



**MINUTES OF THE SPRINGDALE TOWN COUNCIL MEETING ON
WEDNESDAY, SEPTEMBER 5, 2018
AT TOWN HALL, 118 LION BOULEVARD, SPRINGDALE, UTAH
MEETING BEGINS AT 5:00PM**

Meeting convened at 5:00pm

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

ALSO PRESENT: Town Manager Rick Wixom, DCD Tom Dansie, and Town Clerk Darci Carlson recording. See attached sheet for attendees signed into the meeting.

Pledge of allegiance led by Mayor Stanley J. Smith.

Motion made by Lisa Zumpft to approve the agenda for September 5, 2018; seconded by Adrian Player.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

Information/Non-Action Items

General announcements: Mr. Dansie announced the Town would hold a public open house on September 12th at 6:00pm at the Canyon Community Center to gather input from the community on the first season of the on-street parking program.

Zion Park update: Superintendent Bradybaugh was unable to attend.

Community questions and comments: None were asked.

Action Items – Legislative

1. Public Hearing – Ordinance 2018-14: Changes to section 10-23-10 of the Town Code revising the development standards for public parking lots and placing a cap on the total number of off-street public parking spaces that can be developed in the Town: Mr. Dansie said the SR-9 project removed a significant amount of on-street parking and instituted the paid on-street parking program. With this had also come an increased interest in the development of off-street public parking areas.

The intent of this ordinance was to add greater control and standards for development of parking lots. In addition, the ordinance capped the number of off-street public parking spaces at the number of spaces which existed the date the ordinance was adopted; this number was approximately 450. Mr. Dansie noted four pending public parking lot applications were vested and may complicate this proposed cap if one was established. Currently there were about the same number of on-street parking spaces as off-street.

Questions from the Council to staff: Mr. Alltucker concluded there were roughly 300 additional spaces that could potentially be developed from the pending applications.

- In the event a cap was established, any spaces developed from the vested applications become a legal non-conforming use.

Mr. Alltucker asked if a food truck would be considered a complimentary commercial use.

- Mr. Dansie did not believe so however the Council could stipulate a food truck was not a complementary commercial use.

Mr. Aton asked how many parking spaces were in the Park.

- Mr. Dansie was unsure but said they had experienced an increase in roadside parking in undesignated spaces.

Questions from the public to staff: Larry McKown asked if the pending applications specified paving.

- Mr. Dansie said the ordinance required a hard surface for lots greater than 25 spaces.

Mr. McKown asked if there were sidewalk, lighting and screening requirements.

- Mr. Dansie answered there was no lighting or sidewalk requirement but screening was required.

Mr. McKown asked if the Town had spoken to the Park about parking.

- Mr. Dansie answered there had been a number of conversations with the Park. The Park made it clear they would not be adding any more parking spaces.

Motion made by Lisa Zumpft to open public hearing for Ordinance 2018-14, changes to section 10-23-10 of the Town Code revising the development standards for public parking lots and placing a cap on the total number of off-street public parking spaces that can be developed in the Town; seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

Public comments: Since the parking changes, Josh VanderWerff commented downtown foot traffic had plummeted. He attributed this to parking being pushed farther outside Town and once people were done in the Park they left. Mr. VanderWerff suggested parking be spread out so people were not forced away from the commercial district in Springdale.

- Mr. Dansie said this was an important point but did not pertain to this ordinance. He suggested Mr. VanderWerff bring forth his comment during the upcoming public open house.

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

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

Council deliberation: Ms. Zumpft confirmed that any excess spaces beyond the established cap, once gone, could not come back. She also wanted to be sure the specific cap number was called out in the ordinance.

Mr. Alltucker raised concern about impacts on neighbors and municipal services, including the shuttles.

- There were screening and landscape standards to protect residences adjacent to commercial uses. The ordinance did not specify which locations were appropriate based on shuttle ridership.

Mr. Dansie indicated this may be an important criterion to add, however it would not affect the pending parking lot applications since it was already known where these would be located.

Mr. Player felt the market would dictate demand. He questioned why anyone would develop a parking area when lots weren't full now.

Mr. Alltucker asked how long an application was good.

- Mr. Dansie explained once approved, a design/development review was good for one year. A completed application triggered the DDR process. The applicant could withdraw their application but if not, the Planning Commission was obligated to act.

Mayor Smith felt it ironic the Town was now talking about having too many parking spots. He wanted to be cautious and make a decision that was good now and in the future.

- Mr. Aton noted the ordinance specified the cap be revisited every five years or sooner. This would allow the Council a process to reconsider the number and raise or lower as necessary.

Ms. Zumpft agreed market demand would take care of itself, however the Council had a responsibility to be sure the Town didn't turn into a parking lot.

The Council discussed the off-street parking space cap. They agreed 450 worked and was a guideline that was movable in the future

Motion made by Lisa Zumpft to approve Ordinance 2018-14, revising standards for off-street public parking areas and establishing a cap on the total number of off-street public parking spaces in Town with the change that the verbiage 'present parking spaces' will explicitly be 450 spaces for off-street parking and direct the Mayor to sign; seconded by Adrian Player.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

2. Public Hearing – Ordinance 2018-15: Addition of section 10-22-16 to the Town Code prohibiting the long-term placement of storage containers on property in the Town: Several months ago, the Council gave direction to the Planning Commission to devise design standards and land use regulations to better control storage containers. Pursuant to this direction the Planning Commission tried to develop guidelines but ultimately could not accomplish this goal because containers were inherently incompatible with the Town's village character. In addition, the Commission said compliance with possible standards would negate the advantages of their use. For these reasons, the Planning Commission forwarded a recommendation that prohibited storage containers recognizing that existing containers, if not in violation of the current ordinance, would become a legal non-conforming use.

Questions from the Council to staff: Mr. Alltucker confirmed if the ordinance was adopted any existing, non-compliant containers would need to be removed. He asked if the Town knew which were currently compliant and which were not.

- Mr. Dansie said the Town had a good handle on which were legal. There were approximately five illegal containers and property owners were aware.

Questions from the public to staff: None were asked.

Motion made by Adrian Player to open public hearing for Ordinance 2018-15: seconded by Lisa Zumpft.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye
Motion passed unanimously.

Public comments: Larry McKown asked if storage containers out of general public view would be legal.

- Mr. Dansie answered if the ordinance passed, the container would need to be removed.

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

Aton: Aye
Zumpft: Aye
Smith: Aye
Player: Aye
Alltucker: Aye
Motion passed unanimously.

Council deliberation: Ms. Zumpft wasn't in favor of an outright prohibition and felt containers could have a purpose and use. She said parameters could be set and it wasn't the Town 's business to determine what benefits might be negated.

Mr. Player said containers could be modified architecturally and noted a recent example in Town where containers had been appropriately converted to nightly lodging units. The idea was to set standards so they were suitable with village atmosphere. He agreed with Ms. Zumpft.

- Mr. Alltucker was not a fan of containers but they provided a way to keep construction costs down and were a component of affordable housing.

Mayor Smith, and the Council, appreciated the work of the Planning Commission. Mayor Smith was not in favor of a complete ban. Springdale emphasized the importance of recycling and reusing; containers could be used in this way.

The Council agreed there was a place for containers and standards could be developed to make them architecturally interesting and compliant.

- Mr. Dansie said the Planning Commission had written well-developed standards and this language could be resurrected as a starting point for the Council to consider.

Mr. Alltucker suggested the ordinance be adopted tonight preventing property owners from placing a storage container on their property. This would give the Council time to develop and implement architectural standards. The Council considered how this would affect any incoming applications.

- According to state code section 10-9a-509(1), Mr. Wixom said if the Council started the process to amend an ordinance and, if after 180 days, this process had not resulted in enactment that prohibited approval of a submitted application, the Town would need to process the application.

The Council decided to pass the ordinance as written which would prohibit storage containers. They would direct the Planning Commission to resurrect the design standard language they had drafted and bring a revised recommendation to the Council

Motion made by Mike Alltucker to pass Ordinance 2018-15, an ordinance prohibiting the placement of storage containers in the Town and authorize the Mayor to sign; seconded by Lisa Zumpft.

Aton: Aye
Zumpft: Aye
Smith: Aye
Player: Aye
Alltucker: Aye
Motion passed unanimously.

Motion made by Mike Alltucker to direct the Planning Commission to bring forward the work they have already done on the architectural standards for storage containers; seconded by Lisa Zumpft

Aton: Aye
Zumpft: Aye
Smith: Aye
Player: Aye
Alltucker: Aye
Motion passed unanimously.

3. Public Hearing – Ordinance 2018-16: Addition of section 10-22-17 to the Town Code regulating the operation of food trucks in the Town: Mr. Dansie said the state legislature mandated any municipality that allowed restaurants to allow food trucks. In anticipation of food trucks coming to Springdale, this ordinance provided regulations and guidelines to help protect the Town's character. This ordinance only allowed food trucks and did not allow food carts, ice cream trucks or other mobile vendors.

Questions from the Council to staff: Mr. Aton asked if the agreement between the food truck operator and the local property owner was provided to the Town.

- Mr. Dansie said state law prohibited the Town from requiring written proof of that agreement.

Ms. Zumpft asked if food trucks could operate on a private road if allowed by the owners.

- As drafted Mr. Dansie said the ordinance stated food trucks could not operate in the public right of way therefore if the Council wanted to prohibit operation on a private street this should be clarified in the language.

Regarding restrooms, Mr. Alltucker asked if a porta-potty could be provided.

- Mr. Dansie said the Planning Commission envisioned restroom facilities in a permanent building not a portable toilet. Therefore, this should be clarified.

As currently drafted there was no additional parking required for the food truck itself. Food trucks were only allowed on properties with excess parking beyond what was required by code for the commercial use where the food truck was located.

Ms. Zumpft referenced Section Two, Letter D and suggested a timeline be added.

If a food truck operated on a given property more than ten-hours a week, the Town could require a site plan and documentation indicating requirements were being met.

Questions from the public to staff: Larry McKown indicated state law stated food trucks could be 500' from a restroom and asked if the Town could stipulate 100'.

- The Town could be more restrictive but not less.

Mr. McKown asked about docking provisions, specified distance from a remote kitchen, and lighting requirements.

- Given state definition, the food truck was not permanently affixed and therefore could not restock in Town. Food trucks were regulated by the health department, subject to all land use requirements, and required to go through the business licensing process.
- Mr. McKown commented food trucks should be required to follow the same standards as local restaurants otherwise it was unfair.

Susan Hoover asked if food trucks could operate on construction sites or at a residential private party.

- Mr. Dansie said the Town ordinance limited food trucks to commercially zoned areas only.

Matt Rayner asked if a food truck could set up tables and chairs. He also questioned signage and why three food trucks could be allowed at one location.

- Mr. Dansie indicated tables and chairs were allowed. However, food trucks must follow the 50' setback requirement, could not occupy parking spaces, or block access.
- Currently Town ordinance prohibited a vehicle being used as a sign. Mr. Dansie acknowledged a food truck was essentially a giant sign however the state required the Town allow them.
- Mr. Dansie said the Planning Commission discussed the number of food trucks allowed at one location and determined three was appropriate.

Aside from the front setback of 50' from SR-9, Max Gregoric asked if other setbacks applied. Mr. Gregoric also asked about architectural design rules.

- Mr. Dansie said there were no other setback requirements specified in the ordinance.
- State law stated the Town could not expressly or constructively prohibit food trucks but the Town could enforce land use standards and zoning.

Mechelle Kellin asked if six food trucks could park next to each other.

- Mr. Dansie said it was possible in theory but likely not in practice.

Larry McKown asked if vendors could cook outside.

- The state definition specified a food truck was a fully encased food service establishment so outside cooking was not allowed.

Mike Marriott asked if the proximity rule could be imposed controlling the distance between food trucks.

- Mr. Dansie was unsure.

Josh VanderWerff asked if the commercial non-conforming properties had to comply with setback requirements.

- As currently drafted, the ordinance included a provision for front setback from SR-9. Mr. Dansie said Council could put in a provision to include additional setbacks.

Motion made by Lisa Zumpft to open public hearing for Ordinance 2018-16, addition of section 10-22-17 to the Town Code regulating the operation of food trucks in the Town: seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

Public comments: Max Gregoric felt the ordinance was vague as drafted. He suggested food trucks be required to have at least two parking spaces in addition to those on the commercial property. If they provide tables and seats additional parking spaces should be required. Mr. Gregoric said food trucks should follow the same set back rules as other businesses and he preferred to see only one food truck per lot.

Ryan Johnson operated food trucks in Utah county. He said the health department scrutinized food trucks more than restaurants. In order to keep a good reputation within communities, food truck owners asked permission to park on property. Mr. Johnson said people enjoy food truck round-ups because they brought more options for the public. Food trucks were required to have a fire suppression system and county/state inspection stickers. He was willing to answer any questions and ease concerns.

Shauntai Johnson said food trucks were very relationship and reputation oriented. She said any food truck wanting to operate in Springdale would analyze their costs first to see if it was worthwhile. Ms. Johnson suggested the Town draft a letter to welcome food trucks and include information about the

signage ordinances and ask them to comply. As commercial properties invite food trucks to operate, she said it was advantageous to group them. She understood restaurants felt threatened but suggested they find a food truck that complimented their menus to increase patronage volume. Restaurants might consider operating their own food truck to help with marketing. Ms. Johnson said she and her husband were a voice for many food truck owners.

Matt Rayner owned two restaurants in Town and felt this was a financial disaster for his family. He did not understand how food trucks descending on the Town would be a boon and he was totally against it. Ordinances had a way of causing unforeseen consequences and Mr. Rayner cautioned the Council.

Larry McKown had been in Springdale for 45 years and was not afraid of competition. The Town was the pride of Utah and worked hard to keep village character intact. The Town could have been exploited but had been protected. Mr. McKown felt food trucks were good in cities but should be kept out of small towns.

Susan Hoover had been coming to Springdale for 40 years and felt there was a place for food trucks. She encouraged clumping them together in an area farther away from restaurants. Ms. Hoover noted during the off season there was no place to eat dinner and food trucks catered to a different crowd. If state law allowed them Springdale needed to accept food trucks into the area. Ms. Hoover said it was critical this be done right and not be so negative.

Shauntai Johnson commented her husband was from a small town and they had valuable advice to offer to create a win-win situation. She suggested the Town create an area for food trucks that was tucked away. Food trucks were popular. Ms. Johnson said you couldn't choose your neighbors but you could control them.

Josh VanderWerff wanted the Town to minimize the impact of food trucks as much as possible. He said restaurants in Town spent hundreds of thousands of dollars each year maintaining their properties and it was somewhat unfair. Mr. VanderWerff said there was no sense of community with a food truck.

Mike Marriott suggested the Town rethink the zones in which food trucks could operate. He suggested they be only allowed in the agricultural zone instead of commercial zones.

Trista Rayner appreciated the passionate discussion. Due to the costs and regulations, it took dedication, commitment and planning to start a restaurant in Springdale. They would not be successful if not compliant with Springdale standards. Ms. Rayner said it would not be fair to allow a food truck to come in and not have the same requirements as the commercial property where they parked. Restaurant profit margins were small because they were constantly evolving and doing what was right for the Town. The Town could not be unfair to the people already here.

Mechelle Kellin raised concern about the noise coming from food truck generators.

Josh VanderWerff asked if food trucks were held to the same sales tax requirements. He questioned if date of sales were tracked.

Addressing the noise issue, Ryan Johnson replied their truck was silent. A municipality could regulate the noise of the truck. He said food trucks were given sales tax forms and paid a state-wide tax.

Young Kim was a visitor and businessman and interested in this process. As a guest to the Town he could see the concerns of the existing businesses but he liked competition. Mr. Kim felt this was a critical issue and suggested the Council delay a decision in order to assess the concerns of both sides. The Council must take care of their own constituents but also needed to abide by the state law.

Trista Rayner said they were struggling in the commercial zone. The Town spent decades creating a walking district but now no one was using it. People were rushing into the Park on the shuttle then rushing out. Visitation was not in the downtown area. She said the Town had not done enough to publicize free parking at local businesses and felt the village scale had been killed.

Ryan Johnson suggested the Council may be able to regulate the number of food trucks in Town at one time. A schedule could be set.

Motion made by Adrian Player to close public hearing; seconded by Mike Alltucker.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

The Council took a brief break.

Council deliberation: Mr. Player said he was not prepared to adopt the ordinance as written. There were a number of issues from both sides that needed to be addressed.

Mr. Alltucker had great concern with the impacts to businesses and neighbors. Many ideas heard during the public hearing should be thought through. Mr. Alltucker said the Planning Commission should be complimented for the work they had done.

- Mayor Smith said the Council needed to provide feedback to the Planning Commission on their issues of greatest concern.

Mr. Aton asked if the state had a timeframe for adoption.

- There was no deadline, however Mr. Dansie said it was good practice for the Town to comply as soon as possible.

Mr. Aton asked if the state would allow restriction of the number, or distribution, of trucks in Town.

- Mr. Dansie said he could not find anything in the state code that would prohibit the Town from imposing limits.

To clarify, Mr. Dansie said, as drafted, the ordinance allowed food trucks in commercial and agricultural zones. State law required municipalities to allow food trucks in any zone where restaurants were allowed.

Ms. Zumpft thanked everyone for their comments. If people did not like this law, she suggested they write their state representatives. Ms. Zumpft wished those who commented tonight would have participated in the Planning Commission public hearing; the feedback may have prompted the Commission to recommend different language in the ordinance. Although not on a regular basis, food trucks were already allowed in Town during special events. Ms. Zumpft appreciated food trucks as an option when she traveled however she acknowledged it was critical how they would fit into Springdale.

Mr. Dansie said he reached out to Park City, Salt Lake City and Summit County all of whom had enacted food truck ordinances. The Utah League of Cities and Towns had also been contacted for input.

Ms. Zumpft asked about tax collection and how the Town would know a food truck was operating.

- Mr. Wixom said it was the state tax commission's responsibility to be sure taxes were collected appropriately. Taxes should be collected at the point of sale. The Town receives a tax report which made it possible to see which outlets had reported sales.

Ms. Zumpft agreed the ordinance was not ready for a vote.

Based on input from the public hearing and Council deliberation, the Council decided to submit concerns to the Director of Community Develop who would redraft the ordinance. The Council did not feel action was needed tonight since the state ordinance had been in place since May and there was not an onslaught of food trucks in Town.

Motion made by Lisa Zumpft to table Ordinance 2018-16, addition of section 10-22-17 to the Town Code regulating the operation of food trucks in the Town until next month and ask Town Council members to give comments to staff for a redraft; seconded by Adrian Player.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

4. Public Hearing – Ordinance 2018-17: Changes to section 10-14-9(C) clarifying the Town’s regulation of gated access of subdivisions: Mr. Dansie said current regulation prohibited gated access into a subdivision unless there was a compelling need. The Planning Commission recommended detailed criteria under which compelling need was determined. The Council decided it would be better policy for the Town to prohibit gates entirely; therefore, the compelling need exception would be removed.

Mr. Aton liked the ordinance and that no subdivision could install a gate or make significant improvements to an existing gate.

Motion made by Mike Alltucker to approve Ordinance 2018-17, changes to section 10-14-9(C) clarifying the Town’s regulation of gated accesses of subdivisions and that we approve the Mayor to sign; seconded by Adrian Player.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

5. Continued discussion of Subdivision Plat Amendment – Converting multi-family apartments in the Moenave subdivision to a multi-family condominium project – Mountain Vista Development:

This request would convert lots 11, 12, 13, and 14 from rented apartments to individually owned condominium units.

Regarding this request, the Council had previously expressed concern about land use standards, prior approvals, HOA interaction, and the affordable housing component. In response, Mr. Dansie said the applicant had redrafted their application; each individual lot was now submitted as a separate amendment. This clarified that the four lots would remain part of the master Moenave subdivision, existing prior approvals would still apply, and all land use standards would remain in place.

The Town and developer had drafted a restrictive covenant which created more control over the affordable housing component.

Mr. Aton asked about multi-family lots 15 and 16.

- Mr. Dansie said they these lots were status quo. Two four-plexes would be built and remain rental apartments. The affordable housing component for the entire subdivision would be satisfied with the six-plexes.
- Ms. Zumpft noted there was a potential the developer could come back to the Council with a request to subdivide lots 15 and 16.

Ms. Zumpft raised concern about the timing of the restrictive covenant recordation as it related to the issuance of a certificate of occupancy.

- Mr. Dansie said the two were connected and the issues were comingled but not entirely reliant on each other.

Mr. Dansie noted that once lots were built out, any issues associated with the private infrastructure, such as landscape maintenance or storm water drainage, would be the responsibility of the HOA.

Representatives from Mountain Vista were in attendance to answer questions.

Mr. Alltucker asked why the Town would consider converting desperately needed rental units into private condominium ownership. He said the conditions of the original overlay were very clear and done with the goal to create more rental units.

- Mr. Dansie said the subdivision approval included multi-family and single-family units. As originally presented, the multi-family units were envisioned to be rental, however there wasn't anything in the original approval or in the ordinance that required them. Therefore, he did not think the Town could deny the request.

Mr. Alltucker expressed frustration that through the entire process there was never any discussion of these units being converted from apartments to condominiums. Under this circumstance, he questioned whether the Council would have even considered this proposal.

Ms. Zumpft commented this project was a major learning experience for the Town. Unfortunately, the Town did not do a good job of codifying what was presented; the underlying zone ultimately dictated what was required.

Mr. Dansie reiterated that a condition of the final plat approval was that a certificate of occupancy would not be issued for more than three of the Village Commercial Planned Development multi-family lots until the required affordable housing had been constructed.

Mr. Alltucker asked if the traffic impact study had been completed. The developer was to pay for any infrastructure improvements.

- The study had not been done since the trigger related to the number of units developed. Mr. Dansie would revisit the agreement to confirm who was responsible to pay.

Motion made by Randy Aton to approve the subdivision plat agreement amendments, one plat each for lots 11, 12, 13, and 14, converting the multi-family apartments in the Moenave subdivision to a multi-family condo project; seconded by Lisa Zumpft.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: No

Motion passed.

Action Items - Administrative

1. Public Budget Hearing – Resolution 2018-11 to open and amend the FY 2018-19 budget: Mr. Wixom said this budget amendment accounted for ATMS equipment to monitor traffic cameras and the office remodel.

Questions from the Council to staff: None were asked.

Questions from the public to staff: None were asked.

Motion made by Lisa Zumpft to open public hearing for Resolution 2018-11 to open and amend the FY 2018-19 budget; seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

Public comments: No public comments were made.

Motion made by Adrian Player to close public hearing; seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

Council deliberation: There was no additional Council discussion.

Motion made by Lisa Zumpft to approve Resolution 2018-11 to open and amend the FY 2018-19 budget; seconded by Adrian Player.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

2. Consideration and possible approval of the Moenave Subdivision Restrictive Covenant regarding affordable housing for lots 11, 12, 13, 14: Mr. Dansie said the restrictive covenant would regulate the six affordable units in the subdivision. Both the Town Attorney and developer had reviewed the document however the Town had a number of follow-up questions that had not been answered yet due to the holiday.

The Council noted there was no mechanism for Springdale to be notified when an affordable unit was sold; this should be a stipulation in the agreement. A third-party independent entity would monitor the affordability component.

The Council wanted to ensure the restrictive covenant was recorded coincident with the plat amendment.

Motion made by Mike Alltucker to table consideration of the Moenave subdivision restrictive covenant document pending more legal review and drafting, and get a draft back for approval a week before the next Council meeting; seconded by Randy Aton.

Aton: Aye

Zumpft: Aye
Smith: Aye
Player: Aye
Alltucker: Aye
Motion passed unanimously.

Motion made by Lisa Zumpft to reconsider item B5 the subdivision plat amendment converting multi-family apartments in the Moenave subdivision to a multi-family condominium project; seconded by Adrian Player.

Aton: Aye
Zumpft: Aye
Smith: Aye
Player: Aye
Alltucker: Aye
Motion passed unanimously.

Motion amendment made by Randy Aton to accept the language of the previous motion with the condition that the restrictive covenant and the plat be recorded coincidentally; seconded by Lisa Zumpft.

Aton: Aye
Zumpft: Aye
Smith: Aye
Player: Aye
Alltucker: No
Motion passed.

Consent Agenda

Invoices:

Invoice Date	Invoice No.	Vendor	Amount	Budgeted	Description
7/5/2018	12/1/3632	Durham Jones & Pinegar	\$ 1,144.74	Yes	Appeal Authority-Fotheringham
7/10/2018	7/10/2018	Holt, Brady	550.00	Yes	Sand for Volleyball Courts
7/13/2018	6312289	Scholzen's Products	2,587.66	Yes	Meter/Hydrant Parts
7/23/2018	6251	Sierra Security	627.00	Yes	Cameras for Lobby
7/10/2018	128967	Southern Utah Distributing	861.86	Yes	Park Restroom Supplies
5/31/2018	13303	Straight Stripe Painting	14,924.24	Yes	Seal Coat/Asphalt Cleaning
7/26/2018	636914	USA Bluebook	1,076.33	Yes	Chlorine Regulator & Rate Meters
7/16/2018	9811084705	Verizon	2,004.63	Yes	Monthly Cell Service
8/1/2018	8/1/2018	Weiland, Zac	800.00	Yes	Monthly Prosecution Retainer
8/1/2018	180901	Pelorus Methods	1,300.00	Yes	Quarterly Support
8/8/2018	8000-9090-0957-9686 08/08/2018	Purchase Power	520.99	Yes	Postage
7/31/2018	93682	Snow Jensen & Reece	7,575.92	Yes	General Representation
7/13/2018	93683	Snow Jensen & Reece	360.50	Yes	Springdale vs. SCIC
7/31/2018	641097	USA Bluebook	3,105.00	Yes	Chlorine Regulator & Rate Meters
7/30/2018	MS000015475	Wheeler Cat	7,500.00	Yes	Deep Cut Walk Behind Concrete/Asphalt Saw & Water Kit
8/9/2018	8/9/2018	Zion Events	2,500.00	Yes	ZCMF Donation
8/3/2018	18007	Bowler, Odean	300.00	Yes	Public Defender
8/3/2018	18008	Bowler, Odean	300.00	Yes	Public Defender
8/3/2018	CR16557	Century Equipment	990.00	Yes	Case 580SN Backhoe Rental
8/10/2018	0918-1	Harold, Phil	1,960.00	Yes	Barley Fence for Lagoon
7/25/2018	107382	Rainbow Sign & Banner	2,598.92	Yes	Street Name Signs
8/9/2018	18652	Utah Barricade	2,915.66	Yes	Signs, Cones and Kiosk Stickers
8/2/2018	19700000321	Utah Division of Water Quality	550.00	Yes	Sewer Discharge Permit Fee
8/13/2018	100	W M Gregg Masonry	1,000.00	Yes	Labor & Materials for Sign Repair on SR9
7/31/2018	65352	Washington County Solid Waste	3,667.60	Yes	Garbage Billing
7/31/2018	M0000015499	Wheeler Cat	74,874.00	Yes	Skid Steer Purchase
8/10/2018	8/10/2018	Z-Arts	3,500.00	Yes	Public Sculpture Project Final Draw #3
7/19/2018	J002421	Dorsett Technologies	50,000.00	Yes	WTP Pay Request #10
7/30/2018	205570	Landmark Testing & Engineering	1,093.00	Yes	WTP Pay Request #10
7/31/2018	07/18/18, 07/19/18	Purgatory Correctional Facility	600.00	Yes	Inmate Work Crew - Billed to DSU
8/15/2018	8/15/2018	Rocky Mountain Power	8,636.84	Yes	Electric Service
8/6/2018	95786	Sunrise Engineering	36,223.71	Yes	WTP Pay Request #10
8/1/2018	1742-007 Retainage Correction	VanCon Inc	29,253.48	Yes	WTP Pay Request #10
8/1/2018	1742-8	VanCon Inc	297,879.52	Yes	WTP Pay Request #10
7/30/2018	68531	WesTech	79,641.80	Yes	WTP Pay Request #10
7/31/2018	44	American Mini Golf	4,540.00	Yes	Materials & Labor for Shade Sails
8/28/2018	8/28/2018	St. George Ford	66,513.00	Yes	Four Police Trucks/Bldg Inspector Truck Purchase
			\$714,476.40		

Motion made by Lisa Zumpft to approve the consent agenda; seconded by Adrian Player.

Aton: Aye
Zumpft: Aye
Smith: Aye

Player: Aye
Alltucker: Aye
Motion passed unanimously.

Administrative Non-Action Items

Council Department Reports and General Discussion: Mr. Alltucker said there was no Street Department report.

Mr. Player sent meeting notes regarding the water treatment facility (Attachment #1). State-required testing would begin in about two weeks with the plant operational the week of September 17th.

Ms. Zumpft commented the parking staff had things running better. The recent holiday weekend was a vast improvement. The next Parking Committee meeting was scheduled for September 11th at 10am.

- The Zion Regional Collaborative Camping Committee would meet tomorrow and Ms. Zumpft would attend. She would also attend the ULCT Conference next week.

Mr. Aton reported the County Commissioners approved a budget amendment for the RSFPD to fund the new fire engine, severance pay for past employees, and attorney fees. The new fire engine was ordered and should arrive within 30-45 days.

- Mr. Aton said the RSFPD Board identified equipment to surplus sale.
- Since most calls were EMS, Chief Kuhlmann proposed moving another ambulance to the Springdale station so if a second call came in only the crew would need to come up the hill.

Mayor Smith said the Transit Committee met and issued an RFP to identify a consultant to help design the system. The transit system would likely not be running until late season next year.

- The market for recyclables had substantially declined and would not improve for quite some time. Contracts still existed with Rocky Mountain Recycling and Dixie Waste so this was an issue.
- Mayor Smith noted street lights in the center of Town were out.

Adjourn

Motion to adjourn at 9:16pm made by Lisa Zumpft; seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Smith: Aye

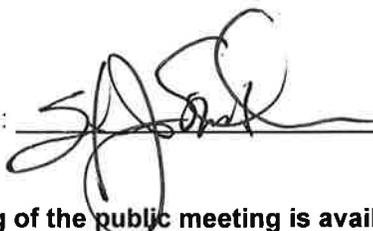
Player: Aye

Alltucker: Aye

Motion passed unanimously.



Darci Carlson, Town Clerk

APPROVAL:  _____ DATE: 10/10/18

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



PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD
Please print your name below

Meeting Town Council Date 9/5/18

Eric Balazs
Name (please print)

Name (please print)

BRAUNN ANDERSON
Name (please print)

Name (please print)

Lusan Hoover
Name (please print)

Name (please print)

Josh Vanderwerff
Name (please print)

Name (please print)

LANNY MCKAY
Name (please print)

Name (please print)

MAX GREGORIC
Name (please print)

Name (please print)

Trista Rayner
Name (please print)

Name (please print)

Matt Rayner
Name (please print)

Name (please print)

Mechelle Kefin
Name (please print)

Name (please print)

From: aplayer@springdaletown.com
To: [Stan Smith](#); [Mike Alltucker](#); [Lisa Zumpft](#); "Randy Aton"
Cc: [Darci Carlson](#)
Subject: Water Treatment Plant Status Meeting
Date: Thursday, September 6, 2018 10:04:10 AM

Mayor and Rick,

The weekly status meeting was held this morning. VanCon reports that the trimites are finished and all the filter material is in and backwashed. Charcoal is in the GAC filters. The polymer tank that has not been received was shipped today ground, and should arrive next week by Thursday. The mixer and calibration column has not been received yet. Sunrise engineer is going to follow up on this equipment as it is critical to startup. For purposes of a soft startup there is another tank currently on site that could be switched. However if the shipped tank noted above actually arrives next week it doesn't make sense to do a switch.

VanCon is frustrated because their allocation for management oversight has been used up, and now it is costing them money under the contract. They sent Sunrise a letter yesterday saying that they will "eat" this overrun until September 21st, but after that they will be charging \$1300/day management costs. They attribute this problem to Westech and Dorsett delays and not providing final design drawings and equipment. VanCon engineer said that they are literally building the plant blind at this point. Rick said that if the town winds up paying anything out, it is going to go after Westech and Dorsett because they caused these delays due to lack of equipment delivery and final design drawings coming so late (yesterday).

A problem was brought up by VanCon that the wire schedule (plans) is not right because Dorsett has changed some of the equipment and this has made the wire that has been installed not the wire needed. This is why the Sunrise electrical engineer is on site to figure out what needs to be changed. Rick Wixom asked who was at fault, and Sunrise and VanCon feel it is Dorsett and Westech. VanCon fears that they are going to have to re -pull a lot of wire. Sunrise engineer Steve says he will make sure that what needs to be done is identified.

Following up on last weeks meeting, the control cards that were mentioned as creating a possible delay have been shipped early and will arrive tomorrow (Friday). This will allow Dorsett to come Monday and begin the soft start up.

Sunrise electrical engineer is on site and correcting discrepancies between Dorsett and the engineering designed plans. It appears that there should be no significant delays except the above polymer tank and equipment.

Sunrise engineer surveyed for the fence yesterday, and will walk thru with VanCon the results today. Elevations will be given to VanCon.

There were no safety, traffic control or public relations issues.

Next meeting scheduled for September 13th at 9AM.

Teach InfoWest Spam Trap if this mail is spam:

[Spam](#)

[Not spam](#)