. The organization was asking for \$25,000 this year. It was noted that they had asked for \$5,000 more each year for the last three years.

Mayor Bruno recalled that the Mesa had a new benefactor.

- Mr. Aton confirmed they received a grant to finish the Commons Building.

Ms. Elger asked if the Mesa charged for any of their events. She expressed discomfort with the Mesa asking for more each year. Ms. Elger questioned if there was an expectation RAP Tax was part of their annual fundraising.

- Lizette Byer indicated the Mesa charged for some workshops.

Mr. Burns wanted to hear a justification for the need for more funding.

Mayor Bruno had no problem giving them money yearly since they were a local organization. However, she had an issue with the \$5,000 increase each year.

- The Council felt more comfortable approving \$20,000 in funding. This was half of what would be received in tax revenue next year.

Motion made by Suzanne Elger to approve \$20,000 for the RAP Tax application for the Zion Canyon Mesa to do their programming for 2023. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Z-Arts: Lizette Byer was in attendance to answer Council questions. Mr. Aton asked about consulting fees in the RAP Tax application request.

- Ms. Byer explained that a key member of the 2023 event was being compensated through the Town's Parks and Recreation budget. For next year, Z-Arts wanted to pick up this expense.

According to the state code, municipalities were not cultural organizations and could not use RAP Tax to fund these operations. Because of that, all chalk art operational expenses would be funded by RAP Tax next year.

Mayor Bruno appreciated that the application spelled out what the costs were for, it did not round up, and a representative from the organization was in attendance to answer questions. She supported the request.

Motion made by Suzanne Elger to approve the RAP Tax award of \$17,800 to Z-Arts to support the 2024 Zion Chalk and Earth Fest. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye Ms. Zumpft again noted she was a member of the Z-Arts Board

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

The Town of Springdale: Mr. Gubler explained the Parks and Recreation Department originally had these projects in the FY23-24 budget proposal; however, they were suited for RAP Tax and hence the Town applied.

Ms. Zumpft asked for clarification on the picnic table purchase since she viewed this as maintenance.

- Based on what state code allowed, RAP Tax could be used to build recreational facilities, operate recreational facilities, maintain equipment, and replace assets.

Motion made by Suzanne Elger to award \$65,000 to the Town of Springdale, which included \$30,000 for new park benches and tables at Springdale Town Park, \$10,000 for a redi-rock retaining wall, and \$25,000 for matching funds for phase 2 of the Nung'wu Poa Trail. Seconded by Jack Burns.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

3. Local Consent Request for Best Western Plus Zion Canyon Inn & Suites located at 668 Zion Park Boulevard for an Off-Premise Beer License and a DABS Package Agency Permit: Paul Hansen was in attendance to answer questions. He explained that, currently, Best Western did not sell alcohol on the property. This license was intended to benefit guests, not the general public or staff.

Ms. Zumpft asked when the Town would start designating the adjacent property as a public gathering space.

- Ms. Carlson answered, starting now. The information that Mr. Hansen would provide to the DABS, in conjunction with their license application, would indicate that the adjacent Town-owned property was intended for a public plaza. This would satisfy the proximity requirement.
- The adjacent property would be designated as a public plaza or gathering space in any future reference or record related to that parcel.

Motion made by Lisa Zumpft to approve the local consent request for Best Western Plus Zion Canyon Inn & Suites located at 668 Zion Park Boulevard for an Off-Premise Beer License and a DABS Package Agency Permit and direct the Mayor, based on the following finding that the adjacent property is a public gathering space. Seconded by Suzanne Elger.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Administrative Non-Action Items

1. General Council discussion: Previously, in the meeting, it was determined that Ms. Zumpft and Mr. Burns would work on improvements to the RAP Tax application.

- Rather than have the Council review RAP Tax applications during a public meeting, Ms. Zumpft suggested another body consider them first and make recommendations. Improved standards could enhance the process. She and Mr. Burns would collaborate with staff. The Council agreed with this approach.

The collection of RAP Tax was county-approved for ten years after which point it would come before the voters again in November of 2024.

Adjourn

Motion to adjourn at 6:18 pm made by Lisa Zumpft. Seconded by Randy Aton.



PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD

Please print your name below

Meeting TOWN COUNCIL REGULAR MEETING Date 04/12/2023

IN-PERSON ATTENDEES:

Janet Passer

Name (please print)

Paul Hansen

Name (please print)

Bert Chamberlain

Name (please print)

Marie Chamberlain

Name (please print)

Lizette Byer

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

REMOTE ATTENDEES:

e cutler

Name (please print)

Kelly McKean

Name (please print)

Kris

Name (please print)

Kyla

Name (please print)

Laura Doty

Name (please print)

Pat Campbell

Name (please print)

Stan

Name (please print)

Name (please print)

Name (please print)

Name (please print)

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