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**MINUTES OF THE SPRINGDALE TOWN COUNCIL REGULAR MEETING ON THURSDAY, FEBRUARY 12, 2015
AT 6:00 PM AT SPRINGDALE TOWN HALL, 118 LION BLVD., SPRINGDALE, UTAH**

MEMBERS PRESENT: Mayor Stanley J. Smith, Councilmembers Mark Chambers, Adrian Player, Bill Weyher, Mike Alltucker

ALSO PRESENT: Town Manager Rick Wixom, DCD Tom Dansie, Town Treasurer Dawn Wallace, Administrative Assistant Pam Humphreys and Town Clerk Darci Carlson recording; 18 citizens signed in, per attached list.

Pledge of Allegiance led by Pam Humphreys.

Approval of agenda: Motion made by Mark Chambers to approve the amended agenda to include items B5 and items B6: street light project and curbside recycling; seconded by Adrian Player.

Weyher: Aye

Chambers: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

Discussion/Announcements/Non-action items

Mr. Wixom announced that the cemetery project was set to begin. It will take approximately 30 days to complete and will impact the access road.

Visitors Bureau report: Mayor Stan Smith stated Nate Wells was unable attend. They provided their announcements which he read and provided to the Clerk for the record:

- The ZCVB general meeting was held on Wednesday, February 4, 2015. We had over 30 members and visitors in attendance. There was a power point presentation given by Adam Feeham from Expedia. He is a market manager with Utah and he discussed market data and trends.
- The Zion 1/2 Marathon is Saturday, March 14th. There are already 2,500 participants entered in the race with a possibility of 3,000 entrants. The pre-race expo will be held on March 13th at the Zion Canyon Village.
- The St. Patrick's/Spring Celebration is Saturday, March 21st. The parade line up will be at 1:30 on Lyon Blvd with the parade starting at 2:00. The green-jello contest, games and beer garden will be on the grass at the Bit and Spur following the parade. There will also be live music at restaurants around town. This is the 30th Anniversary St. Patrick's Celebration in Springdale.
- The ZCVB committee is growing with several new members and a potential candidate for Vice President.

Zion Park update: Superintendent Bradybaugh announced:

- The Park sent a press release regarding the construction on Kolob Terrace Road. The schedule is as follows:
 - Now through March 1st construction crews will be mobilizing equipment and staking.
 - March 2nd through October 31st will see the following delays:

- Monday – Thursday = Kolob Terrace Road will be closed in its entirety in three hour blocks: 9:00am – Noon & 1:00pm – 4:00pm
- 7:00am – 9:00am & 4:00pm – 8:00pm expect 30 minutes delays
- Noon – 1:00pm – traffic held for 10 minute intervals
- Fridays – 7:00am – 9:00am expect 30 minute delays / 9:00am – Noon road closed
- Saturdays and Sundays road will be open but will be graded gravel
- Please travel safely.
- The Park shuttle starts up again on March 15th.
- The upcoming President’s Day weekend is a fee free weekend at the Park and all public lands.
- The Park also put out a fee increase proposal. They had received about 120 comments from the public and are in the process of analyzing. Generally feedback was supportive and implementation of entrance fees likely to begin around May. Camping fee implementation will not start until 2016 so Park can coordinate with reservation system.

Mr. Chambers asked how annual pass money is divided. Superintendent Bradybaugh indicated about 80% of the money stays at the location where the pass was sold. The remaining 20% goes into a national fund to help those parks that do not collect fees.

- Superintendent Bradybaugh announced that 2016 is the centennial year for the National Park Service. They are beginning to plan the celebration. The national goal is to connect with the next generation of park visitors and advocates. They want to focus on developing enduring, longstanding partnerships especially with communities and youth. A coordination committee is being assembled and they would like a member from the Town.
 - Mayor Smith indicated we have already begun preliminary meetings to consider the Town’s involvement and participating with the Park.

Z-Arts report: Nancy Guardabascio announced the following:

- Z-Arts had a very active month. On January 30th Cuatros Camino Arts and Flamenco performed. It was a stellar event and many said it was the best ever. Also Julian G, a pianist, was excellent.
- A special thank you goes out to Mark Chambers and Joe Pitti from Under the Eaves Bed & Breakfast. They helped coordinate the entertainers and hosted four flamenco dancers at their Inn in a manner where they felt very privileged to be in Springdale.
- There is a new art event in the CCC “Only in Apple Valley” by Gloria Charles.
- On February 20th Teresa Jordan will speak about her new book at the Community Center at 7pm.

General Plan report: DCD Tom Dansie announced:

- Mr. Dansie reminded everyone the University of Utah students will present the results of their research project this Friday evening at 6:00pm in the Council meeting room. A preliminary report can also be found on the website at www.listeningtospringdale.com.
- The Planning Commission is continuing to work on the General Plan update. They are currently discussing chapter 2 Town Appearance and looking at what village atmosphere and village scale means. They will build on these concepts more fully throughout the update progression. Public input during this process is critical. The Commission meets the first and third Tuesday’s of the month. If you are unable to attend submit comments to Springdale@infowest.com.

Mr. Chambers encouraged everyone to come out tomorrow evening and attend the University of Utah student presentation. It would be very informative and worth your while to attend.

Recognition of Springdale as Utah Community Forest Council 2014 Community of the Year: Town Manager Rick Wixom announced he was privileged to attend the Utah Community Forest Council last month and the Town of Springdale received the *2014 Community of the Year* award. Mr. Wixom read the verbiage from the plaque:

"In grateful recognition of a strong commitment to urban forestry and the citizens of Springdale, we honor Springdale Town today, the 27th day of January 2015 with the Utah Community Forestry Council and International Society of Arboriculture Urban Chapter Community of the Year Award. Springdale Town celebrated its 5th year as a Tree City USA in 2014. They accomplished this task by getting involved with the Springdale Elementary School to celebrate Arbor Day and using the school children to demonstrate to the Springdale citizens how to properly plant trees. Some of the trees came from the efforts of the elementary school due to their participation in the Arbor Day Poster Contest. Springdale Town also obtained grant monies from the 'Green Tree Project' this year to do much needed tree care throughout the community including hazard tree removal and mature tree pruning. For their dedicated service to the citizens of Springdale and the community forests of Utah, we gratefully recognize Springdale Town with this Community of the Year Award. As President of the Utah Community Forest Council and Utah Chapter of the International Society of Arboriculture and on behalf of the UCFC Board of Directors and citizens of Utah we extend our sincere appreciation and gratitude for all of your hard work, dedication and service."

Ben Harris, President / Travis Jones, Board Chair

- Shane Lowery and Pam Humphreys from the Town staff have been instrumental in both the tree grants and the Tree City recognition each year. Springdale Elementary Principal Chris Snodgrass and Mavis Madsen were also responsible for the Arbor Day poster contest and tree planting. Mr. Wixom wanted them all to be publically recognized. The audience applauded.
- Mr. Wixom added this was an unexpected award and the Town did not know it was coming. We have planted trees and done this activity for years because it is the right thing to do.

Mr. Danon Hulet from the Utah Community Forest Council spoke and congratulated Springdale for the work they have done. The organization focused on the 85 Tree City communities in the state and looked at their programs. The award is a big recognition. It shows dedication to urban forestry. He specifically called out Shane Lowery and mentioned his enthusiasm. He again congratulated Springdale for receiving the award.

Everyone in attendance applauded. Mayor Smith reiterated that it was not a Town award but a community award as everyone's participation made it possible.

Mr. Wixom also announced the Town's insurance provider Utah Local Government Trust has an accountability program to ensure safe work environments for public employees and facilities. The Town received a dividend of \$1,800. The Trust also looks at claims and premiums. Due to a decrease in claims from communities that make up the Trust, Springdale also received \$3,800 back.

- Mayor Smith commended the staff and said he thinks very highly of them. They are doing a great job.

Community questions:

Betina Lindsey approached the podium and asked everyone to close their eyes and take a deep breath. She said when you breathe in a tree exhales and when we breathe out a tree inhales.

Lisa Zumpft had two questions. The first was the status of the Paiute application for federal trust and the Town's negotiations and discussions with them. The second was the status of the fiber optics project.

- Mayor Smith indicated the Paiute request was on hold as we are working with them. The Town is trying to help them build what they want on a more suitable piece of property. They had sent a letter today to Gaylord Robb which offered an exchange of property in Virgin on the highway. It is a great piece of property. The Paiute Counsel will meet next week to decide.

Regarding fiber optics, Mr. Wixom said the Town was looking at the incremental costs to partner with First Digital and include the conduit needs for the street light project in conjunction with what would be installed for

fiber optics. The proposed cost was outside the Town's procurement code. Next week First Digital had scheduled a pre-construction meeting with UDOT. The contractor was selected and First Digital appears to be moving forward. The Town would either buy conduit from them later or install our own for the street lighting project. The Town needs to meet our codes as far as bidding and transparency.

- Mayor Smith wanted to reiterate that First Digital is taking on the fiber optic project and UDOT has the right of way. The Town is not involved with the implementation. Hopefully the project is 30-45 days away from completion.
- Mr. Alltucker asked if the First Digital permits, street cuts, repairs, bonds and insurance were with UDOT. The Mayor answered 'yes'. Also, Mr. Wixom added that as long as they remain in the UDOT right of way. If they encroach on private property it will be between First Digital and the private property owner.
- Mayor Smith said the Town is heavily interested and will be watching. When digging, First Digital may hit culinary water or telephone lines and this is a concern.

Louise Excell addressed the meeting and wanted to add her congratulations to the Town staff, Mr. Lowery and Ms. Humphreys and all who worked on the tree project. She also recognized Mavis Madsen for assisting children in planting trees. Ms. Excell commented she wanted the Town to be more transparent about the fiber optics project. She also asked for an update on the Izzy Pocco formula restaurant lawsuit which goes back to 2010.

- Mayor Smith said the Town was still waiting on the judge.
- Ms. Excell asked if at some point the Town had a right to say we had not received swift justice and demand an answer. Mayor Smith indicated both sides had asked for a judgment. Mr. Wixom said there have been updates to calendars and motions filed but no decision.
- Mr. Wixom said the state court has a required time limit for rulings but federal court does not. There is no limitation that judgments need to be acted on in a certain amount of time. The case has been with the federal court two years this past November.
- Mayor Smith said the Town was asked if they wanted to settle and we said 'no'. It is frustrating and not for a lack of trying.

Alan Jensen asked if there was a procedure to go through to report damage to a public feature so it could be repaired. Mr. Dansie answered that he should notify the Town so we could determine who was responsible for the repairs whether it be UDOT or the Town.

Actions Items – Administrative

Springdale Citizen of the Season Winter 2015 award recipient – Mr. Rob Snyder:

Mayor Smith announced that the Citizen of the Season Winter 2015 award recipient was Mr. Rob Snyder and asked that he come forward. The audience gave Mr. Snyder a standing ovation and rousing applause. The Town recognized Mr. Snyder by providing him a certificate and name on a perpetual plaque that will be displayed in Town Hall. Mr. Snyder thanked everyone for their support. Throughout his life his father said one of the highest aspirations in life was to be a good citizen. He knew his dad would be proud.

- Mayor Smith thanked Darci Carlson for her innovation in creating the Citizen of the Season plaque. It is a great asset for the Town.

Discussion and possible action regarding Brant and Patricia Warner request for utility bill adjustment:

Mr. Warner came to the podium and said last year they had experienced a number of unexplained shut downs in the irrigation system. They therefore installed a cross-connection which runs culinary into irrigation. In November a valve opened up and water ran for approximately 30 hours and 55,000 gallons of water. He is here tonight to ask for an adjustment on his sewer bill since this water went back into the irrigation system. Mr. Warner said the system was disconnected yesterday per Robby Totten's request.

- Mr. Alltucker mentioned there was a violation notice but asked if there was a fine or penalty. Mayor Smith indicated only a letter was sent about the illegal connection. If not disconnected the next process would be to shut off culinary water to the residence.
- Mr. Chambers questioned next steps if not disconnected. Mr. Wixom said if the situation had gone further then it goes into the court system. We did not expect to get to that point.
- Mr. Warner said there was a backflow preventer on the system just not an approved one.
- Mr. Player asked for clarification regarding the water going back into the irrigation system and not on the property. Mr. Warner said the valve runs it back into the Town's irrigation system.
- Mr. Player made two points. First he said the irrigation water is shut off during winter. Second, other areas in Town don't have an irrigation water system so they need to use culinary to irrigate. The Town does not reduce their bill because they irrigate with culinary that goes down the sewer. The Warner's system was done without the authorization of the Town or a licensed plumber.
- Mr. Warner said it was not an illegal connection other than there was not a backflow regulator. Mayor Smith said there was a chance for cross contamination. Untreated water could go into treated water. Allowances are sometimes given if there is a leak that you didn't know about, but this leak was self-inflicted. The rate charges were based on water and sewer usage. It is not good to set precedence for someone to pay for water but not sewer.
- Mr. Weyher said his concerns were with the illegal cross connection and the health and safety risks of cross contamination.
- Mr. Player asked if the Town had a procedure to collect over time. Ms. Wallace said that payment arrangements could be made.
- Councilman Chambers said the major violation was that it was not approved by the Town. He asked if there were proper channels for someone to connect their irrigation to culinary. Mr. Wixom said there was a provision that meets codes. The connection must be checked and maintenance records kept. Mr. Chambers commented in this situation it was user-error and preventable.
- Mr. Wixom said that if someone had the proper backflow device they would still be billed for the sewer usage. Town understands it's an extraordinary situation but there is no provision to make this type of adjustment.
- Mayor Smith added that Mr. Warner is not being fined or punished for the cross connection. Someone on the property turned on the valve and let it go. The residents of Springdale shouldn't pick up the cost for that. We cannot set precedence here.
- Mr. Warner said he appreciates concern over precedence being set and doesn't have a problem with that. Robby Totten confirmed the irrigation water was not turned off this year so Mr. Warner believed the water could have gone back into the irrigation system. He also said it was culinary water going into the irrigation system therefore there would not be contamination with untreated water. He did acknowledge the backflow preventer used was not approved.
- Mr. Warner asked if people who fill a swimming pool receive an adjustment. Mayor Smith said 'yes'. The Town does a meter reading before and after. The sewer is not charged. This is the only waiver for sewer fees.

Motion made by Bill Weyher to deny the Warner's request; seconded by Mark Chambers.

Mr. Alltucker wanted to allow for leeway on a payment plan. The other Councilmembers agreed. Mr. Wixom said Dawn Wallace could arrange.

Weyher: Aye.

Chambers: Aye.

Smith: Aye.

Player: Aye.

Alltucker: Aye.

Motion passed unanimously.

Consideration and approval of Resolution 2015-05, amending the Town of Springdale Construction Manual for fiber optic cable and concrete color: Mayor Smith indicated this was a housekeeping item as we go into the fiber optic project. Mr. Wixom said it keeps installation away from the water lines.

- Mr. Chambers noted it also includes the cement color too. He asked if this included stamped or stained concrete. Mr. Dansie said in the past stamped or stained concrete was accepted as long as the color is consistent with the approved color. This consideration was to just remove the color 'goldenrod' because the concrete color is not named this any longer. In the review process the Town verifies the stain or stamp is compliant.

Motion made by Mark Chambers to approve Resolution 2015-05 revisions to the Construction Design Standards and Details Manual; seconded by Adrian Player.

Weyher: Aye.

Chambers: Aye.

Smith: Aye.

Player: Aye.

Alltucker: Aye.

Motion passed unanimously.

Mr. Dansie added that another amendment to the manual would be coming to address ADA standards.

Discussion and possible action regarding building review plan and service agreement with Forsgren

Engineering: Mr. Dansie said about five months ago the firm that was providing plan review services would no longer. Zac Martin has been handled the lion share of plan reviews however if there is a large or complex plan the Town may need the option to send out to a consultant. Forsgren Engineering offers these types of review services. Their proposal and service agreement was provided to the Council for review.

- Mr. Chambers indicated he had spoken with Mr. Wixom and Mr. Dansie and a RFP would not be required because there is no dollar amount. The contract is non-exclusive. Mr. Dansie agreed and said the volume will be low and the dollar amount for the review will be low. It is a non-binding agreement.
- Mr. Alltucker expressed concern the limited liability exposure was capped at the amount of the fee. To protect the Town, Forsgren should provide professional coverage for their work. If something went wrong in a building plan review, it could come back to the Town.
- Mr. Weyher recalled this was similar to what we went through with Forsgren previously. Mr. Alltucker agreed and said the Town needs to insist we get more coverage as part of the agreement. Mr. Dansie said Forsgren included \$1MM in errors and omissions coverage in the street light project. He felt the Town could go back and ask Forsgren to amend this agreement as well.

Motion made by Mark Chambers to accept Forsgren's proposal to provide plan review service for the Town with the provision they agree to the same liability coverage discussed and authorize the Mayor to sign and execute the agreement once the change has been made; seconded by Bill Weyher.

Alltucker: Aye.

Player: Aye.

Smith: Aye.

Chambers: Aye.

Weyher: Aye.

Motion passed unanimously.

Contract modification for street light project regarding NEPA compliance: Mr. Dansie said they are approaching the 50% design review. A public meeting will be scheduled to present and get feedback. If we have environmental clearance or NEPA compliance in place the Town will have a better chance of getting grant funding. The National Environmental Policy Act requires environmental clearances for projects using federal funds. Since many of the

funding sources will be from federal sources, compliance must be documented. Forsgren believes we qualify for a categorical exclusion from NEPA requirements which is fairly streamlined and will cost about \$5,500. This fee is in line with others. If approved, the cost of the contract will increase to total of \$77,940.00.

- Mr. Chambers asked if Lion Boulevard was included in the fee. Mr. Dansie answered he has not specifically asked that question of Forsgren but assumes Lion Boulevard is included. He will clarify. The major work is on SR9 and the stone irrigation ditches. He does not anticipate NEPA issues on Lion Boulevard.

Motion made by Mike Alltucker to modify the existing contract with Forsgren to include NEPA compliance work not to exceed \$5,500 and to authorize the Mayor to sign; seconded by Adrian Player.

Weyher: Aye.

Chambers: Aye.

Smith: Aye.

Player: Aye.

Alltucker: Aye.

Motion passed unanimously.

Discussion and possible action on curbside recycling program in Springdale: Mayor Smith attended a meeting on Monday with Solid Waste to discuss options for a county-wide curbside recycling program. Springdale was in favor but the majority of people didn't want the binnies removed. Dixie Waste and Allied were the two bidders but the award has not been made yet. This is an opt-in or opt-out program. Cost is estimated to be \$3.85 per month per household which the Mayor felt was worth it. Pick up schedule would be every other week. Statistics show that curbside recycling can extend the life of a landfill seven to fifteen years. Financially this is huge. There are many environmental hoops to jump through just to identify land for a new landfill. Mayor Smith said he needs to know where our community stands but he supports mandatory opt-in.

- Louise Excell spoke and said she is 100% in favor of curbside recycling but about 10-12 years ago she had experience that recycled items were simply going to the landfill. Mayor Smith clarified and said that the RFP in play was for transportation only. Recycled items would go to Rocky Mountain Recycling and not directly to the landfill. There was stringent policing. Glass would not be a part of the curbside pickup but the binnies will be available for that.
- Mr. Alltucker asked if there was a mandatory option; if the items could be comingled; and the timeline. Mayor Smith answered Springdale would have the option to make the program mandatory; all items could be comingled except for glass; right now he needed an answer from the community if it is worth continuing to investigate. There will be several public meetings in Springdale to discuss. There is a vote on March 2nd to know the level of interest in our community.
- Mr. Chambers said he was also inclined to make mandatory, or the simplest opt-in/opt-out program. Both Mr. Player and Mr. Weyher agreed. Mr. Alltucker wanted to ensure there would be community input.
- Alan Jensen asked if this applied to businesses. Mr. Chambers answered that Republic manages the curbside recycling for businesses.
- Mayor Smith indicated another RFP would be going out from the district for the processor. Currently it is managed by Rocky Mountain Recycling. This curbside program would be just for residential collection and commercial properties would contract independently.
- Mr. Wixom asked if this will eliminate any rebate the Town receives from the binnies. Mayor Smith said with the new RFP recycle money will come back to the county. They need to determine how that will flow to the participating towns. Mr. Wixom said everyone is paying \$.50 a connection in their normal garbage bill for the binnies. This would not change. We received a \$429 recycling rebate last time which is not much, however if these rebates can be maintained it is a selling point for participating communities. The Mayor said the rebates would still be discussed.
- Mayor Smith said in order for the program to fly Dixie Waste was requiring 50% involvement from county municipalities while Allied was requiring 60%.

Motion made by Mark Chambers to direct the Mayor to tell the Solid Waste Committee that Springdale is definitely interested in the recycling program and moving efforts to a mandatory program; seconded by Adrian Player.

Alltucker: Aye.

Player: Aye.

Smith: Aye.

Chambers: Aye.

Weyher: Aye.

Motion passed unanimously.

Local consent for full restaurant liquor license at Flying Monkey, 975 Zion Park Boulevard – Dean Woods: Steve Perry, one of three partners, was in attendance for Flying Monkey.

- Mr. Chambers indicated that the Council wanted the business owner to attend so they could talk. He said there had been concerns regarding the lighted sign and repeated violations. In the future, especially with alcohol, come into compliance with any violations as soon as possible and ensure they don't happen again.
- Mr. Perry said they had taken the sign down and blackened to minimize the light.
- Mayor Smith said the business needs to honor commitments to the Town and come into compliance.

Motion made by Mark Chambers to approve the local consent for full restaurant liquor license and proximity variance at Flying Monkey, 975 Zion Park Boulevard; seconded by Adrian Player.

Weyher: Aye.

Chambers: Aye.

Smith: Aye.

Player: Aye.

Alltucker: Aye.

Motion passed unanimously.

Local consent for full restaurant liquor license at Baby Sumo Restaurant, 792 Zion Park Boulevard – Lien Luu:

Michael Luu was in attendance. He said Baby Sumo would be located where Parrothead was previously. He and his wife have lived in St. George for thirteen years and owned a restaurant in Mesquite. Baby Sumo will be a Japanese-style, sushi, full steakhouse and Asian-style pasta. They plan to open April 1st.

- Mr. Player asked if there were any proximity variances. Mayor Smith said 'no'.
- Mr. Luu said they love Springdale and have looked for a place to open a restaurant for five years. Thanks to Stewart Ferber for his help.

Motion made by Mark Chambers to grant local consent for full restaurant liquor license at Baby Sumo Restaurant, 792 Zion Park Boulevard; seconded by Bill Weyher.

Alltucker: Aye.

Player: Aye.

Smith: Aye.

Chambers: Aye.

Weyher: Aye.

Motion passed unanimously.

Request for blanket approval for up to 12 single event permits for Zion Canyon Brew Pub in 2015: Mayor Smith indicated this had been done in previous years and was a convenience for the businesses and the Council.

Motion made by Mark Chambers that based on history and previous approvals Zion Canyon Brew Pub be granted blanket approval for up to 12 single event permits in 2015; seconded by Adrian Player.

Weyher: Aye.

Chambers: Aye.

Smith: Aye.

Player: Aye.

Alltucker: Aye.

Motion passed unanimously.

Request for blanket approval for up to 12 single event permits for Bit & Spur in 2015:

Motion made by Mark Chambers that based on history and previous approvals Bit & Spur be granted blanket approval for up to 12 single event permits in 2015; seconded by Mike Alltucker.

Weyher: Aye.

Chambers: Aye.

Smith: Aye.

Player: Aye.

Alltucker: Aye.

Motion passed unanimously.

Request for blanket approval for up to 12 single event permits for Wildcat Willies in 2015:

Motion made by Mark Chambers that based on history and previous approvals Wildcat Willies be granted blanket approval for up to 12 single event permits in 2015; seconded by Bill Weyher.

Alltucker: Aye.

Player: Aye.

Smith: Aye.

Chambers: Aye.

Weyher: Aye.

Motion passed unanimously.

Resolution 2015-06, water rate increase and sewer rate decrease – effective March 1, 2015: Mayor Smith began by stating the sewer fund is really healthy and the water fund reserves need to be bolstered. Since we can't move money we are adjusting rates.

- Mr. Wixom did the calculations to try and make the adjustment neutral for most. This is based on a 3% increase in water and a 7% decrease in sewer rates.
- Louise Excell spoke and thanked the Council for taking comments when you don't have to. She asked why they were considering decreasing a totally healthy sewer fund. The water increase was merited however Ms. Excell recommended they keep the sewer rates where they were at. You will need the money in the future. Ms. Zumpft agreed and asked if there was some part of the sewer line that needed to be repaired.
- Mr. Wixom said both of these enterprise funds can have substantial cash balances. They are not restricted like the General Fund. He agreed that at some point the Town will need to make modifications to the existing sewer system. The sewer fund is currently the healthiest it has ever been with a balance of over \$900,000. Mr. Weyher pointed out that if the system had to be replaced it would cost significantly more than that to which Mr. Wixom agreed.
- Mr. Weyher stated that the Park and Rockville also use the Town's sewer system. Mr. Wixom said the Park's rate is based on percentage of flow. It is recalculated every year. Rockville is a set amount.
- Councilman Player agreed with Ms. Excell. He felt the money could be used in the near future. He asked if there would be a big impact on citizens. Mr. Wixom said it depends on usage, but based on his report it would be a \$1.05 increase for water and a \$.98 decrease for sewer.
- Mr. Chambers asked if an analysis of these funds was in the audit. Mr. Wixom said 'yes'. We have been consistently receiving more than we are spending in the sewer fund.
- Mayor Smith reminded that the point was to get the water fund balance increased. The Town can raise rates any time they want. Mr. Wixom said that if the resolution was approved we would expect the

appropriations to balance the expenses in the sewer fund. Any negative impact depends on expenses during the year.

- Mr. Chambers asked if the Mayor had concerns about raising rates. He thought it may make more sense not to reduce the sewer fund. Over time more water use will affect the sewer.
- Mr. Alltucker asked if this affected the irrigation rates. Mr. Wixom indicated those rates also need to be adjusted but would require formal approval from the Secondary Water Advisory Board. This can be brought back to the Council later.
- In answering Mr. Chamber's question, the Mayor said if the Council wanted to raise rates he would be ok. He is aware the Town will incrementally increase the water rate so it would not be a big hit. Let's see what affect this has and then make adjustments as necessary.
- Mr. Wixom said the last time the Town adjusted water rates was in 2012. There was a 3% adjustment. Prior to that there was a 2-3% increase in 2009. He recommended the Town consider a 1% increase per year to be consistent. The sewer rates had not been raised since 2007. At that time they went up 25%.
- Mayor Smith again reiterated the intent of the discussion was to help the water fund become healthier. Mr. Wixom said if the rates were increased it would affect the April billing.

Motion made by Mark Chambers to increase the water rates but reject the sewer rates as proposed in Resolution 2015-06 effective March 2015 and to amend the fee schedule; seconded by Adrian Player:

Weyher: Aye.

Chambers: Aye.

Smith: Aye.

Player: Aye.

Alltucker: Aye.

Motion passed unanimously.

Mr. Chambers asked if the audit was going to be put on the website. Mr. Wixom answered 'yes'.

Discussion and direction regarding the draft 2015 Zion Canyon Music Festival budget: Mayor Smith said the Council asked to review a draft of the ZCMF budget. Mr. Wixom reminded the Councilmembers this wasn't a budget approval because there is a specific process and timeline for that. This was an opportunity to suggest changes. This budget will go through the same process as all the other departmental budgets and be approved in June.

- Mr. Chambers questioned the concessions revenue. The budget showed \$300 for beer and wine sales. Ms. Wallace replied the budget was a work in process and at this time the Committee was not sure who would be picking up this responsibility. The group is being conservative right now. Mayor Smith stated the group planned fundraisers to offset the beer and wine sales revenue.
 - Mr. Chambers wanted to know what the fundraisers would be so they could assess liability.
 - Mayor Smith said the next fundraiser would be a concert at the Bumbleberry Theater with an after-party at Wildcat Willies; 100% of the proceeds would go to the Music Festival. Any liability would be assumed by the businesses involved.
- Mr. Weyher asked what time period the budget covered. Mr. Wixom answered it covered the next budget year starting July 1st. Mr. Weyher asked if the 300 staff hours would not be tracked until July 1st. Mr. Wixom said that it is being tracked now and would not exceed 300 hours for this Festival year. The Mayor clarified and said staff hours were administrative and not for sub-committee work. The Committee is very aware of the requirements the Council has placed on them.
- Councilman Weyher said there was a line item for insurance but not money. Ms. Wallace indicated that if the Town is not selling the alcohol they do not need liquor liability insurance. The Town insurance would cover any other insurance needs.
- For the next report Mr. Alltucker asked that the report include staff hours; both the number of hours and the value of those hours.

- Mr. Chambers also wanted the Committee to report on the status of establishing an appropriate entity to take over in the future.
 - Mayor Smith said that given the time restraints the Committee is more concerned in pulling off the event for this year. Then they will focus on how to address this issue.
 - Mr. Chambers wanted things to be in place by June. Mayor Smith said this could be the target but strongly urged the Council not to force this answer now. Mr. Chambers understood but this issue would take time. There needs to be an organization to turn over responsibility. Mayor Smith said the Committee was motivated as well and they don't want the event to die. Right now they are dedicating a strong effort into ensuring this year's event is most successful.

Discussion and direction regarding advertising the Town ball field restroom bid: Mr. Wixom asked the Council if this was the right time to move forward with this project. Mr. Weyher asked about the cost. Mr. Wixom answered it would cost between \$125,000-\$150,000 and include bathrooms, storage, concession area and awning. There is \$125,000 in the budget right now.

- Mr. Weyher wanted to know how the concession area would be utilized. Mr. Wixom said it would be used for a number of events including the Zion Canyon Music Festival, Red Rock Relay, 24th of July Celebration, Rocky Mountain Baseball Tournament, in addition to opportunities for other big and small events.
- Mr. Chambers asked if the bathrooms would be locked and if the camera at the River Park deterred detrimental activity. Mr. Wixom said the bathrooms would be locked via a timer. The camera had deterred activity but there were still some issues.
- Mr. Chambers asked if the money came from the park fund. Mr. Wixom said 'correct'. The money for the construction comes from impact fees that go into the park capital project fund. The staff point of view is that this project is needed.
- Mr. Player asked if construction would be finished by the Zion Canyon Music Festival in September. Mr. Wixom thought it should.

Motion made by Bill Weyher to go out to bid for the Town ball field facility; seconded by Adrian Player:

Alltucker: Aye.

Player: Aye.

Smith: Aye.

Chambers: Aye.

Weyher: Aye.

Motion passed unanimously.

Report and possible action on the Rockville/Springdale Fire Protection District donation: Mayor Smith told the Council they received a list of what the District had purchased. There was an additional \$1,119 spent for more equipment and the District was asking for reimbursement. Mr. Alltucker asked if this was over and above what was originally given. The Mayor answered 'yes'.

- Luci Francis, RSFPD Chair, was in attendance and addressed the Council. She indicated the District was not asking for more. She was here tonight to say 'thank you' for the donation. The list was provided so they would have a chance to make their own choices. They are not expecting more.
- Mr. Player said nothing unnecessary was purchased. He felt they should support the additional. If the Council decides to contribute more it would require a budget amendment.

Motion made by Bill Weyher to approve the reimbursement to the Rockville/Springdale Fire Protection District for \$1,119.08 bringing the total donation to \$62,007.08; seconded by Mark Chambers:

Alltucker: Aye.

Player: Aye.

Smith: Aye.

Chambers: Aye.

Weyher: Aye.

Motion passed unanimously.

Appointment of Jack Burns as Planning Commission ex officio representative for Zion National Park, effective March 2015 for term expiring January 2018: Mayor Smith announced Jack Burns was Acting Superintendent of Bryce National Park until March so appointment needed to be effective April 2015. Kezia Nielsen's appointment would to extend until this time. Ex officio means they are a non-voting member and are there to receive and give information only.

Motion made by Mark Chambers to approve the appointment of Jack Burns as Planning Commission ex officio representative for Zion National Park, effective April 2015 for term expiring January 2018 and thank Zion National Park for their participation in our Planning Commission; seconded by Adrian Player.

Weyher: Aye.

Chambers: Aye.

Smith: Aye.

Player: Aye.

Alltucker: Aye.

Motion passed unanimously.

Mr. Chambers wanted to be sure the Town provides Kezia Nielsen a thank you for her nine years of service on our Planning Commission. Mayor Smith said Town Clerk Darci Carlson had written a letter already. She corresponds professionally whether in email or written form. He wanted to recognize Ms. Carlson and tell the Council their choice was perfect.

- Mr. Chambers said we are very fortunate to have Jack Burns on the Planning Commission. Mr. Weyher also said Kezia Nielsen did a great job.
- Mayor Smith said that as we do the street light project the Park will be able to make recommendations. Mr. Burns will be an asset. Superintendent Bradybaugh recommended Mr. Burns.

Ratification of Planning Commission appointment of Jack Archer as Chair and Randy Taylor as Vice Chair for 2015: Mayor Smith said the Planning Commission had voted on their 2015 Chair and Vice Chair but they need to be ratified by the Town Council.

Motion made by Mark Chambers to support the ratification of Planning Commissioners Jack Archer as Chair and Randy Taylor as Vice Chair for the 2015 session; seconded by Adrian Player.

Weyher: Aye.

Chambers: Aye.

Smith: Aye.

Player: Aye.

Alltucker: Aye.

Motion passed unanimously.

Consent Agenda

Invoices

	Inv Date	Inv #	Vendor	Amount	Bud- geted	Description
1	12/23/2014	43759RJA	Blake Electric	\$ 548.90	Y	Pump House Heater Repair
2	1/5/2015	N/A	Bowler, Odean	\$ 900.00	Y	Public Defender Legal Representation
3	1/3/2015	1414033	Chemtech-Ford Labs	\$ 776.00	Y	Testing
4	1/10/2015	CW420/01/110/15	Chevron	\$ 1,656.89	Y	Fuel
5	12/31/2014	10763	Forsgren Associates	\$ 3,367.77	Y	Street Light Project Design
6	12/31/2014	7923	Lee, Budd & Sons	\$ 503.40	Y	Rock for Water Break Repair
7	1/20/2015	N/A	Rees Certified Public Accountant, PC	\$ 3,500.00	Y	Audit Final Billing
8	1/8/2015	Consolidated	Rocky Mountain Power	\$ 4,193.61	Y	Electric Service
9	1/9/2015	16418	Sterling Codifiers	\$ 500.00	Y	Annual Hosting Fee
10	12/11/2014	75537	Sunrise Engineering	\$ 966.25	Y	Misc. Engineering/Cemetery Parking Engineering
11	1/6/2015	75767	Sunrise Engineering	\$ 1,514.50	Y	Cemetery Parking Engineering
12	12/11/2014	75538	Sunrise Engineering	\$ 1,912.91	Y	Juniper Lane Improvement Engineering
13	1/16/2014	9739017528	Verizon Wireless	\$ 934.23	Y	Cell Service
14	1/6/2015	N/A	Zion Arborist	\$ 780.00	Y	Tree Debris Clean-up
				\$ 22,054.46		

Motion made by Mike Alltucker to approve the Consent Agenda including the invoices and meeting minutes for September 17th and January 14th; seconded by Adrian Player.

Weyher: Aye

Chambers: Aye

Smith: Aye

Player: Aye

Alltucker: Aye

Motion passed unanimously.

Mr. Chambers requested a short break.

Administrative Non-Action Items

Council Department Reports

Mr. Weyher said all was well with Mosquito Abatement. They had authorized purchase of pesticide. Also, the street light project was on track.

Mr. Chambers again encouraged everyone to attend the University of Utah planning students' presentation on Friday at 6:00pm.

Mr. Player announced the cemetery project had begun. He noted Robby Totten's concern about the water lines during the fiber optic trenching.

For Parks, Mr. Alltucker indicated our highly skilled crew was destroying the BBQ in the gazebo area and were installing a new pre-fabricated metal one. Shane Lowery was busy planting trees. Also for the cemetery project, the curb removal would tear up some existing irrigation so this would be replaced.

- Mr. Wixom said the Town would be replacing the sprinkler valves at the cemetery since the Toro's did not work. Mr. Chambers suggested this information be shared with residents in the Town newsletter.

Mayor Smith noted the Police Department submitted an article for the newsletter. This type of public communication will continue. His recent meeting with the police went well. Virgin is requesting we do some code enforcement. Garen is currently doing now but will keep track of hours. If necessary the Town may need to charge more. Mayor Densley is aware of this up front.

- Mayor Smith also announced the department has purchased cameras. They are currently developing policies and procedures of when to turn on and off and retention. Funds to pay for the cameras came out of the alcohol tax fund.

- Discussion about fiber optics was heard earlier. Mr. Wixom reiterated that it is First Digital's project on the state road. There is concern how it will impact the Town's utilities. First Digital has scheduled a pre-construction meeting with UDOT next week. The Mayor said the Town has been transparent about what is going on.

Mayor Smith stated he was upset about the Paiute situation. He felt the Town's proposal was a fabulous offer and a win-win situation for everyone involved. A lot of effort had gone into getting where we are. The land exchange in Virgin provides the Paiute tribe an immediate opportunity to build. The construction costs will be lower, ingress and egress issues will be better, and visibility will be tremendous. He realizes it is 15 acres for 178 acres however all 15 acres in Virgin are buildable. Restrictions are much smaller in Virgin than they are in Springdale. In addition, the Town is committed to helping the Paiutes build the trails they desire on the 178 acres which is the best of both worlds. The Town would hold the 178 acres.

- Mr. Wixom said Springdale has brokered a deal that will make it easier for the Paiutes to develop at less cost, with less headaches, less heartache, less hassle. They can still use upper land in Springdale for trails and interpretive sites. The alternative property has all the visibility of the highway and Kolob Terrace Road. It is ready for development and Virgin has already approved it for an 80,000 square foot hotel.
- Mayor Smith indicated Virgin was begging for this opportunity. There was even a potential of \$80,000 as part of the exchange.
- Mr. Wixom said the Paiutes pay nothing for the land and every dollar that would go into bridges and utilities and grading and legal fights could go into development. Their funders have said it would be easier to secure funding on the property in Virgin.
- Mr. Dansie elaborated and said the Community Forest Grant Program would purchase the cottonwood stand along the Virgin River and in doing so this would generate about \$80,000 cash for the Tribe.
- Mr. Wixom said the Town has not lost anything in its ability to challenge.
- Mayor Smith indicated he would contact the Lieutenant Governor's office tomorrow and provide the Paiute proposal. It was important for the state to know what had been documented and see it has been extremely reasonable. At this time the ball is in the Paiute's court.

Council Discussion:

No additional Council discussion.

Motion to adjourn by Adrian Player; seconded by Mark Chambers.

Weyher: Aye

Chambers: Aye

Smith: Aye

Player: Aye

Alltucker: 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 2.12.15

If you'd like to be included on our great e-notice list, please give us your email address. That's the only reason you need to provide that 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.

name <u>Janet Roxy W/230TT</u>	
name <u>Luci Francois</u>	
name <u>Alan Jensen</u>	
name <u>BRANT WARREN</u>	
name <u>Nancy Guardabascio</u>	email (not required)
name <u>Barbara Farnsworth</u>	email (not required)
name <u>Kate Jewel</u>	email (not required)
name <u>Janis F. Keli</u>	email (not required)
name <u>Jeff Bradbaugh</u>	email (not required)
name <u>D-PH</u>	email (not required)
name <u>STEW PERRY</u>	email (not required)
name <u>Linda Brenkle (Richville)</u>	email (not required)
name <u>Robert Snyder</u>	email (not required)
name <u>Louise Excerch</u>	email (not required)
name <u>DR. MARCO MADSEN</u>	email (not required)
name <u>McClary</u>	email (not required)
name <u>Michael Heri</u>	
name _____	email (not required)