



**MINUTES OF THE SPRINGDALE TOWN COUNCIL SPECIAL MEETING
TUESDAY, JUNE 1, 2021
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH**

The Special Meeting convened at 1:02pm

MEMBERS PRESENT: Mayor Stanley J. Smith, Council members Adrian Player, Randy Aton, Lisa Zumpft, and Suzanne Elger

ALSO PRESENT: Town Manager Rick Wixom, Director of Community Development Tom Dansie, Police Lieutenant JJ Ray, Office Royce Boling, Streets Superintendent Robert George, other Town staff, and Town Clerk Darci Carlson recording.

Approval of the agenda

Motion made by Adrian Player to approve the agenda for June 1, 2021. Seconded by Lisa Zumpft.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Elger: Aye

Motion passed unanimously.

A. Discussion/Information/Non-Action Items

1. General Discussion and Announcements – None were made.

B. Administrative Action Items

1. Reappointment of Jack Burns as Planning Commissioner for term expiring June 2024: There was no additional Council discussion.

Motion made by Lisa Zumpft to reappoint Jack Burns as Planning Commissioner for term expiring June 2024. Seconded by Adrian Player.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Elger: Aye

Motion passed unanimously.

C. Administrative Non-Action Items

1. Discussion of Title 4 Chapter 3B Noise and Title 6 Chapter 2 Parking Regulations as they affect business deliveries: Mayor Smith indicated discussion would not focus on a particular business or problem but on identifying existing issues and hearing solutions.

Joy Stein researched transportation surveys to understand what other communities were doing to manage delivery impacts. She indicated this was not an uncommon problem. Ideas included package lockers or smart lockers, removable bollards or stanchions, and delivery consolidation centers. Ms. Stein

indicated the Town could participate in a pilot program to help with problems. Based on her research the last 800' of a delivery posed the greatest issue.

Ms. Zumpft asked about perishable deliveries. A central location would only work for deliveries not sensitive to heat.

- Giving drivers the option to do things legally, such as off-hour or center-lane deliveries, was key.

It was suggested a central location for small parcel deliveries could be the Shell Station or the Post Office. In theory, these locations would have enough parking but an agreement would have to be worked out.

Philosophically it was questioned whether a delivery issue was an individual business problem or a Town problem.

- Mr. Aton did not agree it was on the businesses to solve the problem given the parking challenges. The Town should work with businesses, consider ideas, and trouble shoot. He said a UPS delivery versus a Sysco delivery represented two different categories of issues.

Joey Campbell's company provided lawn maintenance. When servicing properties, he noted there were limited places to park. This was especially an issue in residential areas on the south end of town. They often had to haul equipment in and debris out.

David Grow discussed sound, loading and unloading issues near the Foothill Boulevard/Winderland Lane area. This was a major thoroughfare for deliveries next to a residential area. He agreed there was a problem but unsure of specific solutions. He suggested the Town purchase their property and turn the property into a centralized loading zone.

Tyler Young and his family owned the Zion Rock & Gem. Their business had a dock and semi-truck deliveries were common. Since on-street deliveries were not permissible he suggested the Town permit a few short-term loading/unloading zones. He asked the Council to consider policy changes implementing legal zones. He had emailed a letter to the Council from Old Dominion Freight highlighting the issue (Attachment #1). Mr. Young urged the Council to work with the business community amicably to determine legal solutions.

Nancy Goodell also submitted a public comment letter (Attachment #2).

Although she tried to communicate with freight companies about delivery times, Holli Holt indicated she could not control when deliveries were made. This made it a complex problem. She said designating areas on the road specific to deliveries could help. She spoke on behalf of Sharon from Red Rock Inn who, given the location of their business, had issues receiving deliveries from semi-trucks.

Joe Pitti from Under the Eaves Inn said a localized place for deliveries was good to explore. He suggested the area near the historic ditches (by Sol Foods) was wide enough to accommodate a commercial delivery zone. Early morning deliveries were good for some but he reminded everyone hoteliers were selling a good night's sleep so noise was a factor. For future, ordinances could require development of larger establishments include a loading zone.

From a police and parking perspective, Lieutenant Ray said the primary focus was public safety. It was also police responsibility to enforce local and state laws. Approximately one to two citations were issued each month related to delivery concerns. Lieutenant Ray emphasized officers sought first to educate.

The Council discussed the noise ordinance.

- Per Town Code section 4-3B-2 there were three different decibel levels depending upon the time of day. Lieutenant Ray indicated the Police Department had conducted research to establish these levels. Officers used a decibel reader when investigating noise complaints.

Holli Holt managed Oscars Café. She respected the noise ordinance because it protected neighbors. The issue for her business related to grease trap cleaning and the time of day it could feasibly be done. Grease trap cleaning was a noisy and smelly process, however every restaurant had to have it done in order to comply with business license and health department requirements.

- Grease trap cleaning was a necessity to avoid issues with the Town's sewer system.

The Council and attendees discussed possible changes to the ordinance that would accommodate grease trap cleanings.

- If the issue was noise, Joe Pitti suggested the Town create a new decibel level for grease trap cleanings.

Discussion moved back to delivery issues. In the past, a committee investigated options including a centralized delivery location. Code section 6-2-4-5 was also an outcome of their work. A committee could be established again to revisit solutions.

For Winderland Lane, Ms. Holt said it was an issue of noise versus safety. Her suggestion was to make Winderland a one-way street creating a pull-out lane for deliveries.

- Mr. Dansie said the traffic consultant could analyze different traffic patterns in an effort to find a workable solution.

The Council took a brief break. The meeting resumed at 2:47pm.

2. Discussion of Utah Code Title 63G Chapter 2 which directs the process to fill records requests under the Government Records Access and Management Act (GRAMA): Title 63G Chapter 2 in Utah state code was based on the Freedom of Information Act. Mr. Wixom reviewed the Legislative intent of the statute which sought to balance the public's right of access to information and the right of privacy in relation to personal data gathered by governmental entities.

- Records officers, appointed by the Town's Chief Administrative Officer, were responsible for managing records. The records officers for Springdale were the Town Clerk and the Police Administrative Assistant. The Town worked within the framework of the State Archives regarding retention and destruction of records.

The default position was that a government record was public unless otherwise expressly provided by statute. Records could be classified as public, private, protected or controlled.

- Records officers had discretion as it relates to how a record was classified.
- A code enforcement violation was designated as a public record.

The Council talked about 63G-2-305(11) which classified a record as protected if disclosure of the record would jeopardize the life or safety of an individual.

- The Town had to balance privacy, transparency and due process when responding to a GRAMA request.
- Fear of the unknown was discussed. If a person felt in danger or threatened, they should take the next step with law enforcement.
- If a complaint was made, Council discussed having the right to find out who made that complaint. It would be helpful to communicate to the that public information provided in a code enforcement violation complaint form can be released if request in GRAMA.

Adjourn

Motion to adjourn at 3:31pm made by Lisa Zumpft. Seconded by Adrian Player

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Elger: Aye

Motion passed unanimously.

Darci Carlson

Darci Carlson, Town Clerk

APPROVAL: _____

[Handwritten Signature]

DATE: _____

8/11/21

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 6/1/21

IN PERSON ATTENDEES:

REMOTE ATTENDEES:
(Clerk will complete)

Sharon Lovelidge-Green
Name (please print)

Name (please print)

David Green
Name (please print)

Name (please print)

Joey Campbell
Name (please print)

Name (please print)

Joe Pitti
Name (please print)

Name (please print)



Public Letter about Delivery Ordinances

Tyler Young [REDACTED]

Wed, May 12, 2021 at 3:23 PM

To: "ssmith@springdale.utah.gov" <ssmith@springdale.utah.gov>, "lzumpft@springdale.utah.gov" <lzumpft@springdale.utah.gov>, "aplayer@springdale.utah.gov" <aplayer@springdale.utah.gov>, "raton@springdale.utah.gov" <raton@springdale.utah.gov>, "selger@springdale.utah.gov" <selger@springdale.utah.gov>, "dcarlson@springdale.utah.gov" <dcarlson@springdale.utah.gov>, Thomas Dansie <tdansie@springdale.utah.gov>

Hello Council and Town Staff,

I was asked to share this letter from a local freight delivery company during public comment on the Town's delivery ordinances and business owner concerns. I wanted to share a copy ahead of time with you all and for purposes of public record.

Respectfully,

Tyler Young

From: Dave Harper

Sent: Wednesday, May 12, 2021 2:01 PM

To: 'tyoung435@live.com'

Subject: Springdale City Council Meeting 05/12/21

To whom it may concern,

I have authorized this letter to be read by Tyler Young or a representative of his choosing.

My name is Dave Harper and I am the Service Center Manager for Old Dominion Freight Line in St. George.

To provide some brief background... OD is the 2nd largest LTL trucking company in the nation, with over 22,000 employees working in (249) Service Centers located throughout the United States.

OD started in 1934 with one man and a truck and our growth over the past 87 years has been significant. We are the fastest growing nationwide LTL carrier with annual revenues approaching \$5 Billion annually. OD opened operations in St. George in 2005 and services hundreds of customers in southern Utah, Nevada & northern Arizona.

OD strives in all aspects to be a responsible and ethical business partner in the communities we service. We are grateful for the loyal customers we have in the Springdale/Zion area.

We appreciate their business and we are very proud to provide an essential service to the business community here.

You may have heard the expression, "*If you've got it – a truck brought it*"

That is very true.

70% of everything received by American businesses is delivered on a truck. Every city and town in America collectively depends on the trucking industry.

The businesses in Springdale are no different, as they depend on OD to deliver their necessary goods to replenish inventories, support expansion and keep commerce flowing in the area.

We understand that protecting the "Zion Experience" is vital to continued growth. We also understand that part of that growth will be the ability for local businesses to offer their services and products. That requires trucking and I'm sure we can all agree that one of the many responsibilities of any local Government is to support local commerce and allow for the unimpeded interstate transportation of goods within their community.

But the issue we wish to address is that the normally simple act of delivering a shipment in Springdale has become increasingly difficult, and potentially very costly.

Over the last few years, our drivers have experienced significant difficulties to find places to legally park for the necessary process of off-loading and delivering shipments that Springdale businesses ordered.

The streets in Springdale are relatively small in comparison with most communities we service and most of the businesses unfortunately don't have a commercial loading dock or parking areas designated as loading/unloading zone.

So all trucking companies, including OD, have been forced to adapt.

This has led to numerous encounters with the local law enforcement, where our drivers have been threatened with citations for simply doing their job.

After speaking with Old Dominion Senior Management, we can confirm that within the 11 State area that comprises the entire Pacific Northwest Region, there is not a single city or town where we have anything even close to the situation we have now in Springdale.

None.

If commercial delivery drivers would receive citations for making required deliveries to your local businesses, there is a good possibility that our trucking company (and likely others as well) would have no alternative but to pass those additional delivery costs on to the customer.

This will definitely result in significantly higher shipping rates.

Please know that OD is a business like any other and not a charity.

Thus, we will always reserve the right avoid operating at a loss.

In a possible worst case scenario – the decision would need to be made as to whether or not we should stop servicing the area entirely.

OD very much wishes to avoid that scenario.

It is our sincere hope that the local business leaders and Government officials in Springdale will acknowledge this unfortunate situation so a resolution can be achieved.

It is our desire to continue to service the good people of Springdale and provide their transportation needs to help facilitate continued economic growth in the area.

We look forward to working with local officials in the community to work towards a common sense solution to this issue.

Thank you for the opportunity to be heard on this matter.

Sincerely,

Dave Harper

Service Center Manager

Old Dominion Freight Line

David Harper

SVC Manager - Sales and Service



Helping the World Keep Promises.®

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Darci Carlson <dcarlson@springdale.utah.gov>

Fwd: Business Delivery Noise and Parking

Lisa Zumpft <lzumpft@springdale.utah.gov>

Mon, May 31, 2021 at 2:52 PM

To: Rick Wixom <rwixom@springdale.utah.gov>, Thomas Dansie <tdansie@springdale.utah.gov>, "Carlson, Darci" <dcarlson@springdale.utah.gov>

FYI

NOTE NEW EMAIL ADDRESS

----- Forwarded message -----

From: **Nancy Goodell** [REDACTED]

Date: Mon, May 31, 2021, 2:49 PM

Subject: Business Delivery Noise and Parking

To: <ssmith@springdale.utah.gov>, <aplayer@springdale.utah.gov>, <lzumpft@springdale.utah.gov>, <raton@springdale.utah.gov>, <selger@springdale.utah.gov>

Dear Council Members,

I am speaking up as a longtime and fulltime Springdale resident with the potential to be negatively affected by any relaxation of business noise and parking regulations. Specifically, my Big Springs Rd proximity to the Springhill/Hampton complex gives cause for concern. These businesses already demonstrate a lack of concern for their impact on residential neighbors, as evidenced by my numerous complaints over the years about construction activity during off hours, building A/C noise, idling bus noise, and delivery truck noise during off-hours. I already hear trash dumpsters being banged against the truck during pre-dawn hours. I would be dismayed if the Council would relax any existing regulation. And I continue to watch for evidence that your enforcement of existing regulations will improve.

Of specific concern is the possibility that the hotel food delivery truck that used to roar up Big Springs Rd in the pre-dawn hours will return. Or that the pre-dawn timing of residential garbage pick-up on Big Springs will be renewed.

My votes to put each of you in a position of impacting the quality of Springdale residential life were made with confidence that you would do just that. Springdale residents deserve to have a livable "downtown" without having to head to the hills or across the river to escape business encroachment. Whatever happened to the idea we were a village? If businesses cannot meet their operational needs under current regulations, perhaps it is up to the business owners to find solutions that do not unreasonably impact residential neighbors.

Thank you.

Nancy Goodell
[REDACTED]