



TOWN OF SPRINGDALE

1862-2012

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MINUTES OF THE SPRINGDALE TOWN COUNCIL MEETING ON WEDNESDAY, FEBRUARY 12, 2014 AT 5:05 P.M. AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH.

MEMBERS PRESENT: Mayor Stanley J. Smith, Council members Mark Chambers, Kathy LaFave, Adrian Player and Bill Weyher

ALSO PRESENT: Town manager Rick Wixom, DCD Tom Dansie and Town Clerk Fay Cope, recording. 12 citizens signed in, see attached list.

Pledge of Allegiance: Dean Cook

Approval of agenda: Motion by Kathy LaFave to approve the agenda, seconded by Adrian Player:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

Discussion/Information/Non-action Items

General discussion & announcements:

- Mr. Wixom said the Town had received \$416.90 from the WCSWD bin recycling program. Since the county changed how they weigh commodities, Springdale had been getting less than they used to.
- Springdale was designated an EPA Green Power Community again in 2014. That means the entire town uses renewable energy sources for at least 5% of their total power. Actual: 5.97%. The Town of Springdale gets about 50% of its power from renewable sources, including their solar arrays.
- The Mayor said he had been working very hard with several different parties to 'bring fiber optics to Springdale' within the next year. He was 'cautiously optimistic'. He said the fiber company wasn't enthusiastic, but when he explained UDOT was planning on removing the asphalt on SR-9 'next year', they got more interested. UDOT suggested the town should lay an extra conduit pipe while the road was torn up. That would also be a good time to do the underground power for the streetlights.

Visitors Bureau report:

- Dean Cook, in his Valentine red sweater, encouraged everyone to come to the POTY dinner on Friday the 14th. The buffet would include salmon and prime rib. Dave and Victoria would entertain. 6:00 social hour, 6:30 dinner.

Zion Park update:

- Jim Milestone, acting superintendent, introduced himself. He had been the superintendent of Whiskeytown NRA in northern CA for 13 years. He would be here until early May.
- He reported there were just over 2.9 million visitors last year. That was slightly more than Utah's entire population. The trend was continuing growth.
- They were doing a modeling study of the shuttle system, which was beginning its 15th year in April. They were also redoing the signage.
- On Memorial Day last year 37,000 people came to Zion. On Martin Luther King weekend, the park was full, and it was evident the park experience was noticeably different when the buses weren't running. Definitely not enough parking places.
- They were re-designing the entrance stations and road to direct people right to the visitor center. They were planning on building additional parking in the park.
- They were working with Utah Dept. of Wildlife Resources to monitor Big Horn Sheep. They were writing an EA on the Big Horn Sheep. The current population estimate was 850. The state was concerned that Big Horn sheep would catch diseases from the domestic sheep because there had been an 80% drop in the

population in Mohave National Preserve in CA. The state was moving about 50 sheep to other locations to spread the heard in Utah.

- The National Parks and Conservation Board had just met in Springdale. They were influential folks from all over the country whose objective was to help the National Parks. A very enjoyable reception and dinner had been held at the CCC.
- In 2015, the NPS would 'roll out' the NPS Centennial celebration. (August 25, 2016 was the big day.) He hoped the town would want to get involved in that project.
- Zion National Park's Foundation Document was now available in the park. Every park was required to have one before Centennial Day. It was a short and important document outlining the specific purpose for Zion NP's creation, its primary resources and its planning objectives for the next 10-15 years. There were copies at the Superintendent's office.
- He had been here for just over a month and was enjoying it.
- His branding statement for the town: *Springdale, Utah: A small town with city pleasures, surrounded by Nature's treasures. Springdale, Utah.*
- Mayor Smith said it had been a great pleasure to work with Supt. Milestone the last 5 weeks. He encouraged people to try to meet him –'on his free time,' because he was a wonderful person and had done many good things already.

Z-Arts report: Nancy Goodell thanked the Town for their support and for naming Z-Arts as the official arts organization in Springdale. She reported on past and future events. See attachment #0.

General Plan report: Tom Dansie said the Planning Commission was working on the recommendations from the housing committee to diversify housing options in Springdale. They were also working on an historic preservation ordinance, which would create an historic preservation commission.

A series of night sky events were scheduled for the summer, including possible night sky photography. The Mayor hoped the night sky program would grow over the years.

A five-year General Plan update, though it seemed one had just been completed, was on the near horizon – 2015.

Take Title 10: Mr. Wixom reviewed this agenda item for the new council members – After the last officials' training, the Council had requested a monthly quiz on an item from Title 10, the section of the State Code that governed municipalities. He had located two questions, both related to the timing of budget adoption. The tentative budget had to be reviewed on or before the first regular meeting in May (no hearing required) and the final budget had to be noticed 7 days in advance before June 22, unless there was a property tax increase, which moved the date to August 17.

Community questions: Dan Mabbutt read from a prepared statement asking about the status of the special audit being conducted regarding traffic fines. See attachment #1.

The Mayor and the Manager said there had been multiple contacts to the auditing firm. The last communication the Town had received from them was in November. It was not acceptable. The Council instructed Mr. Wixom to send the auditing firm a strongly-worded letter.

Ms. LaFave announced she was having some personal health issues and would not be present for the March, April and perhaps May meetings. She would still be an active part of the council, though she might not be at meetings. She asked for understanding and leniency regarding the ordinance about council absenteeism.

Action items

Public Hearing: Ordinance 2014-01 Addition of section 10-22-15, making allowance for Accessory Dwelling Units and revisions to related sections. Accessory Dwelling Units would allow the long term rental of guesthouses and casitas as residential units. The Mayor reviewed the protocol and guidelines. Mr. Dansie explained the current ordinance didn't allow casitas or other accessory dwellings to be rented. This revision would allow long-term rental (90 days.) The Commission had heard the item and had made final revisions to prepare the ordinance for the council's review. The Town Attorney had subsequently made recommendations, including requiring a conditional use permit. That would increase the administrative burden on the applicant and town staff. If the Council wanted to pursue that recommendation, the ordinance would have to go back to Planning Commission (PC) to develop conditions. Mr. Chambers asked about the maximum size of an accessory building. Mr. Dansie explained the ordinance would allow a main house of 5000 SF and possibly a 5000sf accessory building. They discuss grandfathering existing ADUs and capping the size now. Again, that would have to go back to the PC. They discussed ½ acre vs. ¾ acre minimum lot size. Mr. Weyher and Mr. Springdale Town Council Meeting February 12, 2014

Wixom asked if the small lots identified as VR-A and VR-B in the next ordinance would be allowed ADUs. Mr. Dansie said, not as written. The Council could discuss revising that.

Motion to open public hearing by Kathy LaFave, seconded by Adrian Player:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

- Shaunna Young said she would really like to see the minimum lot size be ½-acre in all the residential zones.
- Marcel Rodriguez said he didn't understand the necessity for this ordinance. He didn't think that kind of housing was needed; it would increase the density; the town wouldn't be able to monitor it; wouldn't know if the rental was nightly or long-term. He and many other people were 100% against it.
- Dan Mabbutt said he thought the Planning Commission and Town Council should always act on the same verbiage. He said there had been oversights caught already. The Council should send it back for revision.
- Shaunna Young thought ordinance this was a good thing. It let people make a little money and it provided affordable housing for a niche that often couldn't find housing. She thought ADUs would be affordable to rent.
- Karla Player said she probably meant foothill in the final paragraph of her comment letter, not football. She didn't think the council should ever adopt an ordinance because it would benefit people financially. She didn't think accessory units would be very affordable in Springdale. She thought this would just potentially double density in neighborhoods.
- Eric Bonner said he was uncomfortable with the ordinance and he preferred the concept of conditional use permits. There would be issues in many neighborhoods. He said his neighborhood consisted of six homes on a very narrow road. Three of the homes had casitas and if they started renting them, the traffic could be dangerous. He recommended eliminating the FR zone. Most HOAs had CCRs that restricted this use anyway.
- The Mayor asked for people's input about the fees for a conditional use permit. Shaunna Young thought that was fair and reasonable.
- Karla Player said the Town had the responsibility to monitor its water resources. She didn't think this impact had been considered.
- Dan Mabbutt thought the town should have a clear rule that HOAs in the FR zone could follow.
- Written comments: See attachment #2

Motion to close the public hearing by Kathy LaFave, seconded by Mark Chambers:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

Mr. Weyher pointed out there was already a clear rule. It was not allowed. People did it anyway.

Deliberation:

- Kathy LaFave said FR required a minimum of 2 acres for a home. Her road was even less substantial than Mr. Bonner's. If her neighbors rented units, the additional traffic on the dirt road would create a dusty traffic mess. She thought this would essentially change the density in FR to one acre. She said if she had to build a casita, the rent would be at least \$1000 and more than one person would probably share the cost. She wasn't opposed to allowing 4 people to rent a house and share cost, except that would mean more cars. She didn't think it was appropriate in FR zone. Requiring a conditional use permit might help protect neighborhoods with inadequate streets. Mr. Dansie suggested the ordinance could limit ADUs to properties on public streets.

- Mr. Player said he agreed with Ms. LaFave about the FR zone issues, and he wasn't keen on VR, either. He didn't approve of this coming forward because 'it's being done anyway'. If something was illegal, the town should enforce it, not change the law. If it must go forward, he preferred it be done with conditional use permits.
- Mr. Wixom reviewed the conditional use process, which required hearings before both the Planning Commission and the Town Council. General and specific conditions would have to be established for the use, and if an applicant met the conditions, a use permit must be granted.
- Ms. LaFave said it would be irresponsible to act on things like this without reviewing the population build-out scenarios, which didn't contemplate the additional density this would create.
- Mr. Chambers reviewed GP 5.25. He thought this was a viable idea, but he didn't think it was ready for action yet. The lack of a size limit on accessory buildings was a significant issue. He said the Town had already done some things to address market affordability – Moenave Subdivision was unlike anything before it, Juniper Lane townhouses were already selling. He suggested sending this back to the Commission so they could address the questions about application in the VR-A and VR-B subzones, accessory building size, and conditional use permit standards and process. He thought it should be a requirement for an owner to have a 90-day lease on file.
- They discussed whether the buildout was partially addressed. Somewhat.
- The Mayor asked whether a casita would have different water meter. No. That concerned him. The Mayor disagreed with Mr. Mabbutt about the Commission and the Council being required to act on identical documents. He said neither body should rubber-stamp anything. If the Council saw something differently from the Commission, they should make appropriate changes. The Mayor said supply and demand in the market was also a concern. He said affordability would depend on supply. If the supply went up, the price would go down.

Motion by Mark Chambers to send the Accessory Dwelling Unit revision back to the Planning Commission to determine if conditional use permits were appropriate, if VR-A and VR-B should be included if, or if FR should be excluded. He recommended the Commission establish a maximum size for auxiliary buildings, whether that was addressed in this or a separate ordinance revision, seconded by Kathy LaFave:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

Public Hearing: Ordinance 2014-02 Zone Change: A revision to the zone map placing properties in the Valley Residential (VR) zone that are less than 0.75 acres into either the VR-A or VR-B subzone, depending on property size.

Mr. Dansie explained this would change the zoning on properties that qualified for the VR-A and VR-B zoning the Council adopted last month.

Mr. Player identified his own property as larger than ¼ acre. It was nearly ½. Mr. Dansie said he would correct that information and properly zone the property on the map

Motion to open the public hearing by Kathy LaFave, seconded by Adrian Player:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

Shaunna Young said she was 'so happy' to see this happening. No further comments were made

Motion to close the public hearing by Kathy LaFave, seconded by Mark Chambers:

Chambers: Aye

LaFave: Aye
Player: Aye
Smith: Aye
Weyher: Aye
Motion passed unanimously.

Deliberation:

Ms. LaFave said this was a great ordinance. It cleaned up a lot of 'messes' in town. It also made it easier for property owners to qualify for loans. The Council agreed.

Motion by Kathy LaFave to adopt 2014-02 Zone Change: A revision to the zone map placing properties in the Valley Residential (VR) zone that are less than 0.75 acres into either the VR-A or VR-B subzone, depending on property size. There was potentially a mapping error; the Council directed staff to make sure it was accurate. Motion seconded by Adrian Player:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

Local Consent for Single Event Permit for Zion Canyon Brew Pub Mar 15 – St. Patrick's Day:

Motion by Kathy LaFave to grant local consent for a Single Event Permit for Zion Canyon Brew Pub Mar 15, for St. Patrick's Day celebration, seconded by Mark Chambers:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

The Mayor, who hadn't issued blanket permits before, asked the Council if they had any concerns about issuing blanket permits as requested in the next two agenda items. The Council said the process saved staff time, was more efficient for the applicant and the town and was only offered for event permits, and only for applicants with histories of handling events properly. The Council said DABC allowed applicants to apply for up to 12 event permits per year, though none of Springdale's businesses had ever applied for that many in a year. Ms. LaFave said it was nearly certain the council would grant individual requests. The Mayor would have to sign individually requested consent forms as applications were made, so there was still oversight.

Request for blanket approval for up to 11 additional single event permits for Zion Canyon Brew Pub in 2014: The Council asked if there had been any complaints about noise. Jolene Lewis, the manager of the Brew Pub, said there had been no problems with NPS about noise since the ownership had changed. She said they were very sensitive about their proximity to the campground. Motion by Kathy LaFave to approve up to 11 additional single event permits for Zion Canyon Brew Pub in 2014, seconded by Bill Weyher:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

Request for blanket approval for up to 12 single event permits for Bit and Spur in 2014: Motion by Kathy LaFave to grant blanket approval for up to 12 single event permits for Bit and Spur in 2014, seconded by Adrian Player:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

Discussion and direction for 4th of July Committee: The Mayor said after his last newsletter article, he'd been contacted by the fire marshal about why he was even thinking about bringing back the 4th of July fireworks. He said there was nothing in the newsletter about fireworks and he wasn't contemplating them. He wanted a committee that would bring FUN back to the 4th. He had already been contacted by four people but he wanted more than that. He wanted open-minded people who wanted a great fourth. He asked people to contact him before the end of February.

Discussion and direction regarding pickleball courts: Mr. Player said he had asked Mr. Wixom to look into the cost of putting permanent lines for pickleball courts on one of the tennis courts. He and other pickleball players had put in temporary lines and their own nets. It was a growing sport. He didn't think it was a good way to spend \$400 per court to paint the lines. Mr. Player said the tape had been down for two months and it was still holding up. He thanked the town for considering it, but he didn't think it was necessary after all. They discussed letting people know about pickleball games. Mr. Player said he could send the Clerk info she could send out by email. It could go on the Facebook page. Dan Mabbutt volunteered to put something on his blog.

Participation in the American Solar Transformation Initiative sponsored by Utah Clean Energy. Mr. Wixom didn't think this would require a lot of town expense, but would enable the town to access best practices. He thought it was a good idea. Kathy LaFave said if it reduced costs for the town that was one thing. She didn't want to participate just for the sake of participating. If it added to the time burden for the staff without benefiting the town, it wasn't necessary. Mr. Wixom said he would find out more about the time commitment.

Hazardous tree removal at River Park:

- The Mayor said he had done a walk-through of the river park with Shane Lowery and had seen there were very significant problems. New trees would be planted to replace any trees that had to be removed. Trees would be cut into fireplace lengths and made available to the public; they would also be chipped for trails, etc.
- Mr. Weyher and Mr. Player suggested a long-term trimming/pruning program. Mr. Wixom said Mr. Lowery had been trained as an arborist, but he needed help.
- Mr. Weyher said the low bidder impressed him. Mayor Smith said the council didn't need to approve this, but there would be holes where trees were removed, and people noticed when trees were cut down.
- Eric Bonner said he read the packet material and understood there was work to be done, but he thought it would be better to do things in stages rather than do too much, too soon. He said most of the 'almost dead' trees had been almost dead for 25 years. He said the beaver-tree was actually a feature of the park and it would stay alive for a few more years. He said trimming the weight out of the tree so it wasn't dangerous had worked for a tree on his property for 25 years. He said removing a tree because it was dangerous to the table was the wrong way around. Move the table. If the tree was gone, the people would move tables into the shade anyway.
- Mr. Mabbutt agreed with Mr. Bonner. He said he and his wife used the river park all the time. The dead and dying trees were part of the park experience.
- Mr. Chambers said the public wood had to be removed before fire season.
- Mr. Chambers said there were many pine trees in the canyon that had been winter damaged. It would be more obvious in the spring. This question could get bigger.
- The Mayor asked for direction. Should the arborist work with Shane and try to save trees? The Mayor said he would rather accept a higher bid if the arborist would work with the town.
- Michelle Bonner, who identified herself as a certified tree hugger, said she appreciated there was so much discussion about this. It would have been easy for the town to act without thinking about options. She suggested they discuss what kind of trees should be replanted, staging cutting and planting so there were trees of different sizes. Trees sometimes leaned to get light, sometimes because the bank was eroding beneath it. Keep a long-term view, implement in stages. The Mayor said they would be as sensitive as possible.

Continuation of Citizen of the Season program:

Ms. LaFave said she preferred a citizen of the year. Mr. Chambers wondered if acknowledging one person might leave another feeling ignored.

The Clerk made an impassioned plea to keep the program. It was not expensive. It created important good will. Everyone nominated was eventually awarded. It let the people know the Council saw them, acknowledged them and admired them enough to tell the rest of the town about their excellent neighbors. The audience consisted of several recipients, including Michelle Bonner and Dan and Roxy Mabbutt. They liked the program. Ms. Bonner suggested awards could be something from a local artist instead of a plaque. Everyone liked this idea very much. The Council agreed to continue the program with a new award program.

Consent Agenda: a. Invoices; b. Minutes of 12/11/13, 01/08/14 and 01/28/14: The Council informed the Clerk they didn't receive the invoices. She apologized and asked them to consider reviewing them by email and approving them within seven days.

<u>Inv Date</u>	<u>Inv #</u>	<u>Vendor</u>	<u>Amount</u>	<u>Bud- geted</u>	<u>Description</u>
20/2013	3024217855	AmeriGas	\$ 612.26	Y	Propane
31/2013	1311103	Chemtech-Ford	\$ 1,181.00	Y	Testing
21/2014	N/A	Ferber, Stewart	\$ 3,500.00	Y	2012 NYE Fireworks Contrib Refund
1/2/2013	N/A	Grafton Heritage Partnership	\$ 574.47	Y	Butch Cassidy 10K Distribution
31/2013	105539	Hinton Burdick CPAs	\$ 5,027.60	Y	Audit Progress Billing
1/1/2014	N/A	McConkie, Marshall	\$ 850.00	Y	Prosecution Retainer
1/9/2014	Consolidated	Rocky Mountain Power	\$ 4,115.48	Y	Electric Service
1/6/2014	63507	Snow Jensen & Reece	\$ 5,006.53	Y	General Representation
1/1/2014	14754	Sterling Codifiers	\$ 500.00	Y	2014 Hosting Fee
1/5/2013	70565	Sunrise Engineering	\$ 1,807.00	Y	Engineering Services
2/9/2013	71007	Sunrise Engineering	\$ 1,304.25	Y	Engineering Services
1/2/2013	N/A	Zion Animal Lovers	\$ 574.47	Y	Butch Cassidy 10K Distribution
			\$ 25,053.06		

Adrian Player moved to approve the minutes. He also moved to authorize approval of the invoices after the council has had seven days to review them. Seconded by Bill Weyher:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

The Clerk emailed the invoices to the council.

Ratification of January 2014 amendment to the Planning Commission Bylaws: Mr. Weyher asked if the public had an opportunity to review the amendments, as called for in section G2. The Clerk said the amendment had been part of the packet material for the Planning Commission meeting and the Council meetings. **Motion by Bill Weyher to ratify the January 2014 amendment to the Planning**

Commission Bylaws, seconded by Adrian Player:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

Administrative Non-Action Items

Department Reports:

Parks: Kathy LaFave said she had seen the newly revamped restroom at Gazebo Park.

Parking: Mayor Smith said the Park Service had requested a walk-through of town because they wanted to know why some areas were striped for no parking. He suggested the parking committee should be advised, though they didn't need to go along. Ms. LaFave said she had been a bit concerned when Supt. Milestone said they would be creating more parking in the park. Town businesses had been adversely affected the first season when there was more parking inside the park. The Mayor said it would be 100 parking spaces. Ms. LaFave suggested the Mayor continue that conversation.

The Mayor said he had talked with the NPS about educating visitors about the shuttle with a video that could be shown on motel channels and on websites.

Cemetery: Mr. Player didn't think the ground penetrating radar would work as hoped to properly locate burials. There was too much clay in the soil, and the radar didn't locate organic materials. He suggested the staff should just avoid selling lots in questionable areas. There were many plots available. There was also a water line issue that would be addressed soon.

Utilities: The NPS had broken the irrigation pipeline in the Park twice. A problem had been identified: The interior of the 18" line was coated with a couple inches of caked-on soils at the break sites. There was no way to know whether the entire line was like that. They discussed ways to explore the interior of the pipelines.

DCD: Mr. Chambers said he had asked Mr. Dansie to continue submitting a monthly report.

CCC: Ms. Hancock would also continue to submit a monthly report.

Joy Festival: It had taken a long time to get everyone together, but there would be a 'wrap' meeting next week.

Music festival: The Committee was trying to finalize musicians.

Mark Chambers thanked Mr. Wixom for the minutes of the **staff** meeting. If there were minutes, it didn't seem necessary for a council member to be at the meeting. There was general agreement.

Mr. Player asked why the **police** chief wasn't present at the meetings. The mayor said he hadn't thought it was necessary. At Mr. Chamber's suggestion, they agreed to discuss the question later.

Mr. Weyher said the big issue in the **Streets** Department was the street lights. He asked if there was a total cost breakout. Mr. Wixom said there was only a simple plan which couldn't be used for bidding. Sunrise had quoted \$25k to create biddable plans and specs. He planned to use the county money. He estimated \$500K total cost. There would be costs that needed to be part of the 2014-15 budget. Mr. Player asked if there were less expensive options. He thought there needed to be more exploration of options. The Mayor said they needed to do whatever they could with undergrounding or utilities in the road while the pavement was torn up. Mr. Weyher asked to meet with staff to learn more. The Council requested options for street lights be an item on the next agenda. The mayor suggested putting night sky compliance on every agenda to keep it in front of the public. He suggested looking at the ordinance. Mr. Dansie reported on the responses he'd received to audit compliance letters. They were generally very positive; none were angry. The Council discussed audits, past and future.

Mr. Weyher reported he had gone to the newly elected officials training, which was very helpful and informative. He had gotten to tour the new SLC building.

Mayor Smith reported he had been in meetings every day. He wasn't certain how much information the Council would want to know about them. He had a meeting tomorrow he didn't even know about. PIO. County-Wide Public Information Officers, he was told. Mr. Wixom said he would like to go to those meetings in the future. Mayor Smith reviewed the last Mayors meeting (mayors from Springdale, Rockville and Virgin, the Park Superintendent and Rick Wixom.) Mayor Dutson of Rockville was working with the Solid Waste District/Allied Waste to get dumpsters for the rubble at the rockslide site, and had approached the mortgage company to see if they would donate the land for a memorial park. Virgin had a new fire station site and would have a new firehouse in a few years. He didn't want to bore them with a lot of trash about the Solid Waste District, but they had stopped wasting their time with different colored trash cans. Black was the new color. Allied Waste was now providing a cardboard bin at the binnie site. Mr. Chambers said he knew he was going to be approached by a citizen who wanted him to sponsor an ordinance requiring businesses to recycle. The Council thought it was a great concept but technically an impossible mission.

Council Discussion:

The Mayor wanted the minutes to respect the passing of Larry Ballard, a lifetime citizen of the canyon. "Thank you, Larry Ballard, for everything you've done for us. You'll be missed." Mayor Smith told a story

about Nellie Ballards' father, Alvin Hardy (Bishop Hardy) – he stopped a lynching when one farmer stole water from another. The noose was ready when the stepped in.

Mr. Player said he had been working with Michael Plyler on Fire District issues. Mr. Wixom had designed a program to calculate standby fees in a way that seemed logical and would generate adequate revenues. He didn't know how the District was reacting. The Mayor said the Town had agreed to pay the District a portion of the TRT on a monthly basis instead of annually. That would help the District. The District had some more tough management decisions to make. Mr. Plyler and Mr. Player were doing good work with them.

Motion by Kathy LaFave to close the meeting at Springdale town hall at 8:20 pm in order to discuss the purchase, exchange, or lease of real property, seconded by Adrian Player:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.

The closed meeting commenced at 8:21.

MEMBERS PRESENT: Mayor Stanley J. Smith, Council members Mark Chambers, Kathy LaFave, Adrian Player and Bill Weyher

ALSO PRESENT: Town manager Rick Wixom, DCD Tom Dansie and Town Clerk Fay Cope, recording.

The closed meeting adjourned at 8:39 PM.

Action required by Closed Meeting: none

Adjourn: Motion by Kathy LaFave to adjourn at 8:40pm. Seconded by Mark Chambers:

Chambers: Aye

LaFave: Aye

Player: Aye

Smith: Aye

Weyher: Aye

Motion passed unanimously.



Fay Cope, Town Clerk

APPROVED



Z-Arts Monthly Report to Springdale Town Council
Wednesday February 12, 2014

1. Thanks to the Council and the Town of Springdale for continued support in naming Z-Arts as the official arts organization for Springdale. We are bringing in arts-focused events that would not otherwise be available to our local Zion Canyon residents.
2. Z-Arts had notable success last week in presenting Utah Opera's "Elixir of Love" at the CCC. As far as we know this is the first opera performed in the canyon and the gratitude and enjoyment by the 82 attendees was palpable.
3. Two weeks ago Brad Richter engaged his Community Center audience with a professional yet down-to-earth solo acoustic guitar performance. He was beloved by the children at Springdale Elementary School, who found the sound effects he could make using a clothes pin on his guitar very cool. Plenty of the adults thought so too.
4. Coming up we have a visual artist reception for Valerie Orlemann this Saturday at 5 pm at the CCC. Immediately following at 6 pm will be a film screening of "Blackfish" - a documentary about the captivity and treatment of killer whales. That film will be introduced by Rockville resident Luci Brantley, whose passion for whales and other intelligent mammals directs her to speak out openly for their protection.
5. And wrapping up our winter season of indoor music performances will be classical pianist Thomas Pandolfi at the CCC on Friday February 21st at 7 pm. He will perform classical pieces as well as Gershwin.

02/21/14
att #1

Community Question by Dan Mabbutt
Springdale Town Council – February 12, 2014

In the Town Council meeting of August 8, 2012, Kathy LaFave, acting as Mayor pro tem, noted that "... a Council member had expressed concern to her that the Town Council now had knowledge that the Town had collected cash bail for longer than the audit repayment period ..." The Council then went into executive session and at the conclusion, this motion was reported as being passed in the minutes of the meeting.

"Motion by Louise Excell to locate and get bids from auditing firms independent of our existing auditors, preferably from outside Washington County, to perform an audit of issues specifically related to the collection of cash bail practices and procedures that we have been discussing as referenced in the findings and recommendations report #12-CIT-8 from Utah State Auditor dated 6/8/2012 and the scope of that audit cover the period beginning 2004-5 through 2010-11."

That should be "No. 12-CIT-A" ... just a typo in the minutes.

In the minutes of the October 10, 2012 meeting, the Mayor reported that there were two bids to do the audit. This motion was reported as being passed in the minutes of the meeting.

"Motion by Kathy LaFave to accept the proposal from Gilbert and Stewart to do an independent audit to follow up on issues raised in the recent State Auditor's report. The approval is subject to clarifying that the costs will be roughly in line with what is itemized on their October 5 letter to Springdale and assuming that there are not additional expenses for travel that are so substantially additional that the Council would want the proposal to come back to the Council for review."

The Town said an audit was being conducted as part of the statement issued by the Town on February 13, 2013. A press release from the Town reads in part:

"... the Town ... has begun an independent audit ... to determine a full amount for future reimbursement ..."

A search of the minutes from the date of the initial motion mandating the audit throughout 2013 reveals nothing else about the audit: (There are no approved minutes for December 11, 2013 yet.)

In the 8 January 2014 Town Council meeting, Ms. Excell asked about the status of the audit, now seventeen months after the initial motion by the Town Council to perform the audit. Rick Wixom replied that there was no new status to report.

My question is, "What is the status of the audit the Town Council asked for on August 8, 2012?"

From: Louise Excell <lexcell@msn.com> pg 1
Sent: Tuesday, February 11, 2014 6:04 PM
To: smith@springdaletown.com; 'Kathy'; 'Adrian Player'; mchambers@springdaletown.com; bweyher@springdaletown.com
Cc: Tom Dansie ; Fay Cope
Subject: Public Comments regarding Accessory Dwelling Units

Dear Mayor and Town Council Members,

I only learned today that I may not be able to attend the Town Council meeting on February 12, and I also understand that you do not prefer to accept written comments at such a late date. Therefore, if you do not wish to entertain my comments, I understand completely. On the other hand, if you will accept them, I wish to have them officially included in the minutes of the public hearing regarding accessory dwelling rentals. My comments are below:

I am speaking on behalf of myself and my husband, David Pettit. We support the proposed ordinance because it responds to several specific provisions of the Springdale General Plan:

- Objective 5.1.5: "Promote diversity in the community through inclusionary housing practices."
- Objective 5.2.2: "Support the creation of affordable multiple-family dwellings in both commercial and valley residential zones."
- Objective 5.2.3: "Encourage private development of affordable housing throughout Springdale, focusing on needs of local residents and the employees of local businesses."
 - 5.2.3.e: "Explore options and incentives that encourage conversion of existing housing to affordable status."

But most importantly, Objective 5.2.5: "Promote lower cost housing in the private market." Among the implementation strategies for 5.2.5 are these:

- 5.2.5.b: "Allow multi-family housing in select areas of the residential zones, subject to strict design guidelines" and:
- **5.2.5.c: "Allow guest houses and auxiliary apartments to be rented on a long term basis in all zones."**
- 5.2.4.d: "Encourage rehabilitation and re-use of existing buildings (garages, workshops) into residential units."

It is perfectly clear that the General Plan (revised 2011) encourages the accessory dwelling unit ordinance.

We support the provisions of the ordinance as it is drafted and proposed for your approval.

After reading the staff report which suggests that Town's legal counsel has recommended making accessory rentals a conditional use, I would like to add that I appreciate counsel's desire to give the Town as much control as possible; however, adding such additional expense and bureaucratic hoops as the conditional use application process requires creates a disincentive for homeowners to provide affordable rentals. I believe that a conditional use provision is unnecessary because the ordinance as drafted includes ample restrictions and oversight to protect the residential integrity of neighborhoods.

Rather than adopt the conditional use requirement, why not simply add more restrictive language and better oversight?

Thank you for considering my input for the public hearing portion of the meeting. (If I can possibly get back to Springdale following a late doctor's appointment in St. George, I will try to be there to offer my comments in person.)

Best regards, and thank you for all you do.

Louise Excell and David Pettit

February 05, 2014

Dear Mayor and Town Council,

In reference to ordinance revision addition of section 10-22-15 making allowance for accessory dwelling units allowing long term rental of casitas as residential units:

We feel that allowing casita rentals in Foothill Residential would be inappropriate and goes against the concept of single family dwellings. The majority of housing developments in Springdale have CC&Rs and Homeowner Associations (HOA) that forbid rentals of casitas.

The Valley View sub-division was developed many years ago and has no HOA to protect homeowners from rentals such as casitas. Furthermore, we do not wish to incur the legal expenses to form an HOA. We trust the town to abide by the current ordinance which prohibits the rental of casitas. We desire the Foothill Residential zone to maintain a single family atmosphere – if this is taken away, property values may be adversely affected. Additionally, rentals add more traffic and road wear and tear, as well as liability; Valley View maintains its own roads.

In conclusion, Football Residential has historically been single family houses. This is reflected in the General Plan and Town Ordinances to maintain low density residential development.

While the town is desirous of providing housing needs, perhaps the priority could be to mandate that commercial development be responsible for employee housing rather than expecting Foothill Residential to change its single family emphasis.

Thank you.

Karla Player



Kathryn Schultz



3. Land Use and Zoning

3.2. Land Use Patterns

Goal

To maintain the pattern of existing land uses, preserve existing residential neighborhoods, separate commercial districts from residential neighborhoods, and encourage development of residential uses in the commercial zones (mixed-use).

Objective 3.2.3.

Ensure that the Foothill Residential Zone remains minimally developed with low visual impact from SR-9, hillsides, and neighboring properties.

Currently the Foothill Residential Zone allows development at a scale of one home per two acres or one home per five acres depending on elevation. If maintained, this low density will allow the zone to remain minimally developed.

The location and visual impact of homes on the natural surroundings is a more complicated issue. The building height formula currently utilized should be revisited to ensure that it is clearly written and easily understood by those seeking to build in the foothills. Maximum building heights vary in the zone depending on the visual significance of the building site. Normal sites are allowed to have buildings higher than highly visual sites. The criteria for determining if a site is a normal or highly visual site should be reviewed so they clearly define a normal site or highly visual site based on objective criteria.

Exterior colors and materials of homes affects the visual impact of residential developments. Colors and materials that are compatible with the natural environment allow structures to recede into the natural landscape, instead of standing out.

Implementation Strategies

3.2.3.a. Revise ordinances to require buildings to be sited appropriately on the lot, and built of appropriate scale, volume and massing (i.e., breaking up of façade), which limits visual impacts and produces the most unobtrusive buildings and structures feasible. Appropriate scale is in reference to natural features of the building lot and surrounding natural features.

*Implication: Policy/Legislative
Implementation: Town Council, Planning Commission, Community Development*

3.2.3.b. Rewrite ordinances concerning architectural styles to ensure that structures built are as unobtrusively as feasible, particularly in the foothills, but allowing for creative varied architectural designs that are both complimentary to the natural surroundings and maintain a small-town atmosphere. "Park-itecture" is only one of many appropriate styles.

*Implication: Policy/Legislative
Implementation: Town Council, Planning Commission, Community Development*

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p9 5

Thomas Dansie

From: Marcel Rodriguez <marcelr@infowest.com>
Sent: Tuesday, January 21, 2014 11:07 AM
To: dcd@infowest.com
Cc: marcelr@infowest.com
Subject: casitas for rent

Dear Tom,

With reference to Item B-2 in tonight's meeting, Sec. 10-22-15.....Please list us as unalterably opposed to renting out casitas and other small units on a long term basis. The town would never be able to monitor long term vs short term rentals. This is just another ploy to further housing more visitors....and Springdale hardly needs help with that ongoing catastrophe.

Sincerely,
Marcel and Nina Rodriguez

Teach InfoWest Spam Trap if this mail is spam:

[Spam](#)

[Not spam](#)

[Forget previous vote](#)

REMEMBER: Never give out your account information, password, or other personal information over e-mail.
