



**MINUTES OF THE SPRINGDALE TOWN COUNCIL  
WEDNESDAY, MARCH 10, 2021**

**This Town 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 and included a public hearing whereby public comments could be made electronically. If a member of the public did not have access to the internet, they could join the meeting audio via telephone.**

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

**ALSO PRESENT:** Town Manager Rick Wixom, Director of Community Development Tom Dansie, Police Chief Garen Brecke, Treasurer Dawn Brecke, Director of Parks & Recreation Ryan Gubler, Public Works Superintendent Rob Totten, Parks & Recreation Associate Robyn Sanders and Town Clerk Darci Carlson recording. See attached sheet for attendees signed into the meeting.

**Motion made by Lisa Zumpft to approve the Special Meeting agenda for April 14, 2021. Seconded by Randy Aton.**

**Player: Aye**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**A. Discussion and Information**

**1. General announcements:** The Anasazi Plateau subdivision was experiencing a sewer line clog. Public Works staff were attending to the issue.

On Thursday, March 18<sup>th</sup> starting at 6:00pm, the Parks & Recreation Department was hosting a virtual lecture on Mars with Professor Cameron Pace from SUU in support of the Town's dark sky certification process. Also, a Wine & Paint virtual event featuring Linda Kohler Barnes would be held on Tuesday, March 30<sup>th</sup> at 3:00pm. Zoom links would be sent out to the public prior to the events.

**2. Zion National Park update:** Superintendent Bradybaugh reported.

- For the sixth month in a row Zion National Park experienced an all-time visitation record for the month which was 20% higher than in February 2020. Year-to-date, Park visitation numbers were up 27% over 2019.
- Several road projects were coming up this summer including rock and concrete repairs in both tunnels. These repairs would take place from 10:00pm to 5:00am with a full closure starting early April. The work would take about 50 days.
- The Park would also conduct several bridge repairs projects. This work would mostly be done during the day with the use of flaggers. A five-week project to repair issues on the switchbacks would take place in May and June.
- Beginning in May the Park would conduct minor asphalt work in South Campground. The campground would open on March 15<sup>th</sup>.

Mr. Aton asked about Park mask mandates in the foreseeable future.

- The Park was in the process of comparing information from the President's mandate, HB 294, and CDC guidelines to determine next steps related to mask mandates on the shuttle and in facilities.

Superintendent Bradybaugh indicated very minimal structural damage occurred as a result of the Cable Mountain Lodge area fire. A recent prescribed burn helped reduce fuels.

Ms. Elger asked about the status of water monitoring and cyanobacteria levels.

- People were advised to be cautious as low levels continued to be detected. The Park found traces in some side streams as well.

Ms. Elger asked about a wrist band test system for shuttle riders. She also inquired about shuttles traveling from the Visitor Center directly to the Temple of Sinawava.

- The Park used 'express buses' during the busiest part of the day. Superintendent Bradybaugh indicated the shuttle schedule was complex.
- Wristbands would help the public manage their shuttle ticket. This process may also speed up the loading process which would reduce staffing needs. ZNP constantly adapted to changing health conditions and operational requirements.

### **3. Council department reports:**

Ms. Elger reported:

- The History Center Design/Development Review was approved by the Planning Commission in their February meeting. Architects CRSA were putting together the construction bid information. At this point \$60,000 has been spent on the project. There will likely to be a significant shortfall which the Council would need to discuss.
- The Trails Committee would meet tomorrow. Work on the Moenave Trail would begin along with the Paiute and Edgemont Trails. Work on the Balanced Rock Trail was put on hold due to complicated logistics. Ms. Elger also participated in the Utah Trails Forum whose mission was to promote trail usage and development.
- Parks and Recreation staff member Holli George completed a playground certification course. With this new knowledge, she found the existing playground shade sails were not tall enough and had to be taken down. The cost to replace new ones would be requested in the upcoming FY budget. The old shade sails would be repurposed.
- The Earth Day activity for April 17<sup>th</sup> would be a River Park beautification project.
- The Council on Aging planned to start up the Senior Lunch Program again in May
- The Utah 100 Communities drafted a governance agreement that would come before the Town Council for approval.

Mr. Aton reported:

- The Hurricane Valley Fire District logged 4,036 service calls in 2020. By the end of February 2021, they had received 520 calls. It was noted 20% of those calls were false alarms due to faulty systems. To counter this, the District discussed passing a resolution that would detain business license renewals until confirmation of a working fire system had been provided. Mr. Aton provided the monthly call totals via email (Attachment #1).
- Streets Department staff had been working on their certifications. In addition, they replaced two sewer grinders in Canyon Springs, conducted general cleaning and maintenance, and replaced post & rope along the bike trail.
- The Winderland Street Committee had not met recently. Staff continued to enforce, monitor and collect data. The Town applied for grant funding from UDOT to hire a consultant to help identify additional solutions.

Ms. Zumpft reported:

- The County Recreation Committee met to discuss the communication and coordination of events around the county. Specifically, Ms. Zumpft sat on the Camping Subcommittee.
- Participated in a Utah State University webinar about landscape management and tolerant grasses that used minimal water.
- The state would distribute more funds to help private property owners remove Tamarisk and Russian Olive from Virgin River areas and tributaries.
- Worked with Planning Commissioner Tom Kenaston related to the housing chapter in the General Plan. If anyone had specific input on this chapter, they should speak to Mr. Kenaston
- The Zion Regional Collaborate (ZRC) Guiding Committee met monthly and were developing an interlocal agreement to identify different stakeholders. ZRC was working with Greater Zion on an app to help visitors to the county with parking, trails, and camping.
- Continued to address the deer issue in Springdale. Zion National Park planned to bring in researchers who would assist with projects. Locals would also be asked to participate.

Mr. Player reported:

- The sewer line on Anasazi Plateau was plugged and being repaired.
- The big water uses had a proposal regarding the irrigation water schedule which would be discussed later in the evening.
- The irrigation water meter installation project was ongoing.

Mayor Smith reported:

- It was a successful COVID vaccine day today. Case numbers were declining rapidly, however people were asked to continue to mask up and social distance.
- Utah had the highest test scores in the nation, and Washington County had the highest in the state. This was commendable given the challenges with COVID.
- Overpass construction at the Southern Parkway continued to move along and would open middle of May.
- There was a current stalemate between St. George City and the county over the funding of transit in year fifteen (15).

Mr. Aton asked the feeling on the mask mandate in Springdale.

- Based on his conversations with Dr. Blodgett, Mayor Smith indicated when the state dropped the mandate, so would the county. If Springdale wanted to continue with its mask mandate, we would have to apply with the county. Mayor Smith reminded that any business could require masks on their own.

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

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

##### **1. Public Hearing - Final Subdivision Plat: Final subdivision plat approval for the Canyon Cottonwoods Cottages subdivision (nine cottage units) at approximately 1775 Zion Park Boulevard – Luke Wilson:**

A preliminary plat and development agreement governed development on this piece of property. The purpose of the final plat was to allow the lots to be legally created, recorded, and sold. Council should determine if the final plat was in compliance with the preliminary plat and that all public infrastructure was complete. Mr. Dansie noted that aside from the water meters, the remaining infrastructure (sewer, roads, storm drain system) was private.

**Questions from Council to staff:** Ms. Elger asked if the location of the individual cottages was accurate with respect to the lot locations.

- The preliminary plat showed the footprint of the cottage locations; the final plat showed lot boundaries, which were more expansive. Mr. Dansie suggested it may be appropriate to illustrate both on the final plat to confirm the individual units met the required fifteen (15') separation distance.

Ms. Zumpft asked if the issue would need to be corrected.

- Mr. Dansie said the Council could request a modification to the plat. The separation deficiencies appeared to be created by patio overhangs.

Mr. Aton asked what the Planning Commission said about patio overhangs not satisfying the proper separation.

- Staff had checked the building footprint locations but had not done an inspection of the patios. After the Planning Commission raised questions about exterior appearance and design, staff followed up on these concerns and found the issue. He said the building separation issue was discovered after the Planning Commission recommendation.

**Questions from the public to staff:** None were asked.

**Summary explanation and presentation of the hearing item by the applicant:** The applicant was not in attendance to provide a summary explanation.

Without being present, there was no ability for the Council or the public to ask questions of the applicant.

**Motion made by Lisa Zumpft to go into public hearing for the final subdivision plat approval for Canyon Cottonwood Cottages subdivision at approximately 1775 Zion Park Boulevard. Seconded by Adrian Player.**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**Public comment:** No public comments were made.

**Motion made by Suzanne Elger to close public hearing for the final plat approval for the Canyon Cottonwoods Cottages subdivision. Seconded by Lisa Zumpft.**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**Council deliberation:** Ms. Elger said the item should be tabled until the separation issue came into compliance, and to allow time for the architectural issues to be addressed. If the applicant wanted to make changes from the materials approved in the Design/Development Review the request needed to follow the process for reconsideration.

- Mr. Player agreed, especially since the developer was not on the call to address concerns.

**Motion made by Suzanne Elger to table the approval of the final subdivision plat for Canyon Cottonwoods Cottages at the approximate location of 1775 Zion Park Boulevard until the developer is able to ensure compliance with Title 10- 13F-11F Separation, and Title 10-13F-11J Architectural Standards. Seconded by Adrian Player.**

**Elger: Aye**

Aton: Aye  
Zumpft: Aye  
Player: Aye  
Smith: Aye  
Motion passed unanimously.

**2. Public Hearing for Ordinance 2021-03 - Changes to Title 10 of the Town Code, impacting all chapters, intended to ensure compliance with state law policies and procedures, improve readability and understandability, improve organization, and eliminate unnecessary and redundant provisions:** The Town Attorney Devin Snow had conducted a comprehensive legal review and provided these revisions. Moving forward, Mr. Snow recommended the Town conduct an annual 'check-up' after the legislative session to confirm compliance with state law. A legal memo and staff report described changes.

**Questions from Council to staff:** Mr. Aton questioned why definitions for 'non-conforming use' and 'non-conforming structures' in 10-2-2 had been deleted. In general, Mr. Aton was pleased with the work that had been done and applauded the effort.

- Where a definition, regulation or provision was specifically called out in state or federal law, it was deleted from Town code. In this way, should the definition change in either state or federal code, the Town remained in compliance.

Ms. Elger asked the difference between 'shall' and 'will'.

- Mr. Dansie said he relied on the Town Attorney's legal expertise in using these words.

**Questions from the public to staff:** None were asked.

**Motion made by Suzanne Elger to go into public hearing for discussion of the Ordinance Revisions to Title 10 of the Town Code. Seconded by Lisa Zumpft.**  
Elger: Aye  
Aton: Aye  
Zumpft: Aye  
Player: Aye  
Smith: Aye  
Motion passed unanimously.

**Public comment:** No public comments were made.

**Motion made by Lisa Zumpft to close public hearing. Seconded by Randy Aton.**  
Elger: Aye  
Aton: Aye  
Zumpft: Aye  
Player: Aye  
Smith: Aye  
Motion passed unanimously.

**Council deliberation:** Ms. Zumpft appreciated the opportunity to go through the land use ordinances. She recognized it was a lot of work and expressed gratitude for both Mr. Snow's and Mr. Dansie's review. Ms. Zumpft wanted to be sure the annual updates were done.

Most of the proposed changes were minor to improve readability and consistency; however, a few revisions changed policy. In relation to this, Ms. Zumpft supported strengthening language in Section 10-3-1 to reduce potential appeals. She also wanted to ensure the Town could follow the significant changes to the affordable housing requirements in Chapter 6A.

Other items the Council wanted the Planning Commission to review and correct in the future included: definitions and standards for accessory structures; changes to the notification policy to match the current process in 10-3-5; establish more objective standards in 10-9B-14(D) to increase enforceability; create more objective standards in 10-11A-13C and 10-11B-13D; standardize the features in 10-23-9B; and, strengthen Chapter 24 to guard against any future legislation.

**Motion made by Lisa Zumpft to approve Ordinance 2021-03, changes to Title 10 of the Town Code, impacting all chapters, intended to ensure compliance with state law policies and procedures, improve readability and understandability, improve organization, and eliminate unnecessary and redundant provisions. Seconded by Adrian Player.**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

Council directed staff to work with the Planning Commission to make corrections mentioned in the deliberation and recommended by legal counsel.

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

**1. Resolution 2021-03 revising the existing code enforcement policy to adopt a more proactive approach:** The purpose of this Resolution was to update code enforcement policies given enhanced capabilities and resources.

**Motion made by Suzanne Elger to approve Resolution 2021-03 Springdale Code Enforcement Policy and direct the Mayor to sign. Seconded by Randy Aton.**

**Aton: Aye**

**Elger: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

Mayor Smith recused himself and would not vote on the next agenda item. Mr. Player took over the meeting as Mayor Pro Tem.

### **2. Consideration of a modification to a non-conforming building at 897 Zion Park Boulevard, Bumbleberry Gift Shop/Theater/Restaurant – Stan Smith**

Mr. Dansie described a non-complying building as legally compliant when constructed, but no longer was given current ordinances. According to State and Town of Springdale law, buildings destroyed due to catastrophe could be reconstructed to the configuration prior to the event. If modifications were requested however, they must be approved by the Town Council. The Bumbleberry gift shop/restaurant/theatre was destroyed by fire last year. The staff report detailed the non-conforming aspects of the old Bumbleberry building and the current modification requests.

Ms. Elger asked where the front property line would be relative to the existing sidewalk.

- Mr. Smith said the sidewalk and 'bump out' were approximately eighteen feet (18') from the curb and gutter. The front door would be twenty-four feet (24') back. Mr. Smith indicated the building would be anywhere from thirty-eight feet (38') to forty-two feet (42') from the curb.
- Nothing would be built over the wash. There would be thirty-six hundred square feet of outdoor dining and seven to eight thousand feet of open plaza area between what was privately-owned and publicly-owned.
- Mr. Smith said the design was intended to break up the long stretch of building and give it character. He felt it would be a great asset for his family and the Town.

Ms. Zumpft appreciated the owner responding so quickly to replace the building.

**Motion made by Lisa Zumpft to approve the modifications to a non-conforming building at 897 Zion Park Boulevard, Bumbleberry Gift Shop/Theater/Restaurant in compliance with the allowances for construction and alteration of non-complying buildings in Sections 10-21-8 and 10-21-9B2 in the Town Code. Seconded by Suzanne Elger.**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

Meeting leadership reverted back to Mayor Smith.

**3. Consideration of a modification to a non-conforming building at 680 Zion Park Boulevard, Springdale History Center – Town of Springdale:** The Town was remodeling the building into a History Center that required some modifications to the exterior; however, none expanded or created new non-conformities. The building had a non-complying side setback.

Ms. Zumpft asked if the corner that went over an adjacent property line should be fixed.

- Mr. Dansie responded this was an issue to discuss at a future time.
- Mr. Gubler had a conversation with the property owner on January 19, 2021. The property owner indicated they had no issues with the roof overhang.
- Additionally, Mr. Wixom spoke with legal counsel. They were satisfied with the conversation as long as it was documented (Attachment #2).

The proposed parking area met all setback standards.

**Motion made by Suzanne Elger to approve the modification to a non-conforming building at 680 Zion Park Boulevard. It is in compliance with the allowances for alteration of a non-complying building in Section 10-21-9B2 of the Town Code. Seconded by Adrian Player.**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

Mayor Smith indicated businesses with liquor licenses in Springdale had a good track record staying in compliance. The Town required this to continue. Ignorance of rules and laws were unacceptable.

**4. Local Consent for a Full-Service Restaurant Liquor License for Café Feellove at Zion LLC, DBA Café Feellove at 1101 Zion Park Boulevard – Jasher and Lisa Feellove:** Staff confirmed any concerns had been addressed.

Jasher and Lisa Feellove were in attendance. They expressed their appreciation to be conducting business in Springdale. They have a full-service restaurant liquor license in St. George and were familiar with the rules.

**Motion made by Lisa Zumpft to approve the Local Consent for a Full-Service Restaurant Liquor License for Café Feellove at Zion LLC, DBA Café Feellove at 1101 Zion Park Boulevard and direct the Mayor to sign. Seconded by Suzanne Elger.**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**5. Local Consent for a Limited-Service Restaurant Liquor License for CMD Holdings LLC, DBA Blondies Diner at 736 Zion Park Boulevard – Camille Dailey:** Staff confirmed Blondies had their business license and were in compliance.

Camille and Michael Dailey were in attendance. They expressed excitement to be in Springdale.

**Motion made by Suzanne Elger to approve Local Consent for a Limited-Service Restaurant Liquor License for CMD Holdings LLC, DBA Blondies Diner at 736 Zion Park Boulevard and direct the Mayor to sign. Seconded by Lisa Zumpft.**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**6. Request for sponsorship from the Saint George Market – Indigo Klabanoff** – The applicant had been working with the Community Development Department to obtain a large outdoor event permit to establish an annual event market. Ms. Klabanoff requested sponsorship for this event from the Town.

Ms. Klabanoff was in attendance to address the Council. She provided an overview of the market mission, the specific sponsorship request, and the market financial model. Her goal was to amplify Springdale and small businesses.

This type of commercial event could qualify for a large outdoor event permit; however, the decision to sponsor and waive fees was at the Council's discretion.

Ms. Zumpft clarified this market would not be a farmers' market so Zion Harvest was not involved.

Mr. Aton disclosed his wife Joy Stein wrote a public comment letter (Attachment #3). Ms. Stein was a small business owner in the community. This market would bring in businesses that would compete with other local retail stores. He did not see how this event would benefit the Town in any way. A waiver of fees was inappropriate.

Mayor Smith had no problem bringing this event to Springdale under the proper permit. He did, however, have issues with Town sponsorship. Springdale was a big arts community and Mayor Smith did not want to take away funds from local businesses.

- Ms. Zumpft agreed. The event was welcome to come to Town through the normal event process.

**Motion made by Suzanne Elger to deny sponsorship to the Saint George Market by the Town of Springdale for the event of the Saint George Market. They are able to apply for a special event permit to be in Springdale. Seconded by Lisa Zumpft.**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**7. Continued from February 10, 2021 - Consideration of recommendation by the Irrigation Advisory Board to modify the annual irrigation schedule:** Last month the Council considered a recommendation from the Irrigation Advisory Board to modify the irrigation schedule on Sunday which would affect the big water users. Since the last Council meeting, the Irrigation Company Board met with the large irrigators. A letter outlining the outcome of that meeting was provided in the packet material. The suggestion was to keep the schedule as-is and internally manage a breakdown of watering days. Bill

Weyher would water his pasture in sections allowing him to conform to the regular schedule and not the big water users schedule.

If the schedule was left as-is, Mr. Player asked where the authority and enforcement came from to be sure the proposal in the letter was followed.

- Aside from the Kinesava HOA who was a Town irrigation customer, enforcement would fall back to the Irrigation Company Board. It would be incumbent on them to manage their shareholders. It was noted the schedule was managed this way now.
- Mayor Smith indicated irrigation water could be shut off if there was an issue with compliance.
- In theory, if big water users did not water at the same time, flow rate would improve and total gallons used would decrease. Additionally, the Town would consider alternative physical controls to see if more could be done.

Ms. Elger asked how the Town would know if this was an effective shift in managing water usage.

- Mr. Wixom said there were monthly readings that could be referenced to compare total gallons used. Also, flow rate numbers could be pulled to identify any issues.

Per the Board letter, the Irrigation Company Board was interested in learning about possible grant opportunities to fund meters for their shareholders. The Town could assist in educating them.

**Motion made by Lisa Zumpft to not change the schedule for the Irrigation Advisory Board to modify the annual irrigation schedule until a further date when suggested changes made by the Irrigation Company can be assessed. Seconded by Suzanne Elger.**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

**8. Resolution 2021-05, a Resolution designating surplus Town property and providing for sale or disposal:** This was no Council discussion.

**Motion made by Adrian Player to approve Resolution 2021-05, a resolution designating surplus Town property and providing for sale or disposal. Seconded by Randy Aton.**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

#### **D. Administrative Non-Action Items**

**1. General Council Discussion –** Ms. Elger asked when in-person public meetings would start up again.

- Mayor Smith suggested public meetings would start again in May. Vaccinations would soon be available to all ages.

#### **E. Consent Agenda**

**Motion made by Lisa Zumpft to approve the Consent Agenda. Seconded by Randy Aton.**

**Elger: Aye**

**Aton: Aye**

**Zumpft: Aye**

**Player: Aye**

**Smith: Aye**

**Motion passed unanimously.**

#### **Adjourn**

Elger: Aye  
Aton: Aye  
Zumpft: Aye  
Player: Aye  
Smith: Aye  
Motion passed unanimously.

**Adjourn**

Motion to adjourn at 7:36pm made by Lisa Zumpft. Seconded by Suzanne Elger.

Elger: Aye  
Aton: Aye  
Zumpft: Aye  
Player: Aye  
Smith: Aye

Motion passed unanimously.



Darci Carlson  
Darci Carlson, Town Clerk

DATE: 4/20/21

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](mailto:springdale@springdale.utah.gov) for more information.



PO Box 187 118 Lion Blvd Springdale UT 84767

## REMOTE MEETING ATTENDANCE RECORD

### **Meeting: Town Council Regular Meeting 03/10/2021**

Jeff Bradybaugh

Don Hall

Eric Rioux

Janet Mika

Tyler Ames

Tom Kenaston

Michael Dailey

Indigo Klabanoff

Lisa Feellove

Regina

Avery