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**MINUTES OF THE SPRINGDALE TOWN COUNCIL REGULAR MEETING ON
WEDNESDAY, OCTOBER 8, 2014 AT 5:00 PM
AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH**

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

EXCUSED: Mike Alltucker

ALSO PRESENT: Town Manager Rick Wixom, DCD Tom Dansie, and Town Clerk Darci Carlson recording. Thirteen citizens signed in, per attached list.

Pledge of Allegiance led by former Mayor Pat Cluff.

Approval of Agenda: Motion made by Mark Chambers to approve the agenda with change to remove item C-5-b Minutes of April 6 regular meeting; Seconded by Adrian Player.

Weyher: Aye

Chambers: Aye

Smith: Aye

Player: Aye

Motion passed unanimously.

Discussion/Announcements/Non-action items

Mr. Wixom announced:

- Last Saturday, October 4 was last Summer Night Sky event. Approximately 56 people attended and the plan is to continue again next summer. Appreciate Mr. Dansie for his great work on this program. Mayor Smith mentioned that due to the success of the program Washington County is slated to contribute \$50K to the street light project.
- Red Cross Blood Drive at CCC will be held on Friday, October 10. Additional slots are available to donate.
- Saturday, October 11 is the Annual Art Auction for Education at Springdale Elementary School. Local artists and galleries have generously donated auction items.
- November 8, the Butch Cassidy 10K/5K race scheduled. If interested in participating there are more registration spaces available.

Mayor Smith announced:

- Town will host a reception on November 13 at the CCC from 5-7 PM for the new Superintendent of Zion National Park Jeff Bradybaugh. All are encouraged to attend and welcome him into the community.
- Town worked in conjunction with the Park to create a shuttle DVD which is now available to hotels to play in their lobby and also on our website so guests are familiar with how the shuttle system works.
- Darci Carlson introduced as the new Town Clerk. Mayor Smith indicated that she and her husband will eventually be living in Springdale so they will be a part of our community.

Visitors Bureau report: Liz West announced there was not an October meeting however they do have a hopeful prospect for a new president who will be announced soon.

Z-Arts report: Nancy Goodell announced the following:

- October 9 opening for Royden Card, artist, held at the CCC.
- October 10 Literary Reading with Phyllis Barber held at the CCC.
- October 11, 9:00 AM, Walking Tour in Rockville/Grafton.
- October 17 the silent film *Ramona* will play at the CCC with live musical accompaniment and post-film lecture. Free tickets are available, check with the Z-Arts office.
- October 25 poetry writing workshop.
- Thank you to Virgin resident Niles Ritter for his work on two recent literary events.
- Additional end-of-the-year activities include: Joy to the World music under selection, arts & crafts fair, fundraising efforts for annual gala in December. For more information please go to www.zarts.org.
- Mayor Smith said the Town appreciates all Z-Arts adds to the community.

Farewell to Town Clerk Fay Cope:

Mayor Smith requested Fay come to the podium to be honored. He fondly recalled the many years he has known her and expressed much love and respect for her. The Town greatly appreciates all the time she put in as Town Manager, Town Clerk and community member over the years. Springdale is what it is today because of her and her family's influence. Mayor Smith encouraged residents to read the Town newsletter for a list of all Fay accomplished. He expressed the Town supports this next transition in her life.

Council member Player presented Fay with a burn barrel made by his wife Delores as a Town gift. In addition, the Town is having a special plaque made in her honor.

Fay addressed the Mayor, Council and audience. She feels lucky to have been a public servant working for the citizens of Springdale since 1986. She has watched the Town grow over the years and is grateful to have worked with many wonderful people. Fay thanked Mr. Wixom and Mr. Dansie for all they taught her the last 10 years. She thanked everyone for supporting her and for the wonderful gift.

All in attendance gave Fay a long, well-deserved standing ovation. The Town of Rockville also thanked Fay for her help over the years.

General Plan report: DCD Tom Dansie announced:

- Planning Commission has outlined their strategy for the General Plan review. The Plan goes through a major revision every five years, with the last being in 2010. He mentioned the General Plan is only as good as the vision of the public. The Commission has conducted a number of surveys and an open house to gather public information. Members of the community are encouraged to participate in the General Plan process.
- During November 7-9, students from the University of Utah Metropolitan Planning Program will be in Springdale conducting resident surveys to gather stories, feedback. They also have a website www.listeningtospringdale.com which can be accessed to collect public input/feedback. Mr. Player asked if an outside consulting firm would professionally develop the questions or if it would be an internal process. Mr. Dansie said in the past Survey Monkey has been used, however the town could consider a consulting firm if the budget allowed.

Community questions: None were asked.

Actions Items - Legislative

Public Hearing: Ordinance Revision – Changes to chapter 10-13C Planned Development Overlay Zone, changing the review process for planned development projects and making allowance for mixed-use developments in commercial zones: Mayor Smith asked the Town staff to provide a summary explanation and presentation. Mr. Dansie began by stating the Planned Development Overlay was a component of Town code since approximately 1995 and allows flexibility in lot design, layout and configuration.

Proposed change affects two components:

1. Procedural change which reorders when application materials are submitted to give property owners greater certainty before resources/funds are invested.
2. Greater allowance for individually owned work/live unit developments as suggested by the Housing Committee.

Mr. Dansie mentioned that prior to the meeting Mr. Weyher pointed out typos/errors in the Ordinance Revision. Section 10.13.c3 should state proposed change *would* allow commercial uses in live/work areas. Section 10.13.c5 second paragraph needs to be relettered. Also update the attest of Town Clerk from Fay Cope to Darci Carlson.

No Council or public questions were asked.

Motion made by Adrian Player to open public hearing; seconded by Bill Weyher:

Weyher: Aye

Chambers: Aye

Smith: Aye

Player: Aye

There was no public discussion or comment.

Motion made by Mark Chambers to close public hearing; seconded by Adrian Player:

Player: Aye

Smith: Aye

Chambers: Aye

Weyher: Aye

Motion passed unanimously.

Mr. Weyher and Mr. Player stated the ordinance revision was a good change and had no problems with it. Councilman Chambers thought the Planning Commission did a great job. Mayor Smith advised Liz West take these favorable comments back to the Planning Commission.

Motion made by Mark Chambers to approve changes to chapter 10-13c Planned Development Overlay Zone, ordinance number to be assigned, changing the review process for planned development projects and making allowance for mixed-use developments in commercial zones, with corrections to the renumbering of section 10.13.c5, also changing the name of Town Clerk Fay Cope to Darci Carlson, changing 10.13.c3 to read commercial uses are allowed in the village commercial and central commercial zones only through the process outlined for live/work units in the ordinance; seconded by Adrian Player:

Weyher: Aye

Chambers: Aye

Smith: Aye

Player: Aye

Motion passed unanimously.

Actions Items - Administrative

Local Consent/Proximity Variance for Full Restaurant Liquor License at Flying Monkey, 975 Zion Park Boulevard: Steve Perry was not in attendance. Mr. Player asked for clarification on the measurements noted at the bottom of the consent form. Mr. Wixom explained the state has two separate standards to determine how distances are measured for alcohol licenses. One is a straight line distance from the applicants' property to community locations such as church/school/park. The other is a pedestrian route. Flying Monkey meets the 200' minimum straight line distance but is short of the 600' minimum pedestrian route requirement. Council can consent to a variance as has been done for several other Town businesses.

- Mayor Smith asked if the Council had imposed any other restrictions.

- Mr. Chambers indicated that previously the Town was concerned about noise ordinances; however restaurants pledged to uphold the Town Code.
- Mayor Smith recalled something about restrictions when schools were open however Mr. Wixom indicated that restaurants are open during school hours.
- Mr. Wixom indicated the DABC still has to hold a hearing for businesses in need of a proximity variance. Springdale must be consistent and treat everyone fairly. Mayor Smith agreed however if this issue does become a problem, the Town must agree to step in quickly. Businesses must police themselves since one misstep will affect everybody.
- Mr. Wixom said the Town has the obligation to police off-premise beer sales however the State of Utah polices on premise sales. The Town is notified if there is an under-age buy.
- Mr. Chambers expressed concern that this business has been notified repeatedly about violations to the lighted sign ordinance. Can this request be granted under stipulation that they become compliant with the lighted sign ordinance? Mr. Dansie was unsure if the Town could attach conditions to Local Consent. Again it was noted that Mr. Perry was not in attendance to answer questions.
- Mayor Smith suggested the Council could postpone the decision until Flying Monkey representation was available to answer questions.

Motion made by Mark Chambers to table discussion about Local Consent/Proximity Variance for Full Restaurant Liquor License at Flying Monkey until owner/manager available for discussion; seconded by Adrian Player:

Weyher: Aye

Chambers: Aye

Smith: Aye

Player: Aye

Motion passed unanimously.

Direction to Planning Commission to Amend Section 10-5-1 of the Town Code, Changing the Term of Office for Planning Commissioners from Five Years to Three Years: Mr. Chambers commented that in working with Mayor Smith and Mayor Cluff that it was becoming more difficult to get people to commit and three years would help achieve this. Mayor Smith welcomed comments from Planning Commission members in the audience.

- Ms. West expressed that serving on the Planning Commission was a learning curve and she could see that after three years she would consider a second term, versus after a five year term she may not.
- Mr. Pitti agreed with Ms. West. He thought the five year commitment was daunting and suggested a three commitment might encourage a bigger pool of applicants. Councilman Player also agreed.

Motion made by Bill Weyher to direct the Planning Commission to change the term of office from five years to three years amending section 10-5-1 of the Town Code; seconded by Mark

Chambers:

Player: Aye

Smith: Aye

Chambers: Aye

Weyher: Aye

Motion passed unanimously.

Discussion and Possible Action Regarding the Town's Code Enforcement Policy: Mayor Smith said all Council members should have read through the policy and opened the issue to Council discussion.

- Mr. Chambers would like #3 to be a priority include lighting regulations and signs standards and unauthorized use of vendor booths
- Mr. Player said noxious weeds should be included in the ordinance but as a written complaint.
- Mr. Wixom asked if the Council was giving direction to the staff to draft policy of how to handle these issues?

- Mayor Smith said staff provided this recommendation and Council should accept and direct back to staff to make Town's official policy.
- Mr. Wixom wanted clarification if Council considered this policy or did they expect staff to get questions answered and flushed out and then bring back to Council?
- Mr. Wixom and Mr. Dansie thought it would be a good idea to discuss with Kurt and Garen and then present Council a formal policy.
- Mr. Chambers voiced concern about signage and lighted signs in windows.
- Mr. Wixom expressed concern about the sign code and would like to discuss with Town attorney Greg. If sign can only say specific things need to confirm this is this not a violation of First Amendment rights.
- Mr. Chambers asked if this concern was reviewed when the ordinance was passed. Mr. Wixom was not sure. Town can regulate size, color, placement of a sign, but may not be allowed to regulate words.
- Mr. Player asked what the ordinance allowed now. Mr. Wixom said there are specific terms in the ordinance such as "Open", "Now Serving", "Vacancy", and "No Vacancy". Town cannot dictate what business' say and should research this issue.
- Both Mr. Player and Mr. Chambers were surprised this was not reviewed by attorney before this became an ordinance.
- Mr. Player is concerned about an ordinance that isn't being enforced. Either enforce as they stand or don't put them on the books. Wants a commonsense approach to communicate and enforce ordinances. Don't be a heavy-handed but don't have ordinances that are ignored. Eliminate these from books if they are not going to be enforced.
- Mr. Wixom said Town has been reactive, acting on written complaints but not actively seeking code violations. Town also sent out letters to reign in violations.
- Mr. Chambers wants policy to enforce the codes consistently.
- Mayor Smith asked if staff understood the direction being given. Mr. Wixom said staff would speak with attorney and police force and bring back resolution to Council at next meeting.

Motion by Mark Chambers to direct staff to work on formal policy when enforcement action is warranted to be brought back to the Council that will include what is listed in #3: lighting regulations, sign standards, unauthorized outdoor sales / vendor booths, with the addition of noxious weeds; seconded by Adrian Player:

Player: Aye

Smith: Aye

Chambers: Aye

Weyher: Aye

Motion passed unanimously.

Discussion and Possible Action Regarding Replacement of Police Vehicle: Police Chief Kurt Wright indicated a \$7500 JAG (Juvenile Justice) grant was forwarded to Pam Humphreys to complete. Mayor Smith indicated that it would allow Town to proceed with vehicle replacement this year rather than wait until the 2015 budget.

- Mr. Wixom said staff has discussed how the Town can purchase their own police vehicles and that a budget decision will be made to determine if cars will rotate 2 or 3 years. Current vehicle set for replacement has 140,000 miles.
- Police Chief Wright said having a vehicle with so many miles was an officer/public safety issue. Normal rotation is 75,000. The plan is to sell Crown Victoria, strip all useable equipment; and keep Expedition as a back-up.
- Mr. Weyher asked how many police cars are in the Springdale fleet. Police Chief Wright said five. The 2006 Expedition with 140,000 is the one being replaced.
- Mr. Wixom said staff will bring back a budget amendment that outlines the purchase and details where the money is being allocated.

Motion made by Bill Weyher to direct staff prepare a budget amendment to purchase a new patrol car; seconded by Mark Chambers:

Player: Aye

Motion passed unanimously.

Administrative Non-Action Items

Council Department Reports and Discussion:

Streets and Sidewalks: Mr. Weyher said the engineer is working on the lighting project and we have dirt on streets and sidewalks from the recent flood. Mr. Wixom indicated they ran the broom up and down the street, but it will take more effort to clean up. UDOT has one enclosed broom from Richfield south and it is here about once a year.

Street Lighting: Mr. Dansie said the \$1MM insurance liability limitation was removed therefore project kickoff meeting is scheduled for 11/10. Current schedule has design being complete by early 2015. The public is not necessarily invited to this meeting however it will be attended by UDOT reps, Town staff, Pacific Core and Town Council members. This may also present an opportunity to combine this project with conduit for fiber. Invitees to the meeting will include anyone who has a stake in the project. Mr. Player suggested we talk to Rocky Mountain Power about putting all the Town electricity underground. Mr. Dansie said that in the center of Town all lines would be dropped.

Light Parade: Mr. Chambers said the Light Parade will end with an ice cream social and Town Council members are encouraged to serve.

Staff Performance Reviews: Mr. Chambers indicated Town Manager and Chief of Police performance reviews should have been conducted in August and need to be re-scheduled. Mayor Smith asked that Councilman Chambers take on this assignment. Mr. Wixom said all staff reviews will be conducted this fall.

Paiute Indians: Mayor Smith said they met with Paiutes on Monday, October 6 with success. Town showed the Paiutes some alternative land and also brought in the Trust for Public Lands which helps with possible funding issues. It is all still preliminary however Gaylord and Gary said they are willing to put the application "on ice" now that they see the Town is willing to help. All parties understand that this process will take time. Town needs assurance in writing from Bureau of Indian Affairs that their application is indeed suspended. Mr. Wixom reiterated the Town needs something official from the Tribe and the BIA needs a resolution that expresses the Tribe Council's request for suspension.

Mayor Smith expressed that this is an indefinite hold, however if the Tribe suspects the Town is holding up the process then they will act. Mr. Weyher said the Trust for Public Lands recommended the Town institute a program to acquire open space which would have to be part of a Town General Election.

Mayor Smith said that if the Town acquires the Paiute parcel, it opens up many possibilities and helps us achieve a win-win situation. The issue may have to go to voters. Mr. Chambers indicated that in the past two or three years the Town has set aside money for Open Lands.

Mr. Wixom said there has been talk to include a ballot measure that states Town will commit tax-payer funds to purchase open space. The Paiutes want to retain as much interest in the parcel as possible and help develop interpretive sites, hiking trails, which is consistent with the Town's goals. All comes down to available funds. Mayor Smith feels confident in our ability to work together and compromise.

Mr. Chambers wanted clarification that this Friday was deadline for us to submit our documentation in response to the Paiute application assuming one is filed. Mr. Wixom said the Town is ready to respond. Mayor Smith is committed to the issue so progress continues to be made. He believes once all is completed it will be a great asset for the Town.

Mr. Weyher later mentioned that representatives from Congressman Chris Stewart's office and Senator Orrin Hatch's office came to tour the properties. Mayor Smith said they are up-to-date on the Paiute

issue and suggested they help get the Town federal money to purchase the land. Governor Herbert has a strong agenda with the Indians and therefore maybe the Town will see State money.

Fiber Optic: Mayor Smith acknowledged that the issue was going slowly and is complicated. He confirmed the Town is not involved financially and project will likely go private.

Buses: Mayor Smith had meeting with UDOT a few weeks ago. The concept is evolving differently than Town originally thought because of UDOT restrictions and red tape. Mr. Wixom said UDOT must do a study to determine if system will service needs of residents or tourists. This study will affect the timeline. Mr. Dansie said that if para-transit services are needed, they will significantly affect the costs. Size of bus would be affected if determined to be a commuter service versus regular service. Mr. Chambers said St. George Shuttle has been providing a way for tourists to come to Town from Vegas to Springdale. Mayor Smith acknowledged that it is possible the project may be taken private.

In closing, Mayor Smith appreciates being the Mayor. He enjoys meeting with county people and hearing all the compliments Springdale receives.

Motion to adjourn at 6:30 PM by Bill Weyher; seconded by Adrian Player:

Weyher: Aye

Chambers: Aye

Smith: Aye

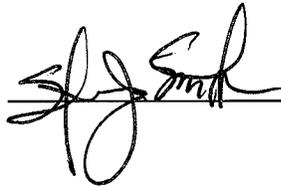
Player: Aye

Motion passed unanimously.



Darci Carlson, Town Clerk

APPROVAL:





TOWN OF SPRINGDALE

PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD

Please sign

Meeting of Town Council on 10/8/14

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information. Your address will never be sold, though we may have to provide it as public information. If you have provided the information before, you don't need to add it again.

Peggy + Randy Taylor
name

Resonance Homeowner
name

Alain Davis
name

Rory and Alun Mabbett
name

Ive Pitt
name

LIZ WEST
name

Nancy Goodell
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Sharon Hatfield
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Kimberlee Schegk
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