



**MINUTES OF THE SPRINGDALE TOWN COUNCIL MEETING HELD
WEDNESDAY, MAY 20, 2020**

This Council meeting did not have an anchor location and was conducted entirely via electronic means. Council members connected remotely. The meeting was available to the public for live viewing/listening.

Meeting convened at 5:03pm

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

ALSO PRESENT: Town Manager Rick Wixom, Director of Community Development Tom Dansie, Town Treasurer Dawn Brecke, Police Chief Garen Brecke, Public Works Superintendent Robby Totten, Parks and Recreation Director Ryan Gubler, Streets Department Robert George, Deputy Town Clerk Katy Brown, and Town Clerk Darci Carlson recording. See attached sheet for attendees signed into the meeting.

Motion made by Lisa Zumpft to approve the meeting agenda for May 20, 2020. Seconded by Adrian Player.

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

A. Discussion and Information

1. General announcements: Town Hall would reopen to the public on Tuesday, May 26, 2020. A glass partition had been installed in the lobby along with informational signage.

Ms. Zumpft announced that Phase 1 of the Lion Boulevard Lamppost Mosaic Project was complete. She encouraged everyone to take a walk and enjoy the beautiful mosaics.

2. Zion National Park update: Superintendent Bradybaugh reported.

- The Park wanted to improve fish access at some of the water diversion points in the Virgin River. They planned a contractor meeting on June 23rd at 1:00pm to look at structures for fish passage and invited a representative from the Town to participate.
- Since the Park reopened day-use, there were approximately 5,000 visitors per week day. During the weekend, visitation increased to approximately 8,000 people per day causing the closure of Zion Canyon Scenic Drive. Memorial Day weekend was expected to be busy. The Park continued to push out information about parking and trails near the Visitor Center.
- Zion National Park was considering a timed entry system through [recreation.gov](https://www.recreation.gov) that would provide a two-hour time slot for a vehicle to access the upper canyon. Visitors could sign-up a few months to a few weeks in advance to assist with planning. It was unlikely shuttle service would resume for some time, so this process would help decrease frustration.

- The Park was dealing with a number of operational and staffing issues. Zion Lodge would open tomorrow at a greatly reduced capacity in terms of lodging with take-out food only. Zion Canyon Trail rides would start tomorrow and Watchman Campground would open on May 22nd.

3. Council department reports:

Mr. Aton reported:

- The Hurricane Valley Fire Board meetings had been canceled the last two months. The District had recent fires due to windy conditions. Mr. Aton reminded everyone it was dry and dangerous. Residents and businesses would no longer paying stand-by fees. Fire and EMS services would be supported by property taxes. The April call report was provided (Attachment #1).
- The Streets Department had been very busy. Highlights of the work conducted included power-washing of shuttle stops, trash can holders, and pedestrian crossings; painting of red curbs; light shield installation; spraying of weeds. Red Hawk, Zion Shadows, and the Majestic View pull-out had new seal coat. Additionally, there was a kick-off meeting for the Storm Water Master Plan.

Ms. Elger reported:

- The History Center Committee met with CRSA, the architectural and engineering consultant. Additionally, the group discussed the 'must-have' versus 'nice-to-have' items so they could be considered during the design phase. The hazardous materials scope of work was done and sent out for bid. Luke Wilson would do the demolition and agreed to comp two days' work. Everyone was aware of the budget constraints; however, Ms. Elger mentioned the budgeted amount for the architectural firm was \$18,000, but the contract was over \$27,000. She noted there was good support from community members who had some museum and display expertise.
- The Town's paid parking program would resume on Thursday, May 21st.
- The Earth Day trail building project was canceled for this year but would come back in 2021.
- Ms. Elger and Ms. Zumpft had worked on community and business aid in response to the COVID-19 pandemic. Over \$1,000 in grocery store vouchers had been distributed. Ms. Elger credited the Lions Club and Ryan Gubler for identifying families in need. The CCC food bank was not widely used so remaining items would be brought to the Hurricane Valley Food Bank.
 - The Zion Canyon Visitors Bureau held a meeting on May 6th to inform businesses how to safely reopen.
 - Business license renewals were sent out and a handful of owners were taking advantage of the deferral option.
 - The Zion Canyon Medical Clinic would begin their summer hours this weekend and planned to implement a protocol for people entering the clinic.
- Since the beginning of the COVID-19 pandemic, Ms. Elger commented communication had improved; however, she felt there were instances where communication should have been shared with the Council but was not. An ordinance stated if information received by officials or staff positively or negatively compromised Springdale's image it should be communicated to the Town Manager, Mayor and Council. One example included a letter from the Washington County Commissioners to Governor Herbert requesting a move from orange to yellow which the Mayor was a signatory supporter. Another was a response sent to an upset store owner regarding concern over the vagueness of the May 16th email blast. Ms. Elger said the Council should be informed of this information so they could better serve.
 - Mayor Smith indicated staff normally took care of letters sent to the Town, unless they were specifically addressed to a Council member.
 - Ms. Elger said this put Council members in an uncomfortable position if they were not aware of comments or situations. Mayor Smith said he would instruct staff to forward all emails and complaints to Ms. Elger.
 - With that, Ms. Carlson asked for clarification on the chain of response and how replies would be managed moving forward.
 - Ms. Elger was unsure and asked other Council members to share their input.

- Mr. Aton understood the Council had a responsibility to know what was happening. He suggested the Council discuss the criteria for how issues were shared. Mr. Aton said he would have wanted to be involved in the conversation concerning the Washington County Commissioner letter to the Governor.
- Mr. Player said Council members did not have hands-on, day-to-day operating responsibility; this was the role of the Town Manager, Clerk, and Community Development Director. Although he was happy to know about complaints, he trusted the Mayor and staff would do the right thing.
- Ms. Zumpft understood the frustration and had similar concerns when she first started. She was primarily interested in non-routine responses that were important to the community. Staff members were paid to do their job; however, Council members could not do a good job themselves if not made aware. Ms. Zumpft suggested Council be included in responses as a CC or BCC.
- Mr. Aton agreed with Mr. Player that the Council did not need to be involved with every response. However, it was important for Council members to talk to the community in an informed manner.
- The Town dealt with a number of complaints, from parking citations to utility billing to code enforcement. Mr. Wixom was unclear what the Council would consider important since there was a wide variety and high frequency of issues.
- Mayor Smith recalled he also signed a resolution from the Washington County Mayor's Association to congratulate graduating seniors. As Mayor he had the right to speak and endorse issues as mayor. When it came to representing the Town as a whole, those issues would be brought to the Council.

Mr. Player reported:

- Actions taken by the Southwest Mosquito Abatement District were provided in advance of the meeting (Attachment #2). Mr. Player said there was no West Nile Virus to-date. The District turned over their testing machines to utilize in testing for coronavirus. New equipment would be donated by the manufacturer.
- Public works continued to work on issues with the water treatment plant. About thirty (30) culinary water meters were left to install.

Ms. Zumpft reported:

- Zion Regional Collaborative held a meeting in April. The Scenic Byways application was submitted early and the group should hear results in September. The guiding committee was working to determine how the Zion Regional Collaborative Coordinator position could become more permanent for the next few years.
- The Housing Consultants started to gather data and would begin doing interviews. Planning Commissioner Dawn McComb was also on this committee.
- Based on input from recent Zoom meetings, Ms. Zumpft had shared recommendations about the use of masks and how staff must be protected when working with the public. Things were constantly changing and Ms. Zumpft expressed the importance of everyone's diligence. She thanked staff for the work they had done.

Mayor Smith reported:

- Information from the transportation meeting included an announcement final resurfacing of Exit 16 would take place tonight. Also, several projects on I-15 from Leeds to Parowan would likely impact summer travel.
- Mayor Smith said the Zions Bank Public Finance Group finished their study on the transit system. Their findings determined a bus line from St. George to Springdale was viable and feasible for fifteen (15) years. The final study would be sent out and shared by June 3rd. It was possible buses could be running by June of next year.

4. Community questions and comments: None were asked.

B. Legislative Action Items

1. Public Hearing for Ordinance 2020-01 - Changes to Chapter 10-4 of the Town Code regarding the Town's process for enforcement of code violations, including clarifications allowing for civil penalties for code violations: The Town currently used a criminal process to enforce code violations. This process was overly burdensome and not as efficient or effective. This ordinance would add an option for civil enforcement for violations of zoning ordinances, nuisances, noise, or animals-at-large. The Town would retain the ability to enforce code violations criminally when necessary.

- Mr. Dansie noted citations were always a last resort in the Town's enforcement process. The focus was to try and resolve violations through voluntary compliance and the vast majority of violations were resolved without issuance of citations.
- The Planning Commission considered this ordinance change in their May 19th meeting and the majority felt it was a good modification and recommended adoption.

Questions from Council to staff: Ms. Elger asked if the Planning Commission dissention was more about language than concept.

- Mr. Dansie explained the Commission was supportive of a civil process in general but there was concern about penalty amounts. He noted however, that the penalty amounts established in this ordinance were generally less than for a Class B or C misdemeanor. Another concern was the Town having unfettered enforcement ability. Mr. Dansie reassured there was a well-defined process for the Town to follow.

Mr. Aton asked the steps in the process.

- If a land use violation was not resolved voluntarily, the code enforcement officer would provide written notice of the problem. This notice would include a deadline and consequences for not correcting the issue. If at the end of this warning period the violation was not resolved, a citation would be issued.

Questions from the public to staff: None were asked.

Motion made by Lisa Zumpft to open public hearing. Seconded by Suzanne Elger.

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

Public comment: No comments were made.

Clerk's note: Two comment letters were received by the Town after the Council meeting had begun. These letters are provided as attachments to the minutes (Attachment #3).

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

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

Council deliberation: This ordinance change would help correct some of the Town's enforcement issues that were encumbered by the legal system. The Mayor was in favor of moving to a civil process.

Since this was now a state requirement, Ms. Zumpft noted the Town would be in compliance. The majority of violations were handled quickly once people were made aware and informed. Although the Planning Commission recommended the illegal nightly rentals penalty be set at \$750.00 to match the Class C misdemeanor amount, she suggested it be set higher as a deterrent. Ms. Elger agreed.

Motion made by Lisa Zumpft to approve changes to Chapter 10-4 of the Town Code regarding the Town's process for enforcement of code violations establishing a civil process for enforcement of land use code violations. With the change in the penalty for nightly rentals from \$750.00 per day to \$1,000.00 per day in section 1-4-4E. Findings include the fact that the state of Utah recently amended the state law concerning code enforcement from criminal to civil, and that it would give the Town of Springdale a better instrument in which to enforce the Town Code, and direct the Mayor to sign. Seconded by Suzanne Elger.

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

2. Ordinance 2020-02 – Updating certain fire protection provisions in Town Code including assignment of the Town's fire protection and emergency services to Hurricane Valley Fire Special Service District: This was a housekeeping item identified by legal counsel. The update clarified the Town had been fully incorporated into the Hurricane Valley Fire Special Services District.

Mr. Wixom noted a change in the last line of section 9-7-1. It should read "to provide *fire* code enforcement services".

Motion made by Lisa Zumpft to adopt Ordinance 2020-02 with the word change recommended by Rick Wixom and direct the Mayor to sign. Seconded by Randy Aton.

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

3. Ordinance 2020-03 - Prohibiting open fires and the ignition or discharge of fireworks within the Town of Springdale during the 2020 high-risk fire season: A version of this ordinance had been adopted over the last several years; however, this year the ordinance would be codified as a separate section in the Town's code book. The desire was to make this a permanent ordinance, but Mr. Wixom noted the state's intent was for municipalities to conduct an annual review of fire conditions. Given that, this year's ordinance would be repealed next year and replaced with a new version.

Environmental circumstances and concern a yearly review could be overlooked, Ms. Zumpft favored making this a permanent change rather than a yearly consideration.

- If the Town intended to prohibit fireworks, Mr. Wixom explained state statute required a map identifying restricted areas be submitted to the county by May 1st each year. By June 1st a county-wide map would be available of all prohibited areas. Given the number of people involved, Mr. Wixom did not believe continuing to adopt this ordinance on an annual basis was a concern.

Mayor Smith preferred this item be on the agenda each year as a reminder we were headed into fire season.

Motion by Randy Aton to adopt Ordinance 2020-03, Prohibiting open fires and the discharge of fireworks within the Town of Springdale during the 2020 fire season. Seconded by Adrian Player.

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

4. Continued discussion from April 8, 2020 concerning an ordinance regulating pedicab business in Springdale: Deputy Clerk Katy Brown presented research on pedicab ordinances gathered from other municipalities. She said attributes such as a single two-lane road, no traffic signals, a bike lane, and shuttle system were found only in Springdale and not matched by other locations. From the research, Ms. Brown said there were no specific findings on safety concerns, however other issues were revealed including e-scooters becoming a nuisance.

It was noted the Planning Commission discussed pedicabs in their recent meeting and although it was not land use code, pedicabs could affect streetscape initiatives. Commissioners discussed traffic congestion and possible conflicts on the road. To move forward, Ms. Brown listed the possible scenarios for the Council to consider.

Ms. Zumpft asked if there would be a public hearing associated with this ordinance.

- Since this was not a land use ordinance, a public hearing was not required. However, the Council could always solicit public comment at any time.

Ms. Elger asked what about pedicabs was currently prohibited.

- Language in Title 3 prohibited any mobile business. Also, business must be conducted from a permanent structure.
- Mr. Dansie clarified regulation of the business was at issue not regulation of pedicabs themselves since this was regulated by state law.

Ms. Zumpft asked if e-scooters on sidewalks would be a separate ordinance. She also requested staff research and include other variations of scooters.

- Mr. Dansie confirmed e-scooter regulation would be different than the rental of pedicabs.

Ms. Elger could not back this ordinance change because it supported a single business or individual. She referenced another service business not given the opportunity to present his idea to the Council.

- Ms. Brown explained a business idea could be pursued as long as it fit within ordinance. If not, people had the option to make a written request or petition the Council.
- Mr. Dansie agreed. Initial conversations between the pedicab business and e-bike concierge service were remarkably similar; the difference being the pedicab owner showed more initiative to push the request to the Council.
- Mayor Smith reminded the focus was about services not about individuals.

Without the shuttle service running, Mr. Player thought pedicabs were a good idea for Springdale. He supported the concept.

Ms. Zumpft commented it was the Council's prerogative to change an ordinance based on a single request if it was a benefit to the Town.

- Mayor Smith clarified decisions were not based on who was asking, but what they were asking. He said Caleb Nelson was an impressive young man, but the conversation was about the concept not the person.

Mr. Aton said pedicabs were good to move people around, but questioned the safety concerns.

- Chief Brecke commended Ms. Brown for the amazing work done on research. He raised concern about pedicabs making left-hand turns into travel lanes and conflicts with other bikes and pedestrians in the multi-use path. Additionally, pedicabs were about 50" wide compared to a 48" bike lane. Another obstacle to negotiate was trash cans. Staging areas were also a question.

Mr. Aton appreciated the work staff had done to bring more researched information to the Council.

Ms. Elger said pedicabs posed challenges with loading and staging. The limited access in Town was an issue. The bike lane would be maximally utilized by bikes and e-bikes so she did not think pedicabs were a good fit.

Ms. Zumpft said Springdale was unique and restricted given the limited space. She applauded the applicant for his effort.

Mayor Smith felt pedicabs would provide a great benefit; however, there were some very narrow areas. He had to rely on the recommendations of the Police Chief.

Ms. Elger suggested the Estes Park, Colorado Electric Mobility Scooters (EMS) ordinance was a good template to help Springdale address micro-mobility devices.

Motion made by Lisa Zumpft to direct staff to prepare an ordinance draft to formally prohibit pedicab businesses, to prohibit the rental of pedicabs and to regulate the use of e-scooters and other micro-mobility devices. Seconded by Suzanne Elger.

Aton: Aye

Elger: Aye

Player: No

Zumpft: Aye

Smith: Aye

Motion passed.

C. Administrative Action Items

1. Public Hearing: Conditional Use Permit for 198 Zion Park Boulevard; request to use a newly constructed housing unit behind Thai Sapa as a transient lodging unit – Dennis Brooks: The Planning Commission reviewed this request and found the proposed use as a transient lodging unit would comply. They did, however, have concerns of exposing potential guests to geologic hazards on the site. After lengthy discussion the Planning Commission forwarded a recommendation of approval based on findings the request met standards in the ordinance.

Questions from Council to staff: Ms. Elger asked if any mitigation was done to the structure during development.

- Mr. Dansie indicated piers were constructed to accommodate poor soils and provide somewhat of a prevention against earth movement and landslides. Development also included flood hazard mitigation.

Questions from the public to staff: None were asked.

Summary presentation by the applicant: Dennis Brooks was in attendance. He had no additional comments or information to share with the Council.

Questions from the Council to the applicant: No additional Council questions were asked.

Questions from the public to the applicant: No questions were asked.

Motion made by Adrian Player to open public hearing. Seconded by Suzanne Elger.

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

Public comment: None were made.

Motion made by Adrian Player to close public hearing. Seconded by Suzanne Elger.

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

Council deliberation: Although there had been some mitigation during development and this use was allowed in the zone, Mr. Aton raised concern the public would not be informed of possible hazard.

- Mr. Dansie recalled this was the same concern of the Planning Commission. After analyzing what the current ordinance would allow, the Commission determined it would not require disclosure or notice be given to the public.

Ms. Elger said the application met the requirements for a Conditional Use Permit.

Motion made by Lisa Zumpft to approve the Conditional Use Permit for 198 Zion Park Boulevard, a request to use a newly constructed housing unit behind Thai Sapa as a transient lodging unit with the following findings: 1) This application complies with the six general standards for a Conditional Use Permit request including: a) the proposed use shall comply with all applicable land use standards; b) the proposed use shall not unreasonably interfere with the lawful use of surrounding properties; c) The proposed use shall not create a need for essential municipal services which cannot be reasonably met within three (3) months and the party seeking the conditional use is willing and able to contribute to the cost of said services; d) the proposed use shall not emit excessive noise, or noxious odors, and shall not otherwise adversely impact the quality of air or water. If located either in or less than one hundred feet (100') from a residential zone, the proposed use shall not create loud noise that is sustained for more than one minute and is perceptible on a residentially zoned property after the hour of eleven o'clock (11:00) P.M. or before the hour of seven o'clock (7:00) A.M.; e) if located immediately adjacent to a residential zone, the proposed use shall provide a screening fence or wall at least six feet (6') in height along the common boundary between the proposed use and the residential zone; f) if the proposed use is projected to generate more than ten (10) vehicular trips per day, the use must be located on a dedicated public street; 2) This application also complies with the Conditional Use Permit specific standards including: a) Access and entrances to guest rooms (including rear patios and balconies) must be placed and oriented to have as minimal an impact on surrounding properties as possible; b) Outdoor gathering areas (pools, patios, courtyards, etc.) located such

that they will not cause unreasonable increases in noise, lighting or other impacts on surrounding residentially zoned property; c) outdoor lighting must be designed such that no light source is visible beyond the property boundaries. All exterior lights must use full cut-off fixtures. This approval will require the transient lodging facility avoid making loud noises between the hours of 11:00pm and 7:00am. Seconded by Suzanne Elger.

Aton: No

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed.

2. Request to remove Town of Springdale enforcement provisions from the Red Hawk at

Springdale Homeowners Association governing documents: Currently the CCRs for the Red Hawk subdivision gave the Town of Springdale enforcement and approval ability over certain provisions. The Town had never acted upon this option and traditionally CCRs were separate and distinct from municipal land use control.

- The packet material contained a request letter from the attorney representing the Red Hawk HOA. The Town of Springdale attorney had reviewed this request and had no objection.

Chuck Passek was in attendance representing the Red Hawk HOA. Mr. Passek said the HOA was in process of revising their CCRs and they asked this provision be removed.

Mr. Aton asked about protection of desert tortoise via a conservation easement.

- Mr. Dansie said the entire subdivision was in tortoise habitat area but the Town had not requested an easement. An easement would prohibit disturbance or development in the common area; however, an easement would also require additional monitoring and administering. Given the lack of contiguous space in the subdivision, Mr. Dansie suggested there was marginal benefit to a conservation easement.

Mr. Aton asked if the affordable housing aspects in the development would be affected.

- CCRs only regulated the ongoing use of the property by the occupants. Nothing about the affordable housing agreement would be impacted by the CCRs. This provision would continue under the moderate-income housing development agreement.

Motion by Lisa Zumpft to approve the request to remove the Town of Springdale enforcement provisions from the Red Hawk at Springdale Homeowners Association governing documents, referencing the letter from the legal counsel of the HOA Vial Fotheringham LLP dated February 19, 2020 for this request. Seconded by Suzanne Elger.

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

3. Proclamation 2020-03, proclaiming May 'Bike Month' in the Town of Springdale: This was an annual Proclamation.

Motion made by Adrian Player to approve Proclamation 2020-03, proclaiming May 'Bike Month' in Springdale. Seconded by Suzanne Elger.

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

4. Review and consideration of the FY 2020-21 RAP tax applications: The Council had recently changed the RAP tax policy allowing applications for operational expenses. The Town had received four RAP tax requests. Mr. Wixom briefly described each request:

Z-Arts - \$15,000 for a public sculpture project

Zion Canyon Mesa - \$10,000 for operational costs

Zion Forever Project - \$6,000 for the Fern and J.L. Crawford Lecture Series

Town of Springdale Parks and Recreation Dept. - \$6,000 for stone benches at the bike hubs

Mr. Aton felt all the projects were worth funding.

- Ms. Elger expressed appreciation for money going to The Mesa to support their efforts.
- Ms. Zumpft said the Zion Forever Project fit the General Plan and arts in the canyon. This was good reciprocity for all the benefits the lecture series had provided the Town.

Ms. Zumpft mentioned the Z-Arts project would need to be approved by the Art Review Board. The Town benches would probably not need to go before the Board.

For the Z-Arts project, the Council requested more details about the artist and location before funds were released.

The Council discussed the status of The Mesa opening. It was recalled road paving was a condition of the certificate of occupancy.

Motion made by Lisa Zumpft approve the four RAP tax applications for 2021 and put stipulations that the contracts include more details from the Z-Arts application and confirm The Mesa is moving ahead with the program this year. These requirements will be in the agreements that staff prepares for the applicants. Seconded by Randy Aton.

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

5. Review and approval of the FY 2020-21 tentative budget: The Council had been reviewing this information for several weeks. There were no further questions.

Ms. Zumpft said she would vote to approve the tentative budget but objected to the New Year's Eve fireworks. She supported money going toward the Wreaths Across America program in Springdale.

- Mr. Wixom indicated there would be opportunities to add funds back into the budget at a later time.

Motion made by Lisa Zumpft to approve the tentative budget for FY 20/21 and schedule a public hearing for June 10, 2020. Seconded by Adrian Player.

Aton: Aye

Elger: Aye

Player: Aye

Zumpft: Aye

Smith: Aye

Motion passed unanimously.

6. Discussion and possible direction to the Planning Commission on drafting a geologic hazards ordinance to adopt specific development standards for property in geologically hazardous areas:

Mr. Dansie said both the Town Council and Planning Commission struggled with regulation for development in geologically hazardous areas. The current ordinance did not contain specific standards. The Town had sought to strengthen language in the ordinance two times before, but had received considerable concern from the community regarding impact to property values and the burden to develop.

Ms. Elger expressed support for stronger ordinances to regulate development in geologically hazardous areas. She said the phrase 'unreasonable risk' posed the most challenge.

- Mr. Aton agreed and said 10-9A-14C was in place and but he favored better defined guidelines.
- Ms. Zumpft felt this was an important conversation and would also help inform the General Plan.

Mr. Dansie appreciated this direction from the Council.

Due to technical difficulties, Louise Excell from The Mesa was unable to speak during the discussion of RAP tax applications. She was able to re-connect and told the Council The Mesa had a lengthy list of applicants for residency. These could not be fulfilled until construction was complete. The organization had received a grant from The Eccles Foundation to pave the road. They planned to select virtual residents to conduct streaming, interactive programming. She thanked the Council for their support.

D. Consent Agenda (continued on the next page)

Darci Carlson

Darci Carlson, Town Clerk

APPROVAL:



DATE:

6/10/20

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



PO Box 187 118 Lion Blvd Springdale UT 84767

REMOTE MEETING ATTENDANCE RECORD

Meeting: Town Council Regular Meeting 05/20/20

Dennis Brooks
Rob Totten
Jeff Bradybaugh
Ryan Gubler
Louis Excell
Caleb Nelson
Robert George
Dean Elger
Hollie
Chuck Passek

**Month of April, 2020
EMS and Fire Calls**

Rockville
EMS

Transported:	0		
Refusals:		1	
CPTA:		0	
FIRE			0
TOTAL		1	

Month of April, 2020
EMS and Fire Calls

Springdale
EMS

Transported:	2		
Refusals:		3	
CPTA:		0	
FIRE			0
TOTAL		5	

Zion National Park
EMS

Transported:	0		
Refusals:		1	
CPTA:		0	
FIRE			0
TOTAL		1	

From: aplayer@springdaletown.com
To: [Stan Smith](#); [Lisa Zumpft](#); [Suzanne Elger](#); [Randy Aton](#); [Rick Wixom](#)
Cc: [Darci Carlson](#)
Subject: Southwest Mosquito Abatement Board Meeting
Date: Friday, May 15, 2020 9:01:49 AM

Mayor and Council,

I attended in person the quarterly meeting of the Southwest Mosquito Abatement Board was held yesterday, May 14th. It was partly held on Zoom, and some board members attended in person.

Key points include that the district is up and operating, trapped in 30 areas, have collected 1635 mosquitos so far (compared to 1081 last year at this time), have tested 8 vials to date with no West Nile Virus found, and have treated 295 sites with larvacide (compared to 195 last year at this time). They also have responded to 18 service calls from residents in Washington county compared to 14 last year.

The district put into surplus status a Biosystem 7500 Fast PCR. This device is and older model of a new device that is used to test for viruses in mosquitos. The district has loaned the older device, and their newer device to two labs in Utah to be used in detecting corona virus in citizens. This is noteworthy because it is allowing Utah to perform the needed testing to identify and help control the corona virus pandemic. The manufacturer of the newer device has promised to replace the districts loaned device within a month, which coincides with when the district will really need it. A great example of the district working together with the state!

Adrian

Teach InfoWest Spam Trap if this mail is spam:

[Spam](#)

[Not spam](#)

[Forget previous vote](#)

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

Town Council and Elected Officials,

I oppose your current changes to enforcement of town code violations.

It seems as if you went to great lengths to do this in a way that lets the town dodge the accountability that would come with a clear process for fixing said violations. It seems entirely subject only to the judgement of the town's code enforcer how long people have to fix a violation. Or for that matter, to the judgement of only the town manager and some unknown person they pick for appeals! We as a community function due to democratic institutions bound by laws. The current law leaves too much subject to some individual's subjective, arbitrary, or personal viewpoint of whether a complaint against someone for code violation is legitimate and how long to give them to fix it.

Please continue your work on this until you have a more fair democratic law.

Town Resident,

Tom Wheeler

Springdale Town Council,

The proposed law is unethical and would give local government far too much power. A potential daily fine of \$1000 without due process is preposterous and could quickly bankrupt residents. It's important to remember that 40% of Americans don't have \$400 in emergency funds.

To have better due process this law needs to require a warning period with a set period of time to fix a violation, and it needs to have a more detailed appeals process. Right now it seems like it is totally up to the town how long to give somebody to fix an issue. Appeals don't seem like a fair process where the town has to prove someone actually violated the law, quite the opposite. It is up to the person to prove their case. That is not innocent until guilty.

Please improve the due process and reduce the fines in the current law.

Respectfully,

Christian Chaire-Sanchez

Gabriela Chaire-Sanchez

Zuriel Medel