



**MINUTES OF THE SPRINGDALE TOWN COUNCIL  
WEDNESDAY, SEPTEMBER 8, 2021  
AT THE CANYON COMMUNITY CENTER, 126 LION BOULEVARD, SPRINGDALE, UTAH**

The Regular 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, Parks & Recreation Director Ryan Gubler, Streets Superintendent Robert George, and Town Clerk Darci Carlson recording.

Pledge of Allegiance led by Darci Carlson

**Approval of the agenda**

**Motion made by Lisa Zumpft to approve the agenda. Seconded by Adrian Player.**

**Aton: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Player: Aye**

**Elger: Aye**

**Motion passed unanimously.**

**A. Discussion and Information**

**1. General announcements:** Mayor Smith announced the passing of Leon and Warda Lewis who were pillars of our community and whose influence was felt throughout the canyon. Leon taught generations of students at Springdale Elementary. Warda worked at Zions Bank for many years. There were no greater people.

Mayor Smith also noted the passing of Tim Campbell this afternoon. It had been a difficult week in our community.

Ryan Gubler announced the Town was partnering with UServeUtah for a day of service to pay tribute to September 11, 2001. The community project was a street clean-up. Volunteers would meet at River Park on Saturday, September 11<sup>th</sup> at 8:00am.

Ms. Zumpft said performing arts were slowly coming back. On September 23<sup>rd</sup> at 5:30pm and 8:30pm Z-Arts would present a class and show with SB Dance Curbside Theater. It was a free show for people to enjoy.

- The Town mosaic group installed another panel on the wall in the community park.

**2. Zion National Park update:** Superintendent Bradybaugh participated via Zoom and reported the following:

- August visitation numbers were not available. Year-to-date visitation through July was 3.1MM visitors. This was 18% higher than 2019 and 2018.
- Two opportunities for public comment would close soon. Public input related to operational fees for Lava Point Campground and Angels Landing permits would close September 12th. Public input related to the Superintendent's Compendium addressing Park-specific regulations would close on September 10<sup>th</sup>.
- Park staff continued to make repairs from flood damage. The Park's fiscal year ended in September; therefore, from a funding standpoint, some projects would carry over.
- Information about the fall shuttle schedule would be released soon.

### 3. Council department reports:

Mr. Player reported:

- Mr. Player explained he took a picture of a mosquito in his yard and sent it to the Mosquito Abatement Board. The mosquito, identified as an *Aedes Aegypti* or Zeka, was known to carry a host of diseases. This issue got the attention of Manager Sean Amodt from the Southwest Utah Mosquito Abatement District.
- Mr. Amodt was in attendance to provide more information. Normally, his work in the canyon consisted of setting traps. The focus was on control since irradiation was difficult. The *Aedes Aegypti* species laid their eggs next to water sources, such as containers in yards, and he said a cold winter would help the situation. In response, Mr. Amodt conducted fogging in Springdale. He acknowledged some residents had voiced concerns about the fogging truck so the goal was to educate the community to ease concerns. A public health advisory was provided (Attachment 1) to disseminate additional information.
  - Mayor Smith suggested email blasts or the monthly newsletter as ways to share information about district activities and material.
- If anyone had a mosquito problem, they could call the district. Fees on property tax bills helped to fund the district and their work.
- Mr. Player had been an advocate of land application for treated sewer water in order to reduce the amount returned to the Virgin River. He reported the Public Works Department put together a small-scale pumping system at the sewer lagoons which helped irrigate four acres of land.

Ms. Zumpft reported:

- Participating in the ULCT Legislative Policy subcommittees on water, fireworks, and short-term rentals. ULCT encouraged the Town Council, staff, and citizens to conduct more outreach with our legislators on issues that affect our area.
- The Zion Regional Collaborate trail project from La Verkin to Springdale received over \$10 million in funding. The county would oversee the plan, which required a 20% match.
- Attended the Dixie State University Partnership lunch which focused on project partnerships between local municipalities and students. Springdale would submit a proposal.
- Went to the Envision Utah meeting. A number of topics were discussed including alternative layouts for town centers and dealing with growth. Ms. Zumpft spoke to the mayor of Helper, Utah regarding their recent night sky designation and was told the effort required a lot of public outreach and education.

Mr. Aton reported:

- Streets Department activities included work with Precision Concrete on grinding sidewalks, and Zion Arborists to remove dead trees and limbs along SR-9. Interstate Rock would mobilize soon for the Tiley Hill sidewalk project. Straight Stripe would sealcoat the multi-use trail and the Zion trail.
- No meeting of the Fire District this past week. The August call report was provided (Attachment 2). Mr. Aton acknowledged fire danger had decreased slightly due to recent rain. He also

reported the district wanted to conduct Truth in Taxation to increase property taxes due to the \$4 million funding deficit.

*The meeting was interrupted at 5:36pm due to a power outage. Because of this, remote connection to Zoom was unavailable. The Council took a brief break in order to set up a battery-operated recording device and continued the meeting.*

**Motion made by Lisa Zumpft to postpone Items A3 and A4 until after the Administrative Action Items portion of the meeting due to power outage so the Council can proceed with the Legislative Action Item and the Public Hearing. Seconded by Adrian Player.**

**Aton: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Player: Aye**

**Elger: Aye**

**Motion passed unanimously.**

### **B. Legislative Action Items**

**1. Public Hearing – Ordinance 2021-11: Changes to the regulations for Accessory Dwelling Units, impacting section 10-22-15 of the Springdale Town Code:** An accessory dwelling unit (ADU) was defined as a second dwelling unit on a single-family property rented on a long-term basis. Currently the Town allowed and regulated accessory dwelling units in the Valley Residential zone.

Due to changes in state law, the Town was forced to make amendments to its code. Mr. Dansie outlined the proposed ordinance changes which included: creation of two classifications of ADU's (internal and external); allowance of internal ADU's in the Foothill Residential zone; revisions to ADU development standards; establishment of a permit requirement for ADUs; and, a provision allowing the Town to place liens on properties in violation.

#### **Council questions to staff:**

Ms. Zumpft asked the difference between a mobile and manufactured home.

- Mr. Dansie clarified the definition. Mobile homes were not allowed in Springdale.

Mr. Aton questioned why separating utilities for external or internal ADU's was not allowed. He noted increasing the square footage from 1000 to 1500 square feet could accommodate a family which the Town wanted to encourage.

- One utility bill would provide more owner oversight and connection to the main residence.
- The intent was to maintain as much single-family character as possible.

**Community questions to staff:** Mark Chambers asked if external ADUs were currently included in the total square footage of building size.

- Mr. Dansie answered 'no' and said an external ADU would be counted independent of the building size of the main structure.

Mr. Chambers asked if the Town knew impacts of current ADUs in the Valley Residential zone in terms of water, traffic and density.

- An allowance for ADUs in the VR zone had been in effect for three years; however, Mr. Dansie suggested impacts were not a huge amount.

Mr. Chambers referenced the Town's Housing Strategy from October 2020 which stated "ADU size limitations should be tied to lot coverage ratios and not necessarily to size. This could control the impact of the added structure to the neighborhood." He asked if there was discussion about external ADU size to lot coverage.

- Mr. Dansie answered discussion of size was linked to functionality of the ADU itself rather than lot size. The Town already had a general way of limiting size through its landscape requirement.

Given discussion of building moratoriums in the county, Mr. Chambers asked if there was anything the Town could do to guarantee those who work in Springdale were able to rent new ADUs.

- Mr. Dansie did not know the answer; however, due to the Fair Housing Act, it was likely the Town could not mandate occupancy.

**Motion made by Lisa Zumpft to open public hearing for Ordinance 2021-11. Seconded by Suzanne**

**Elger.**

**Aton: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Player: Aye**

**Elger: Aye**

**Motion passed unanimously.**

**Public comment:** Mark Chambers stated the Town was making many changes in reaction to new state laws. He suggested the Town slowly add these changes in to make sure there weren't any issues. Mr. Chambers referenced the Housing Strategy again which stated in part "Implementation of these tools does not guarantee a significant change in the housing makeup". Since it was easier to add square footage than to take it away, he suggested it prudent the Council wait two years before adding 500 square feet to ADUs to see how the new changes played out.

**Motion made by Adrian Player to go out of public hearing. Seconded by Lisa Zumpft.**

**Aton: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Player: Aye**

**Elger: Aye**

**Motion passed unanimously.**

**Council deliberation:** Mr. Aton raised concern about putting structures on small properties to not make them look dense and city-like.

In order to help the Council better understand the relationship between lot size and building size related to ADUs, Mr. Dansie said it was important to consider the use of the buildings instead of the developability of the lot. He reminded the Council a property owner was already bound by setback and landscape ordinances which helped control what could be built.

The Council referred back to the Planning Commission recommendations. The increase in ADU size from 1,000 square feet to 1,500 square feet would better accommodate a family.

Mr. Player understood the reasoning behind not metering utilities separately by unit but questioned the logic.

- Council members discussed the pros and cons of separate meters. The impact of water and sewer usage may be disproportionate between the single-family dwelling and ADU, but this was an issue between the landlord and renter.
- Mr. Dansie said the state allowed a municipality to regulate second meters on ADUs. Single meters would provide more control. This would keep owners more attentive to utility use.

**Motion made by Lisa Zumpft to approve Ordinance 2021-11, changes to the regulations for Accessory Dwelling Units, impacting section 10-22-15 of the Springdale Town Code to comply**

with state law and to take advantage of the ability to use short-term rental websites as an enforcement tool and direct the Mayor to sign. Seconded by Adrian Player.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Elger: Aye

Motion passed unanimously.

### **C. Administrative Action Items**

**1. Resolution 2021-16 a resolution amending the Town of Springdale Fee Schedule adjusting fees for Floorplan Development Permits, Pool Permits, and Event Parking Permits:** This resolution added a fee for event parking permits, flood plain development permits, and standardized the fee for pool permits whether they be commercial or residential.

Motion made by Adrian Player to approve Resolution 2021-16, a resolution amending the Town of Springdale Fee Schedule adjusting fees for Floorplan Development Permits, Pool Permits, and Event Parking Permits. Seconded by Suzanne Elger.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Elger: Aye

Motion passed unanimously.

### **2. Proclamation 2021-04, Proclaiming September 17-23 Constitution Week in Springdale:**

Constitution Week was the commemoration of the Constitution of the United States. The purpose was to emphasize citizens' responsibilities for protecting and defending the Constitution; inform people that the Constitution was the basis for America's great heritage and the foundation for our way of life; and to encourage the study of the historical events which led to the framing of the Constitution in September 1787.

The Town of Springdale was working with the Color Country Chapter of the Daughters of the American Revolution in an effort to promote Constitution Week. This was the first year our community had participated. In addition to copies of the United States Constitution brochure, the Clerk's Office provided cowbells for residents to ring at 2:00pm on September 17<sup>th</sup> to commemorate Constitution Week.

Motion made by Lisa Zumpft to approve Proclamation 2021-04, proclaiming September 17-23 Constitution Week in Springdale Seconded by Adrian Player.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Elger: Aye

Motion passed unanimously.

**3. Consideration of a proposal for Erosion Hazard Study and Analysis on Tributary Washes:** Last year the Council adopted an erosion hazard ordinance as an outgrowth of the Virgin River Management Plan. The intent of the ordinance was to ensure new development was protected from erosion hazards in a way that also protects the health of the Virgin River.

It was discussed whether a similar erosion hazard analysis should be developed for the Town's side tributary washes. Recent flooding events have highlighted the need for erosion hazard regulation on side washes. The staff report outlined options.

If the Council moved ahead with a budget amendment option, Mayor Smith said something in the current budget would need to be cut. With that, his preference was option 2.

- It was anticipated the analysis would cost between \$60,000 and \$70,000 and take about six to seven months to complete.

Information obtained from NRCS about the Black's Canyon Wash, damaged during the recent floods, would be helpful to the Town.

If the Council decided to move ahead with the study this year, Mr. Wixom could analyze the budget and come back with recommendations on what could shift.

Ms. Zumpft felt it was a priority given recent flood issues and climate change.

Based on the Council's direction, Mr. Wixom would propose budget options and bring back tentative guidelines for the Council to consider in their September 22<sup>nd</sup> special meeting.

**Motion made by Lisa Zumpft to put this item on the September 22<sup>nd</sup> meeting agenda to discuss moving forward and to have a potential budget amendment discussion. Seconded by Adrian Player.**

**Aton: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Player: Aye**

**Elger: Aye**

**Motion passed unanimously.**

**4. Review and approval of a wireless co-location agreement between Infowest and the Town of Springdale** – Mr. Wixom indicated AWI was bought by Infowest and this was a new agreement which recognized that purchase. The Town would get more sites and service with the new lease compared to the old one.

The agreement contained a provision for four additional locations. These locations were unknown at this time but would provide flexibility in the future.

**Motion made by Suzanne Elger to approve the wireless co-location agreement between Infowest and the Town of Springdale and direct the Mayor to sign. Seconded by Adrian Player.**

**Aton: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Player: Aye**

**Elger: Aye**

**Motion passed unanimously.**

**5. Approval of matching funds letter for 2021 BRIC application grant:** The Town was working on a BRIC grant for stream bank improvements near the River Park, which if awarded, required a 25% local match. Staff needed to submit a letter committing to this match.

In order to be competitive, Mr. Dansie said it was recommended the Town over-match; 30% was proposed. Total project costs were \$332,040 making the match amount \$99,612. The Town had already paid \$22,680 for work done-to-date. Rosenberg Associates was working with Springdale on the application.

**Motion made by Lisa Zumpft to authorize the Mayor to sign a BRIC grant matching funds commitment letter. This letter will commit the Town to 30% match of the total project costs estimated to be \$99,612. Seconded by Randy Aton.**

**Aton: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Player: Aye**

Elger: Aye

Motion passed unanimously.

**6. Consideration of a request for additional RAP tax funds to support the desert tortoise project:**

The power came back on. The Council took a brief break and resumed at 7:03pm.

Ms. Elger asked about Parks Department labor related to installation of the interpretive signs.

- Mr. Wixom said staff would install the signs and no additional funds related to installation would come from RAP tax.

Motion made by Lisa Zumpft to approve an additional \$3,200 in RAP tax funds to cover the costs of interpretive sign manufacture for the five tortoise sculpture locations. Seconded by Suzanne

Elger.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Elger: Aye

Motion passed unanimously.

**7. Appointment of Kyla Topham as Planning Commissioner for term expiring January 2024: Ms.**

Topham had been an alternate on the Planning Commission and was being moved to a full-time Commissioner with the resignation of Dawn McComb.

Motion made by Randy Aton to approve the appointment of Kyla Topham as Planning Commissioner for term expiring January 2024. Seconded by Lisa Zumpft.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Elger: Aye

Motion passed unanimously.

**8. Appointment of Pam Inghram as Planning Commission Alternate for term expiring September**

**2024:** Mayor Smith said Ms. Inghram was an impressive lady and he was pleased to bring her name forth as a Planning Commission Alternate.

Motion made by Adrian Player to appoint Pam Inghram as Planning Commission Alternate for the term expiring September 2024. Seconded by Suzanne Elger.

Aton: Aye

Zumpft: Aye

Smith: Aye

Player: Aye

Elger: Aye

Motion passed unanimously.

The Council returned to Department Reports from Item A3.

Mr. Aton continued his report:

- The Community Renewable Energy Board met on Monday. They created a Program Design Committee, on which Mr. Aton would participate. They also established a Low Income and Communications Committee. Phase 1 invoices would be sent out to communities; Springdale's portion was \$491.00.

Ms. Elger reported:

- On October 9<sup>th</sup>, there was a trail-building event to work on a hiking trail at River Park. This effort was a collaboration between the Town of Springdale, Trails Utah, the Paiutes, and Washington County Trails. The Town would sponsor a cookout afterward.
- The Washington County Council on Aging would suspend the senior lunch program in Zion Canyon since they now required a minimum of twenty participants. They would however, continue to assist with programing and funding.
- The History Center water hookup was scheduled for next week. Demolition was done, but there was a lot more termite damage than expected. The Council would meet on September 22<sup>nd</sup> to discuss options.

Mayor Smith reported:

- The St. George to Springdale transit system work was still in process.
- In a recent county mayors meeting, they discussed how COVID had taken its toll on first responders. Nurses were leaving and doctors were requiring counseling. Mayor Smith pleaded with people to get vaccinated. A doctor was willing to come talk to the community to ease concerns about the vaccine. The Town would continue to educate and encourage people in the community.
- Mayor Smith praised the Police Department for the work they did. They responded in a variety of ways to an endless list of issues. A big part of their job was simply helping residents and tourists.

**5. Community questions and comments:** None were asked.

**D. Consent Agenda**

Mr. Aton confirmed the minutes from August 11<sup>th</sup> were corrected to reflect a \$4 million deficit for the Fire District not a \$44 million deficit.

**Motion made by Lisa Zumpft to approve the Consent Agenda. Seconded by Adrian Player.**

**Aton: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Player: Aye**

**Elger: Aye**

**Motion passed unanimously.**

**E. Administrative Non-Action Items**

**1. General Council Discussion** – There was no further Council discussion.

**Adjourn**

**Motion to adjourn at 7:24pm made by Lisa Zumpft. Seconded by Randy Aton.**

**Aton: Aye**

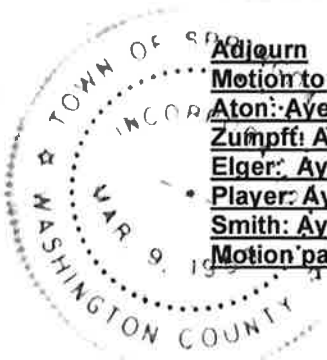
**Zumpft: Aye**

**Elger: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**



*Darci Carlson*  
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 Darci Carlson, Town Clerk

APPROVAL: *[Signature]* DATE: 10/13/21

A recording of the public meeting is available by contacting the Town Clerk's Office. Please call 435-772-8434 or email [springdale@springdale.utah.gov](mailto:springdale@springdale.utah.gov) for more information.