



118 Lion Blvd PO Box 187 Springdale UT 84767 * 435-772-3434 fax 435-772-3952

TOWN COUNCIL NOTICE AND AGENDA
THE SPRINGDALE TOWN COUNCIL WILL HOLD A MEETING
ON WEDNESDAY, MARCH 8, 2023,
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH
SPECIAL MEETING STARTS AT 4:00 PM. REGULAR MEETING STARTS AT 5:00 PM.

A live broadcast of this meeting will be available to the public for viewing/listening only.

****Please see the electronic login information below.**

SPECIAL MEETING

Approval of the Special Meeting agenda

- A. **Closed Session**
 - 1. Strategy session to discuss the purchase, exchange, or lease of real property
 - 2. Strategy session to discuss pending or reasonably imminent litigation
- B. **Action Required by Closed Session**

REGULAR

Pledge of Allegiance

Approval of the regular meeting agenda

- A. **Special Recognition**
 - 1. Citizen of the Season – Stan Plaisier
- B. **Announcements/Information/Community Questions**
 - 1. General announcements
 - 2. Zion National Park update – Superintendent Bradybaugh
 - 3. Council department reports
 - 4. Community questions and comments
- C. **Consent Agenda**
 - 1. Review and approval of monthly invoices
 - 2. Approval of Town Council minutes for January 26th and February 8th
- D. **Legislative Action Items**
 - 1. **Public Hearing** - Preliminary and Final Subdivision Plats: Lloyd Chamberlain requests preliminary and final subdivision plat approval for a two-lot subdivision of 3.75-acre property located at 1865 Zion Park Boulevard (Parcel S-150-C), located partially in the VC zone and partially in the VR zone.
 - 2. **Public Hearing** - Development Agreement: Stew Ferber proposes a development agreement pursuant to section 10-1-7 of the Town Code involving the transfer of real property to the Town (parcels S-RDHK-1, 2, 3, 14, 15 and S-100-C) in exchange for development incentives on parcels S-ELKR-1, S-95, S-96, and S-106-A.
 - 3. Amendment to the Mutual Release and Settlement Agreement between the Town of Springdale and Kent and Robin Palmer, removing a 1.01-acre parcel from the Agreement
- E. **Administrative Action Items**
 - 1. **Public Hearing** - Adoption of an update to the Town of Springdale Culinary Water Management and Conservation Plan
 - 2. Discussion and possible action concerning improvements and changes to the tennis and pickleball courts
 - 3. Consideration of a RAP Tax application for FY 22/23 from Z-Arts for a Chalk Festival in conjunction with Earth Day
 - 4. Review and possible approval of the utility agreement between Rocky Mountain Power and the Community Renewable Energy Agency
 - 5. Resolution 2023-03, adopting revised public meeting procedures
 - 6. Award of the landscape architect contract for the redesign and construction of the George A. Barker Park
 - 7. Approval of the Art Review Board design recommendations for the electrical boxes' public art project
- D. **Administrative Non-Action Items**
 - 1. General Council discussion
- E. **Adjourn**

APPROVED Barbara Bruno DATE 3-8-23

This agenda was posted at the Springdale Town Hall at 1:30 am/pm by D Carlson on 3/3/23.

NOTICE: In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting should contact Town Clerk Darci Carlson (435.772.3434) at least 48 hours before the meeting.

Packet materials will be available on the Town website:
<http://www.springdaletown.com/AgendaCenter/Town-Council-4>

****Persons interested in accessing the meeting can login using the following link:**
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**MINUTES OF THE SPRINGDALE TOWN COUNCIL
WEDNESDAY, MARCH 8, 2023
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH**

The Special Meeting convened at 4:04 pm.

MEMBERS PRESENT: Mayor Barbara Bruno, Council members Randy Aton, Lisa Zumpft, Suzanne Elger, and Jack Burns.

ALSO PRESENT: Town Manager Rick Wixom, Director of Community Development Tom Dansie, and Town Clerk Darci Carlson recording.

Motion made by Lisa Zumpft to approve the Special Meeting agenda for March 8, 2023. Seconded by Suzanne Elger.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

A. Closed Session

Motion made by Suzanne Elger to enter Closed Session for a strategy session to discuss the purchase, exchange, or lease of real property and to discuss pending or reasonably imminent litigation. Seconded by Lisa Zumpft.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

The Closed Session commenced at 4:07 pm.

MEMBERS PRESENT: Mayor Barbara Bruno, Council members Randy Aton, Lisa Zumpft, Suzanne Elger, and Jack Burns.

ALSO PRESENT: Town Manager Rick Wixom, Director of Community Development Tom Dansie, and Town Clerk Darci Carlson recording.

Closed session adjourned at 4:58 pm. The Regular Meeting commenced at 5:08 pm.

MEMBERS PRESENT: Mayor Barbara Bruno, Council members Randy Aton, Lisa Zumpft, Suzanne Elger, and Jack Burns.

ALSO PRESENT: Town Manager Rick Wixom, Director of Community Development Tom Dansie, Public Works Superintendent Rob Totten, Parks and Recreation Director Ryan Gubler, Principal Planner Niall Connolly, and Town Clerk Darci Carlson recording.

B. Action Required by Closed Session

Motion made by Lisa Zumpft to direct legal counsel to move ahead as discussed in Closed Session regarding item number 1. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: No

Burns: Aye

The motion passed 4:1.

Motion made by Lisa Zumpft to direct staff to move ahead regarding the second discussion in Closed Session regarding item number 2. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Pledge of Allegiance led by Mayor Bruno.

Approval of the agenda

Motion made by Suzanne Elger to approve the Regular Meeting agenda. Seconded by Lisa Zumpft.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

A. Special Recognition

1. Citizen of the Season – Stan Plaisier: Mayor Bruno read a tribute to Stan Plaisier:

"It is my privilege to announce that Stan Plaisier has been selected for the Springdale Citizen of the Season award. As a trail enthusiast, Stan has done a tremendous amount of work to improve Springdale's trail network. With Stan's background as an engineer and his experience with numerous trail advocacy groups, he has proven to be an extremely valuable resource to Town staff and has given countless hours of his own time to help create a more robust trail system in town. Many years ago, Stan helped the Town design and construct the Steamboat Mountain Pioneer Trail. He helped manage a group of over 300 volunteers to ensure the trails were constructed in a single day. More recently, Stan has been involved in the Nung'wu Poa (Paiute Trail) project, including design work, helping the Town receive grant funding from the state, and working with contractors in the construction phase. Stan has also worked extensively with Town staff on proper trail maintenance techniques and spends a lot of his personal time cleaning up and improving the trails we all use and love. Thanks to Stan's efforts over many years, the Town has been able to develop a network of single-track recreational trails, adding a recreational amenity to serve the needs of the community. We are sincerely grateful for the countless hours Stan has dedicated to the Town of Springdale. Each of us is a beneficiary of his talents and commitment. For these reasons, the Town Council is pleased to award the Winter 2023 Citizen of the Season Award to Stan Plaisier. Congratulations!"

B. Announcements/Information/Community Questions

1. General announcements: Mr. Wixom announced the pedestrian bridge across Black's Wash would be installed tomorrow. Access to the ballfield would be available soon.

Ryan Gubler announced a Blood Drive was scheduled on March 20th from 10:00 am – 3:00 pm at the Canyon Community Center. Interested participants were encouraged to register at redcrossblood.org. Also, beginning March 27th and continuing through April 7th, Naylor Wentworth Lund Architects (NWLA) would provide display boards at the CCC showing different variations of the proposed recreation building. This would culminate with a community open house on Tuesday, April 11th starting at 5:30 pm to get public input and answer questions.

Mr. Dansie said the Town was incorporated on March 9, 1959, and would celebrate with a birthday party event on Saturday, March 11th from 11:00 am – 2:00 pm. This event was an opportunity for the community to interact with public body members and Town staff.

2. Zion National Park update: Superintendent Bradybaugh reported:

- February visitation totaled just over 130,000 compared to 168,000 the previous year. This was a decrease of 22.5%; however, February of 2023 was 27% higher than in 2019. Year to date was 248,000, down about 20% but up 21% from 2019.
- Ongoing projects included the south entrance culvert. Despite the weather, this project should be completed by mid-April. Precipitation had caused some delays in projects and temporary trail closures. This time of year, falling ice was an issue.
- Shuttle service in the Park and in Springdale would begin again on Saturday, March 11th.

3. Council department reports questions and comments: None were asked.

4. Community questions and comments: Robin Chancey was a new resident and expressed that her involvement with the pickleball group made her feel like a connected part of the community. As improvements to the pickleball courts were discussed, Ms. Chancey asked the Council to consider Springdale as a community and not just a place where people come to visit the national park.

C. Consent Agenda

The Consent Agenda consisted of the following items:

1. Review and approval of monthly invoices
2. Approval of Town Council minutes for January 26th and February 8th

Motion made by Suzanne Elger to approve the Consent Agenda with the monthly invoices and the Council minutes from January 26th and February 8th. Seconded by Lisa Zumpft.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

D. Legislative Action Items

1. Public Hearing – Preliminary and Final Subdivision Plats: Lloyd Chamberlain requests preliminary and final subdivision plat approval for a two-lot subdivision of 3.75-acre property located at 1865 Zion Park Boulevard (Parcel S-150-C), located partially in the VC zone and partially in the VR zone: The front portion of the property was located in the Village Commercial (VC) zone, and the rear portion was in the Valley Residential (VR) zone. The request was to split the property into two

parcels. Town Code allowed both the preliminary and final subdivision plats to be considered together. Because of this, many of the requirements associated with subdivisions were modified or waived.

As noted again, the property contained two zones. Although complicated, a split zone property was not prohibited. During the hearing on this item, the Planning Commission reviewed the requirements and recommended approval with conditions as noted in the staff report.

Council questions to staff: Based on the Planning Commission's request, Ms. Zumpft wanted to be sure the fire marshal approved the plat.

- Mr. Dansie confirmed that prior to the plat being recorded, this was a requirement that must be fulfilled.

Community questions to staff: Patsy Chaffin asked about the size of the lot being subdivided and whether a commercial and residential building could be built.

- Mr. Dansie replied the proposed lot was 0.89 acres in size. Approximately one-quarter of the lot was in the Village Commercial Zone (VC) and the remainder was in the Valley Residential Zone (VR). There was potential for a small commercial use to be developed but a future owner would have to determine the development viability of the property.

Summary from applicant: Bert Chamberlain had lived in Springdale for many years. He indicated it was not his idea to zone the front part of his property commercial. The property he sought to subdivide had been used for cows but he was no longer able to do the work required of a rancher. It would be up to the new owner to decide what could be built.

Council questions to the applicant: None were asked.

Community questions to the applicant: Patsy Chaffins asked if the agricultural use could continue.

- Mr. Chamberlain answered it could but would be up to the new owner.

Motion made by Lisa Zumpft to go into public hearing. Seconded by Jack Burns.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Public comment: No public comments were made.

Motion made by Suzanne Elger to go out of public hearing. Seconded by Lisa Zumpft.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Council deliberation: During the rezoning efforts of the 1990s, Mr. Aton explained it was the intent to maintain the residential feel of the entrance to Springdale. Three commercial establishments existed in this area of town and were, therefore, recognized to remain commercial. Mr. Aton did not oppose the subdivision request but was uncomfortable with the split zoning. He suggested the parcel be zoned Valley Residential to fit the original concept for that area and the minimum lot size for the VR zone.

Split zoning was permissible despite the fact it made land use administration complex. Anything developed on the parcel, whether in the VC or VR portion of the property, would need to meet the respective zone standards and requirements. It was not an easily developable property.

Mr. Burns asked if anything precluded the Council from rezoning the parcel to VR.

- Zoning was a legislative action and the Council retained discretion to change zones in order to achieve the goals and objectives of the General Plan. Doing so would require a specific process.
- Mr. Dansie said the applicant was entitled to subdivision approval if the request met the standards and requirements of the ordinance.

The Council agreed the majority of people still did not want to see commercial uses at the entrance to the Town.

During the Council's discussion, Ms. Zumpft listed the conditions recommended by the Planning Commission. These included approval of the plat by the fire marshal, a requirement that lot 2 could not be irrigated from the irrigation system of lot 1, a review of utility code compliance by Public Works, and clarification that future infrastructure costs would be paid for by a future owner.

Motion made by Lisa Zumpft to approve the preliminary and final subdivision plat for a two-lot subdivision of 3.75-acre property located at 1865 Zion Park Boulevard (Parcel S-150-C), located partially in the Village Commercial zone and partially in the Valley Residential zone as discussed in the Council meeting today, March 8, 2023.

This motion is based on the following findings:

1. **The preliminary and final plats comply with Section 10-14 of the Town Code.**
2. **The proposed subdivided lots comply with the relevant zoning standards for Sections 10-9B Valley Residential Zone and 10-11B Village Commercial Zone.**

The following conditions apply:

1. **The applicant must provide the Town with confirmation of the approval of the plat from the fire marshal prior to recording the subdivision.**
2. **Lot 2 cannot be irrigated from lot 1's irrigation system. The applicant must make other arrangements for the irrigation of lot 2. This could include allocating water shares to lot 2.**
3. **Public Works will review any future development proposed to ensure compliance with all applicable utility codes.**
4. **Future infrastructure costs will be the responsibility of the property owner.**

And direct the Mayor to sign. Seconded by Suzanne Elger.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

2. Public Hearing - Development Agreement: Stew Ferber proposes a development agreement pursuant to section 10-1-7 of the Town Code involving the transfer of real property to the Town (parcels S-RDHK-1, 2, 3, 14, 15 and S-100-C) in exchange for development incentives on parcels S-ELKR-1, S-95, S-96, and S-106-A: This request was for a modification to a 2015 development agreement which centered on the construction of a 44-unit hotel on 5 West Temple Drive in the Central Commercial Zone. Mr. Dansie provided background on how the development agreement came to be.

Given concerns from the community that a hotel would be developed on an elevated hill, Mr. Ferber proposed the development rights from the West Temple property be realized across other properties.

Mr. Dansie recapped the incentives requested and the terms of the modification as outlined in the staff report. The Council's job was to evaluate the merits of the development agreement and determine if the requested incentives were roughly proportional to the benefit the Town would receive through the amenities provided and if they promoted the General Plan and enhanced the village character.

If the Council approved the conceptual development agreement plan, staff and the Town Attorney would draft a formal legal amendment for approval in a future meeting.

Council questions to staff: Ms. Elger asked about the zoning on lot S-106-A.

- Mr. Dansie answered it was zoned Village Commercial. Although it was acquired after the 2015 development agreement, Mr. Ferber requested it to be treated the same as the rest of his campground and allowed camping or transient lodging units.

Mr. Burns asked where the units from the West Temple Drive development were assigned.

- Mr. Dansie said they were distributed between the La Quinta and the Montclair. At this point, none had been used. The development agreement also stipulated that the back portion of the campground could not be used for transient lodging which reduced the potential from approximately 150 units to 80 units.

Community questions to staff: None were asked.

Presentation by the applicant: Stewart Ferber explained some of the development options he considered on his properties. His goal was to expand the campground or add cabins. He was conscientious of the impacts on neighbors across the river.

Council questions to the applicant: Mr. Burns asked about the status of the 44 units.

- The new owner of the Montclair could build an extra 24 units. La Quinta also had 24 eligible units, which included 9 from the base zone and 15 from the West Temple transfer.

Ms. Elger asked if any geotechnical work had been done on the Redhawk parcels.

- Mr. Ferber replied geotechnical work had not been done.

Community questions to the applicant: None were asked.

Motion made by Lisa Zumpft to go into public hearing. Seconded by Jack Burns.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Public comment: Should they take on the additional parcels, Gil Kiefer asked if the Town had experience building and managing properties. He also commented that if a multi-unit structure was developed on the Trapper Circle parcel, it would impact traffic in Moenave. Mr. Kiefer said he liked the proposal but cautioned the area behind the La Quinta had erosion issues.

Cheri Ikerd was not opposed to the proposal but wanted to make sure the Town worked closely with the Redhawk HOA on the design and development of workforce housing. She wanted to the HOA to feel

comfortable with the way any development was handled. With inflation, Ms. Ikerd wanted to be sure workforce housing was doable and did not devalue the other Redhawk homes. This was a decision that should not be taken lightly.

Tom Kenaston responded to Ms. Elger about her question regarding geotechnical work. Mr. Kenaston said Color Country conducted geotechnical work in 2006/2007 on all the plots in the Redhawk subdivision. He recalled five of the six lots recommended piers. He would provide the report to the Council.

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

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Council deliberation: Mr. Aton felt the Town was getting at least equal benefit from the agreement and did not have concerns with the incentives. Mr. Aton understood the concern of the Redhawk residents and said any building would be developed compatibly and in compliance with the subdivisions' CCRs.

Mayor Bruno said the Planning Commission covered this item thoroughly. As a member of the Housing Committee, she said it would be great if the Town acquired the property for potential workforce housing. The Town itself would not develop the property but would work with organizations that could. Even if the properties were left as open spaces, it would benefit the community. Mayor Bruno supported the agreement.

Ms. Elger agreed. She added that parcel S-106A should be combined with the other campground properties under single ownership. These would be done through the county recorder's office.

The Council discussed the Planning Commission's recommendations. They said the concepts supported the General Plan and village character.

Mayor Bruno asked for clarification on the employee housing on the La Quinta property.

- Mr. Ferber commented that children of families who lived at the back of the property played in the parking lot. This was a concern. Employee housing was not a long-term solution at this location.
- The Council agreed Mr. Ferber should not be forced to use hotel rooms for employee housing if it was not necessary.

Ms. Zumpft reminded everyone the Trapper Circle parcel was a commercial piece of property. There were a number of allowable uses but housing would likely be more appropriate than anything else.

Motion made by Lisa Zumpft to approve the proposed modifications to the 2015 development agreement between Stewart Ferber and the Town of Springdale as presented in the applicant's conceptual development agreement plan to include: the transfer of ownership of the following properties to the Town of Springdale: Red Hawk Lots S-RDHK- 1, 2, 3, 14, and 15 (all located in the Medium Income Housing Development (MIHD) Zone) and Parcel S-100-C (located in the Central Commercial (CC) Zone) in exchange for:

1. **Reduction of the front setback for a patio cover for the restaurant space at the La Quinta lobby building to no less than 3 feet from the UDOT right-of-way.**

2. Reduction of the setback from a residential zone for large buildings (in excess of 5,000 square feet and up to 8,000 square feet) on the Zion Canyon Campground Property to 50 feet or more where the buildings are adjacent to the east narrow half of S-105.
3. Allowing the building height measurement for buildings in the flood hazard area on parcel S-106-A to be measured from an elevation one foot above base-flood-elevation, rather than from natural grade for floodproofing purposes on buildings located near the flood hazard area.
4. Allowing buildings in the VC zone to be connected via an elevated covered walkway.

This motion is based on the following findings:

1. The proposed incentives are roughly proportional to the community benefit being granted per the criteria in Town Code 10-1-7(B).
2. The proposed changes are consistent with the General Plan Housing Sub-Goal 1b and Housing Sub-Goal 3, promoting workforce housing.
3. The design concept supports the village character.

This approval includes the following conditions:

1. Vegetation screening between the proposed development on the campground parcels S-103-B-1 and S-106-A and neighboring residential lots will be installed to mitigate the impact of a reduction in the required setback for large buildings.
2. The elevation of the building on parcel S-106-A be measured from no more than one foot above the floodplain and be of a similar design as the front three buildings.
3. Maximum of 80 transient lodging units will be allowed on the parcels that Mr. Ferber owns and that is part of or adjacent to the Zion Canyon Campground.
4. All properties transferred from Mr. Ferber to the Town must be recorded with the county prior to any development.
5. All parcels owned by Mr. Ferber developed as campground property impacted by this agreement shall be combined into a single parcel and recorded with the county before any permits will be administered for these approved changes.

Seconded by Suzanne Elger.

Council discussion:

Mr. Burns asked the rationale for requiring all the campground properties to be combined into one parcel.

- Mr. Dansie explained that Mr. Ferber proposed placing a building on the property line. If the parcel was sold, it would create a situation where a building with a zero-foot setback was adjacent to another property not owned by the same entity. Combining the parcels into one would not change the zone designation.

Vote on the motion:

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

3. Amendment to the Mutual Release and Settlement Agreement between the Town of Springdale and Kent and Robin Palmer, removing a 1.01-acre parcel from the Agreement: In 1995, the Town of Springdale and Kent and Robin Palmer entered into a settlement agreement to end a lawsuit which granted entitlements to a fifteen-acre piece of property in the center of town.

Since that time, the Palmers had acquired another piece of commercially-zoned property, most recently developed as Amigos Restaurant and the Fatale Gallery. Both buildings were now vacant and not utilized. Mr. Dansie explained the Palmers anticipated redeveloping this property into a mixed-use that would include a restaurant and pedestrian plaza. This concept would support the General Plan.

To facilitate the effort, the Palmers requested extending this proposed redevelopment into the 15-acre parcel regulated by the settlement agreement. Having a portion of a project regulated both by a settlement agreement and the Central Commercial (CC) Zone created administrative difficulty. Therefore, to make redevelopment more feasible, the Palmers proposed removing a 1-acre parcel from the regulation of the settlement agreement and making it subject to the regulations of the CC Zone.

- Mr. Dansie apologized his staff report indicated the opposite which was an error.

This agreement contained a 'shot clock' of sorts. If the redevelopment project did not obtain all the necessary approvals within one year, it would revert back.

Council questions to staff: Ms. Elger asked what approvals were needed within that year.

- Approvals included a Design/Development Review and a building permit.

Mr. Burns asked if the acre was needed for parking.

- Based on a conceptual site plan submitted previously, the rear of the property would be used for parking, which was also the use of the property shown in the settlement agreement site plans.

The underlying zone was CC but the settlement agreement superseded this designation and allowed greater intensity and density. Removing the parcel from the settlement agreement subjected it to stricter regulations.

Ms. Elger noted the settlement agreement contained a 30-year right to reconfigure their plans.

- Mr. Dansie explained that prior to the settlement agreement being approved, the Palmers had submitted plans for the property. These plans were allowed to be developed into perpetuity; however, if they wanted to change the site layout, they had 30 years to reconfigure how development was deployed.

Motion made by Lisa Zumpft to approve an amendment to the Mutual Release and Settlement Agreement between the Town of Springdale and Kent and Robin Palmer, removing a 1.01-acre parcel from the Agreement. Findings show this will support the General Plan by allowing the redevelopment of downtown vacant structures and enhancing the streetscape. It will also reduce the amount of property that is not subject to present land use regulations. And direct the Mayor to sign. Seconded by Suzanne Elger.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

C. Administrative Action Items

1. Public Hearing – Adoption of an update to the Town of Springdale Culinary Water Management and Conservation Plan: Blaine Worrel from Sunrise Engineering was in attendance to address the Council. He said a Culinary Water Management and Conservation Plan was required by state code for those communities with over 500 water connections or who received funding from the Bureau of Reclamation. The document identified conservation plans intended to align with the state's regional goals and provided an implementation plan to achieve the goals.

The goals included reducing the Town's per capita usage by 10%, retaining a financially sustainable water system, and reducing the level of losses in the system caused by leaks. To accomplish these goals, the plan focused on land use and planning changes that implemented conservation strategies. Strategies included education about irrigation over-watering, increased accountability through metering, and water audits to detect and determine where water was lost.

- Drought mitigation and response ideas were mentioned in the plan summary; however, Mr. Worrel indicated any discussion of mitigation would be addressed in a different study.

Current water use and future water use were not addressed in this document. These concepts would be developed in the Water Master Plan.

Mr. Worrell corrected a typo on page 4 regarding water use in commercial properties. Commercial water usage had actually come down.

Council questions to staff: Mr. Aton said goal one was to reduce overall use per capita by 14% by 2030 using a baseline of 2015 but the plan did a look-back starting with 2017. He asked if 2015 data could be used. He was interested in seeing how close the Town was to hitting the state's 14% reduction mandate.

- Mr. Worrel said he had some data from that year. He mentioned the last conservation plan was done in 2017 and typically they liked to look at a 5-year window. Additionally, prior to 2017, outdoor watering numbers were not as good due to a lack of metering.

Because of how the state calculated gallons per capita per day, Springdale's indoor gallons per capita per day was a much different number than the total water used in the community which included outdoor irrigation and commercial usage.

Ms. Zumpft noticed the word 'response' was misspelled on page 13.

Now that water meters had been installed, Mr. Aton encouraged people to sign up for the "Eye on Water" app. This provided good information about usage or leaks.

- Mayor Bruno indicated Kyndal Sagers monitored water usage. Ms. Sagers also planned to conduct an "Eye on Water" training session on March 30th at the Canyon Community Center starting at 2:00 pm. Public Works would also be there to answer questions.

Community questions to staff: None were asked.

Motion made by Suzanne Elger to open public hearing for the Water Management and Conservation Plan. Seconded by Lisa Zumpft.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Public comment: No comments were made.

Motion made by Suzanne Elger to close public hearing. Seconded by Jack Burns.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Council deliberation: There was no additional Council discussion.

Motion made by Lisa Zumpft to adopt the update to the Town of Springdale Culinary Water Management and Conservation Plan, adding 2015 -2021 data to the per capita table on water use and correcting the typo. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

The Council took a brief break.

2. Discussion and possible action concerning improvements and changes to the tennis and pickleball courts: During last month's meeting the Council directed staff to collect more information regarding court usage. Summarizing the data, Ryan Gubler said a camera was in place for 83 calendar days, quotes for court improvements were received from vendors, and NWLA was engaged in including future courts of different types in the design of the recreation center. The staff was prepared to move forward and act depending on the Council's decision.

Ms. Elger made a motion to start the discussion.

Motion made by Suzanne Elger to replace the tennis court with two new pickleball courts as described in the quote for \$41,225.00 from Stilson's Pickleball and Tennis Courts and Big T Recreation. Seconded by Jack Burns.

Council discussion:

Mr. Aton received calls and written comments from the public on this topic. He said residents put in the initial effort to get these courts, and although he understood times had changed and more people were playing pickleball, he supported leaving an option for the tennis players. Mr. Aton was not opposed to converting the tennis court in the future but said this motion cut out the opportunity for people to play tennis.

- Once a tennis court was built at the recreation center, Ms. Zumpft also supported the existing court being converted to pickleball courts. Ms. Zumpft called for the question.
- Ms. Elger reminded the Council that the \$40,000 expenditure was a budgeted item.

The Council voted on the motion.

Aton: No

Zumpft: No

Bruno: No

Elger: Aye

Burns: Aye

The motion failed.

The Council continued the discussion.

Mr. Burns said the people attending meetings were asking for a decision to solve the pickleball issue. He was concerned the Council was not listening to this majority given only a small minority of people were playing tennis. There was an idle tennis court, and pickleball was running rampant locally and beyond.

The community of pickleball players had been playing for eight years. Ms. Elger said the Council was not listening to them or giving them what they asked for which was an improved pickleball court system to support the growing number of players.

- Mr. Aton agreed this was a long-term goal, but he did not want to cancel the ability to play tennis. The Council had to do the right thing for the whole community, not just the majority.

The Parks and Recreation staff spoke to the recreation center architects and asked them to include courts in their design schemes. These schemes would come before the community for comment.

Although in favor of more pickleball courts, Mayor Bruno struggled to take away both the basketball court and the tennis court to do so.

Mr. Burns said the recreation center was years out. He did not think the pickleball players should be asked to wait several more years. He was agreeable to waiting for public input on the courts at the recreation center but wanted the Council to decide based on the majority of those comments.

Ms. Zumpft was not against pickleball courts; however, she did not believe it was good for the community to take something away without a replacement.

Based on the data, the tennis court was not used and had not been used much over the last few years. Ms. Elger contended if more data was collected it would show the same.

- It was noted tennis courts were being converted to pickleball courts in other local communities too.

Mr. Burns said the hard work of the people who initially put in those courts were not going unrecognized. He added that the community was not static and interests changed. The trend was going toward pickleball.

Mr. Wixom asked what additional data the staff could collect in order to help the Council decide.

- Mr. Aton understood data would show more people played pickleball. His point was to be sure the Council served both the majority and minority communities. Council members should be cautious not to make decisions based on public clamor.
- Mr. Burns felt the Council had a responsibility to listen to those who took the time to attend meetings, write letters, and voice their desires.

Ms. Elger understood the Council could not please everyone. The pickleball group had been patient for eight years, and she suggested it was time for the tennis players to be patient.

Mr. Aton said this was the type of discussion that should have taken place before the motion and vote. He acknowledged he had flipped back and forth on the topic. Mayor Bruno said she had done the same.

- Mr. Burns felt the data and input showed there was an active, growing pickleball community and a dwindling tennis community which should inform the decision. If the interest was there, there was an opportunity to add more courts at the proposed recreation center facility.

Motion made by Suzanne Elger to replace the tennis court with two new pickleball courts as described in the quote for \$41,225.00 from Stilson's Pickleball and Tennis Courts and Big T Recreation. Seconded by Jack Burns.

Aton: Aye

Zumpft: No

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed 4:1.

The discussion was difficult, but Council members agreed it was important to respectfully disagree.

3. Consideration of a RAP Tax application for FY 22/23 from Z-Arts for a Chalk Festival in conjunction with Earth Day: Lizette Byer was present to answer Council questions.

Ms. Elger clarified there were squares for professional artists and community participants. Community participants would be charged a small fee for the space and the chalk.

This RAP tax request was in the amount of \$10,200 and would apply to the current fiscal year.

Ms. Zumpft explained the reasoning for the request outside the normal RAP Tax process. Aimee Bonham was a world-renowned chalk artist who started the chalk art festival in Kayenta. Staff reached out to her to help create this festival. Since the staff had restrictions on the use of RAP Tax funds, they partnered with Z-Arts.

- Ms. Zumpft disclosed she was on the Z-Arts Board but would vote. She supported the request because it would bring the community together.

This request was in line with the Z-Arts mission and the Town's goal to foster an artistic community.

Motion made by Suzanne Elger to approve the RAP Tax application for FY 22/23 from Z-Arts for a Chalk Festival in conjunction with Earth Day in the amount of \$10,200.00. Seconded by Jack Burns.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

4. Review and possible approval of the utility agreement between Rocky Mountain Power and the Community Renewable Energy Agency: The Community Renewable Energy Agency (CREA) was presenting an application to the Public Service Commission. This application included a utility agreement with Rocky Mountain Power. Approval of the application was needed before the program could move forward.

- After the Public Service Commission approval, the Town had ninety (90) days to pass an ordinance signifying Springdale was part of the program.

Town Attorney Greg Hardman reviewed the draft agreement and made comments.

Mr. Aton explained once the program was in place residents and businesses would be given an opportunity to opt-out. It was anticipated rates would increase by 2-5%. There would be subsidies for low-income households.

Mr. Aton recommended the Mayor be appointed to review and sign off on the utility agreement once it had been finalized and cleared by the Town attorney.

Motion made by Suzanne Elger to authorize the Mayor and Town Attorney to review and sign the utility agreement between Rocky Mountain Power and the Community Renewable Energy Agency. Seconded by Randy Aton

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

5. Resolution 2023-03, adopting revised public meeting procedures: The purpose of this effort was to streamline the public hearing process and provide everyone a fair opportunity to be heard. The meeting rules of order were updated from the 2012 version to better align with how public meetings were currently conducted.

Ms. Elger said step 10 indicated the Council would not take any additional questions or comments. She noted, however, that Council members would engage the applicant during deliberation.

- It was clarified that the Council could still ask the applicant questions.

The new procedures would be printed on the back of each agenda. Additionally, before each public hearing, the meeting chair would provide an overview of the protocol, procedures, and format so the applicant and community members understood what to expect.

Motion made by Jack Burns to adopt Resolution 2023-03, adopting revised public meeting procedures and directing the Mayor to sign. Seconded by Suzanne Elger.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

6. Award of the landscape architect contract for the redesign and construction of the George A. Barker Park: Ryan Gubler said the Town received three bids in response to the RFP. Staff emphasized it was important for the contractor to have the ability to conduct robust public outreach initiatives. With that, it was decided ASSIST would be the best option. Mr. Gubler indicated the contract was currently under legal review.

Mayor Bruno said the Council had received a revision of the proposal that corrected a typo.

Motion made by Jack Burns to award the landscape architect contract for the redesign and construction of the George A. Barker Park to ASSIST subject to legal review. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

7. Approval of the Art Review Board design recommendations for the electrical boxes' public art project: Jan Passek was in attendance to answer Council questions. She said the packet material spoke

for itself and showed that organizers had received funding, done the outreach and call for artists, and engaged the Art Review Board in making a recommendation to the Council. The Art Review Board selected five finalists.

Mayor Bruno attended the Art Review Board meeting and said a lot of good discussions went into the recommendation. All the art was outstanding, and the Board did a great job assessing the submissions.

If this project was successful and well-received by the community, it was possible a second round of funding might be requested.

Each wrapped box would also include a sticker recognizing the use of RAP Tax funds, and possibly additional information describing the design.

In addition to the designs, the Council approved the suggested box locations.

Motion made by Lisa Zumpft to approve the designs selected by the Art Review Board and proceed to move them forward in the public art project. Seconded by Randy Aton.

Aton: Aye

Zumpft: Aye

Bruno: Aye

Elger: Aye

Burns: Aye

The motion passed unanimously.

Administrative Non-Action Items

1. **General Council discussion:** There was no additional Council discussion.

Adjourn

Motion to adjourn at 8:26 pm made by Randy Aton. Seconded by Lisa Zumpft.

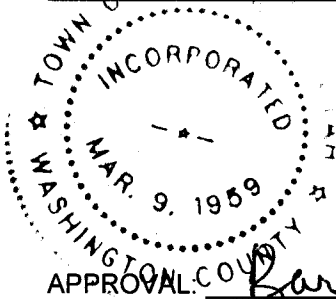
Aton: Aye

Zumpft: Aye

Bruno: Aye

Burns: Aye

The motion passed unanimously.



Darci Carlson
Darci Carlson, Town Clerk

APPROVAL: Barbara Bruno DATE: 4-12-23

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



PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD

Please print your name below

Meeting TOWN COUNCIL MEETING Date 03/08/2023

IN-PERSON ATTENDEES:

Bert Chamberlain

Name (please print)

Maria Chamberlain

Name (please print)

Pat Campbell

Name (please print)

GIL KIEFER

Name (please print)

SHERI

Name (please print)

Stan Plaisier

Name (please print)

Jan Plaisier

Name (please print)

RAY WALTER

Name (please print)

Patsy Chaffin

Name (please print)

Janet Passel

Name (please print)

Mara Walter

Name (please print)

StawArt / Sydney Ferber

Name (please print)

REMOTE ATTENDEES:

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

Name (please print)

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PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD Please print your name below

Meeting Town Council Meeting Date 03/08/23

IN-PERSON ATTENDEES:

REMOTE ATTENDEES:

Robyn Chancey
Name (please print)

Name (please print)

MERLE PETER
Name (please print)

Name (please print)

Jeremy Chancey
Name (please print)

Name (please print)

Blaine Worrell
Name (please print)

Name (please print)

TOM KENASTON
Name (please print)

Name (please print)

Cheri ~~Ther~~
Name (please print)

Name (please print)

Mark Chambers
Name (please print)

Name (please print)

Joe Pitt
Name (please print)

Name (please print)

Claudio Mitchell
Name (please print)

Name (please print)

Hees BIRNBAM
Name (please print)

Name (please print)

Lizette Byer
Name (please print)

Name (please print)

Name (please print)

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