

BRIGHTON TOWN COUNCIL MEETING MINUTES

Tuesday, January 9th, 2024, at 6:30 pm

*Approved at the Brighton Town Council Meeting on February 13th, 2024

ATTENDANCE

Dan Knopp (Mayor and meeting chair)

Council Members: Keith Zuspan, Lise Brunhart, Jeff Bossard, Carolyn Keigley

Staff: Polly McLean, Jane Martain, Kara John, Curtis Woodward, Morgan Julian, Nate Rockwood

Partners: Cheryl Lenzer, Wayne Dial, Dustin Dern, Amber Broadaway, Mike Doyle, Barbara Cameron, John Knoblock

Public: Heidi Westfall, John Cooper, Katherine Anderson, iPad, Chad Smith, Don Despain, Mark Brinton, Troy C., Ulrich Brunhart, Mark Callihan

SWEARING IN CEREMONY

Oaths of Office were given by the newly elected and re-elected council members.

“I do solemnly swear that my full name is Lisa Sorensen Brunhart. I swear to support, obey, and defend the Constitution of the United States and the Constitution of the State of Utah and perform the duties of my office as the town of Brighton council at large”.

“I do solemnly swear that my full name is Jeffery S. Bossard. I swear to support, obey, and defend the Constitution of the United States and the Constitution of the State of Utah and perform the duties of my office as the town of Brighton council at large”.

ANNOUNCEMENTS

None

PUBLIC INPUT

Heidi Westfall commented with information regarding the Canyons School District bus service. She spoke with Randy who is the head of risk management and transportation for the Canyons School District. Previously, there was a private transportation system servicing the canyon as a subcontractor and it was costing the school district about \$300,000 a year to provide private transport in the canyon. So, they've moved to the four-wheel drive school bus. It has seat belts, rear facing seats, and snow chains. The driver's name is Jackie, and she's provided the parents with her cell phone number. She's been with the district for over 20 years. There is a porta potty in a pop-up tent for the bus if they get stuck in traffic. There are also snacks and water on board, and they're looking at adding games. If the bus is out of commission for any reason, they have a brand-new Sienna four-wheel drive minivan that can service the route.

The challenge is that there are three stops in the canyon, and very limited places to pull over. UDOT will not put up a school bus sign if there's over 400 feet of visible sight lines where the bus stops. In talking with Randy, he is hopeful that the town and our representative from UPD will work with UDOT for an exception to place bus signs. Going downhill, they must cross traffic. The school bus can use their red flashing stoplights and there are enough parents to act as

crosswalk guards. The school district is willing to give us cones to put out as well. But signs are part of the greater education process that we are a community and that the traffic needs to follow the law which is to stop for school buses.

Dan will bring this up at the next road meeting where UPD and UDOT are present.

John Cooper commented regarding snow removal. He acknowledged the hard work and fantastic job that Dan does plowing for the community. He wanted to revisit the conversation and see a study performed to consider if it's worth the town managing residential snow removal. He noted that he pays more in taxes for 1,000 square feet in Brighton than for a 3,000 square foot home in the valley. There are only 3 plow tractors, and a bigger operation would allow roads to be cleared more timely. Also, Dan's services are on a handshake basis, and many people don't pay their portion of the bill. He thinks it's worth the town considering paving the roads in Pine Tree, because the streets seem to be less messy in Silver Fork where they're paved.

Polly McLean clarified that the town has a 0% tax rate, so all taxes paid by property owners go to Salt Lake County.

Chad Smith commented on the proposal to increase the building distance in wetlands from 50 feet to 100 feet. He noted there are two lots in their neighborhood that were purchased just within the last couple of years, that would be unbuildable with this change.

He thanked the council for considering having a mail parcel drop area at the old fire station.

Polly McLean noted that the setback item will go before the Planning Commission on Jan. 17th in a public hearing, and a comment can be submitted to them.

MINUTES

Jeff Bossard moved to approve the minutes for the Town Council Meeting on December 12th, 2023, and Carolyn Keigley seconded the motion. The minutes were approved unanimously.

UPD

Cheryl Lenzer provided a written and verbal report:

The last month of the year was a mild one for us, but it looks like winter has arrived now. There were 162 total calls for the Town of Brighton last month compared to the 538 calls in Dec. 2022. There were 14 Traffic Enforcement calls, 5 Traffic Accidents, 3 Camping in a Watershed, 3 Dogs in a Watershed, 5 Canyon Vehicle Assists, 1 Impound, 3 Citizen Assists, 1 Search and Rescue, 1 Non-Criminal Domestic, 1 Fraud at Brighton Resort and 10 Ski Thefts at Brighton Resort. Both Resorts had several Skier Collision calls. One of those had been featured in the news. We are seeking out the identity of the other skier involved that caused the injuries to the victim. We were not properly notified of that case and are working with the resort to resolve that issue.

There were 120 Parking Notices written last month as well as 34 traffic citations. We are starting to see an improvement in parking with the new reservation system, especially with the flow of traffic into the canyon in the morning. There is still the regular heavy flow (or red snake) of cars exiting when the resorts close. I hear it does get better after the Cardiff and the hawk system. We will see how that holds up in the coming weeks as the snowstorms start

coming in. I will add we are seeing a big problem with parking around Spruces. Over the past weekend several cars have been issued notices for parking along the bridge where it is clearly posted No Parking.

Detective Cheryl Lenzer C.O.P/Fraud/Property Crimes
Special Operations/Canyon Patrol and Rescue
Unified Police Department
Dispatch 801-840-4000

Mayor Knopp asked for the stats from a year ago because it seems like Kyle's numbers are way down. Cheryl didn't have the data for Dec. 2022, but thinks it's a similar number. She noted that there were 76 warnings written because the roadside parking was new. They only wrote about two weeks' worth of tickets. Dan is hopeful that we're changing behavior, resulting in fewer citations. Cheryl noted there's been an improvement in the flow of traffic into the canyon with the new reservation system.

UFA

Dusty Dern reported the final station under construction in Magna, 102, is now complete. The grand opening will be January 16th. The crew is in there and everything is working well. For the last several years, the medical division has hosted CPR training in Taylorsville, but they will start moving that to other locations. They'll be in the budget season over the next several months with final approval on June 18th. There were some recent retirements. Captain Joe Wilkin out of Herrmann retired after 28 years, and engineer John Van Ryan with 29 years of service retired from Magna. They promoted a new Director of Emergency Management in the EOC, Terra Buhen, and Chet Ellis was promoted to the Deputy Director of the EOC.

There was a cabin fire yesterday, which is horrible for the cabin owners, but nobody was hurt. Crews stayed safe and there was no damage to surrounding properties. It will be smoldering for the next several days or week, so crews will check on it daily. With winter here and residents in their homes more it tends to be the busiest time for structure fires due to heating equipment being improperly used or unattended. The safety message for the month is to make sure the smoke alarms and CO detectors work and change the batteries. Make sure you have an escape plan for your family to get out of the house and where to meet so everyone can be accounted for. This is the priority for crews, and it helps them to know when they arrive because it changes their plan and what they're able to do. Make sure homes are well marked with address signs. Maintain and clean chimneys and wood burning stoves.

Dan would like to have a report back when the cause is identified so that we can educate residents about possible causes and risks.

Last night there was a call at Solitude for 3 construction workers stuck on the roof of a condo. They'd been using a man lift, but then had to move it and it broke down. They were stuck for a couple of hours until a ladder truck was able to come up from Cottonwood Heights.

Last month's call volume had 58 incidents and 38 of those were traumatic injuries. These were at the resorts and back country.

SKI RESORTS

Solitude

Amber Broadway reported they're not as busy as they'd like to be which can be attributed to the snow conditions, but they are learning and it's starting to pick up. They've had challenges with their snowmaking system. Five pumps broke and there was a leak. They worked with the Forest Service and Public Utilities on this. She noted it was ground water, so it was brown, but it was not sewage. They're working on repairs to continue making snow for a base to allow for spring skiing. The new Eagle lift is awesome. The terrain has been rocky without being able to make snow, so it has made for sportier conditions. The New Year's celebrations had a great turnout, and Nordic Night was also huge. There will be another one in two weekends. Coming up is Martin Luther King weekend and there will be another firework show and torch light parade. Regarding skier collisions, it is safety month for the National Ski Areas Association. Resorts are trying to heighten the awareness for the rider responsibility code.

Brighton

Mike Doyle reported the season had a rocky start and they were down in visitation. The Christmas period was strong, and the second week of the break showed visitation was up in volume over last year. It gives them confidence that reservations won't hurt volume. Crest is awesome and runs great. Safety is a huge topic. They are doing speed enforcement nonstop in their daily logbooks. When kids don't have powder, they want to go fast. There may be a final inspection tomorrow of the building at Snake Creek. It's had a lot of architectural issues that don't comply, so they've been working with the MSD on these. They hope to have it open for the MLK holiday because they're expecting it to be a busy weekend with the storm coming in.

BUSINESS

a. MSD Update on Short-Term Rental Licenses. Recording- 31:32.

Curtis Woodward noted the challenging month on building inspections due to a lot of illness and being short staffed. He shared a presentation about business licenses. Currently, licenses expire one year after they are issued. The consideration is to change the expiration date so that all licenses expire on the same date in either April or May. It will help to schedule all the STR business license inspections in the off season. It is being considered that if a license is issued in January-April the license wouldn't expire until the following April/May. There will be further discussion with the fire department, building official, licensing and planning staff, and the IT department to solidify the details. The fire department had considered October for a renewal period, but it was decided that month is often too busy with people getting ready for winter. It was considered that on high snowpack years, April/May might still be difficult for inspections. However, notices will go out on the first of the month that they are set to expire, and there is a 30-day grace period afterward so people will have two months to get inspections done. It seems reasonable to have all inspections in by the end of June before the building inspectors get busy with the summer construction season. They can also be flexible to renew an application with an inspection pending within a couple of months afterward. The MSD will bring an ordinance to the Town Council for adoption with the proposed license expiration changes. The application process is switching from the software program Centricity back to CitiWorks. The hold up is getting the Express Bill Pay system to communicate with CitiWorks again so that fees don't have to be applied manually. Mayor Knopp expects the MSD to be understanding and reasonable with people since there have been so many changes and some confusion with the software programs.

b. Silver Lake Trail Update. Recording- 43:02.

John Knoblock is the chair of the nonprofit, Trails Utah, and he provided information on the topic. The Forest Service has been working with the contractors reconstructing the Silver Lake boardwalk with funding from the Great American Outdoors Act. They have a bit more work to do including adding another fishing pier down toward the southwest corner of the lake. Due to COVID and inflation costs, the Forest Service Trails Manager asked Trails Utah to help with redoing the natural surface section of the trail as well as reroute sections of the trail further from the lake to repair and protect the riparian area. Trails Utah agreed to obtain money and manage the contract for the restoration. Some of the wood retaining wall is failing and there are portions of the trail that hold puddles. Local rock will be sourced to replace the retaining wall. Gravel and road base will make up the finishing layer of trail. To access the areas, three property owners will need to give approval for crews to take equipment through. Construction will take place in June and July, weather dependent. The costs are high to import materials, as well as extensive engineering for drainage. The design plan expects it to last 50 years, and they are working with approximately \$500,000. The misaligned boundaries on the maps were noted as errors in historic survey records before modern laser measuring techniques. Mayor Knopp expressed the town's continued support for the project.

c. Update on Roadside Parking Management. Recording: 56:20.

Dan Knopp reported roadside reservation parking management is going very well, and he's heard good feedback from the public. He made a report to the CWC Stakeholders Council and Commissioners about the initial success. Kyle Morgan, the CSSO, has only been writing 2 to 3 tickets a day now, which indicates we're changing behavior. Dan has seen improvement in Saturday morning commutes to Brighton. There are no longer traffic queues with people fighting for parking spots. It may not be as smooth on stormy days, so we'll have to see how it goes. UDOT has committed to keeping shoulders pushed back to keep the roadside parking available. Solitude and Brighton are committed to keeping reservation parking, despite concerns that it has impacted visitation volume. That could also have been due to the lack of snow. It's a work in progress. UDOT has had to adjust signs and there is one section above the fire station where it's uncertain if it should be managed or no parking. People may find other workarounds to reservations such as charging for parking on private property, but that's been stopped. Jeff Bossard noted an issue that happens around 1pm when reservations end. Cars start queuing up below the roundabout and visitors said the parking attendants told them to park temporarily on the road until spots open. Mike Doyle clarified that staff have not been directing cars that way. Kyle will tell people to move on, and issue tickets if they park in No Parking zones. Carolyn Keigley estimated that Saturday was a good proving point for the efficacy because the resort lot was full and the lane of traffic was clear. Jeff complimented the resorts for trying this solution because it was unpopular when it was first implemented. Dan agreed that Amber highly encouraged the town's participation.

d. Package Pick Up at Old Fire Station. Recording- 1:01.53.

Dan Knopp explained that residents in Silver Lake Estates have been asking for a package pickup solution. He suggested putting a tough shed on the concrete pad at the Old Fire Station. It could have a locking pin pad for security that owners would have access to. The UPS driver is competent, but their roads are too challenging for home deliveries. The town would not be liable for things getting lost. It was considered to suggest to the Silver Lake Estates HOA to put out their own package box like the one used for packages in Silver Fork. It could be right inside the gate to their neighborhood, and other neighborhoods could do the same thing. Or a large box could be at the Old Fire Station for the

surrounding areas to use since the traffic situation around the loop has resolved. Dan determined this item should be continued to next month for possible action.

e. Appointments for Council Members. Recording- 1:06. 37.

It was determined that the following positions will be maintained because of the institutional knowledge each member brings to their role on the various boards; some of which are moving through big changes. Mayor Knopp Unified Fire Authority (UFA); Carolyn Keigley, Unified Police Department (UPD)/ Salt Lake Valley Law Enforcement Service Area (SLVLESA); Keith Zuspan, Greater Salt Lake Municipal Services District (MSD); Jeff Bossard, Mosquito Abatement.

It was decided that the newly elected official, Lise Brunhart, will take Jenna Malone's role in monitoring the town's social media output. It was agreed for Lise to take on Jenna's additional placements.

Keith Zuspan moved, and Carolyn Keigley seconded to appoint Lise Brunhart to the assignment of the Association of Municipal Councils. The motion passed unanimously.

Carolyn Keigley moved to appoint Lise Brunhart to attend the BCCA meetings and Jeff seconded. The motion passed unanimously.

Carolyn Keigley moved, and Jeff Bossard seconded to appoint Lise Brunhart to the Short-Term Rental Subcommittee. The motion passed unanimously.

Per the code requirement to change the appointment annually, Dan Knopp moved to appoint Keith Zuspan to the role of Mayor Pro Tempore, and Jeff Bossard seconded the motion. The motion passed unanimously.

PUBLIC INPUT

Chad Smith commented that he will communicate with his neighbors in Silver Lake Estates to see if they have rocks to contribute to the Silver Lake Trail improvement. He also thanked John Knoblock for his tireless efforts on the Silver Lake Trail and on behalf of the HOA, they are excited about the project.

Mark Callihan commented that Brandon Green also has a pile of rocks that may be available.

CHAT BOX COMMENTS

REPORTS

Mayor's Report

Dan Knopp reported on the return of the school bus. He's happy to have the kids back in the lodge while they wait for the bus's arrival. Previously, there was a bus for 20 years and the mornings in the lodge are some of his favorite memories with his kids. It's a great way to get to know the other kids and parents. He'd always thought it was safer to have the bus pull into the parking lot, and then cross back into the road rather than send the kids into the road to load the bus. Dan will get with Canyons School District and UDOT for signage to make all three stops safer.

Dan has been communicating with the Forest Service regarding parking at Spruces. There've been too many cars there, so they were able to get the southwest lot open. There is a large lot to the east, but the pavement isn't strong enough for plows to drive on it. At the road meeting this month, he will encourage UDOT to remove the No Parking signs on the roadside at Spruces. Overtime, they've disappeared, but have been replaced this year. There aren't solutions for the Cardiff area yet. It's not the highest priority for plowing and it is common for visitors to block in the gate to the point that residents can't get past.

Dan and Carolyn will meet with Rosie Rivera on Friday to discuss our plan. We've verbally agreed to stay with UPD. If we were to go with the Sheriff's office and Canyon Patrol, we wouldn't be in a service area, and they could charge us any amount.

This week was the CWC retreat. Carlos Braceras, the UDOT EIS director is working to resolve the lawsuit over the gondola. Phase one doesn't seem to be contentious because it involves more buses and parking solutions. The land at the gravel pit owned by Doug Shelby is nearly ready to be sold, but not until the lawsuit is settled. At the retreat, Dan presented the reservation parking program the town implemented. The Forest Service is pleased with the results. Dan will be following up with Bekee about our other projects including a trail from Cardiff to Brighton. The idea was originally from the Mountain Accord. One of the challenges will be purchasing private land that lies on the trail. It would be bike and scooter friendly and a great way to get recreation off the highway. A working group will be assembled to start planning.

Dan addressed the plow question from public input. It's something he's discussed with Polly McLean at length. The roads are not to code or any set standards. For the town to be responsible for plowing, they'd need to take ownership of the roads and some of them aren't prescriptive easements at this point. The bulk of the town's revenue comes from sales tax that the residents don't pay much of, so there isn't a dedicated revenue stream from the residents that could be applied to the roads. In speaking with the county surveyor, it would take years to get the right of ways perfected because you must have a legal description for every road. Bridges would be an additional challenge. The town owns Silver Fork Drive and the three bridges adjacent because they were put in by the county. All other bridges are privately owned, and the ones put in without permits last year have since flooded, causing other trouble.

Council Members' Reports

Keith Zuspan reported that the cash balance with Zion's bank is \$10,300. Since the last meeting, \$275,000 was moved to the PTIF account bringing that balance to \$3.379M. We earned \$15,700 in interest which comes out to 5.4% on an annualized basis. He noted that sales tax dollars go to the MSD to provide services. SB136 was legislation years ago that provides us revenues in addition to B&C road funds, amounting to \$648,000 through November. The money is managed by the MSD. Our MSD fund balance is \$278,000, which is money that is not dedicated. Dan noted we continue to remain under budget. Keith added that we usually budget \$475,000 for the MSD which was less than the current intake of \$648,000. The surplus goes into the fund balance that we can reallocate for other purposes. Roadside parking has not shown revenues yet, but parking violations in 2023 were a little over \$98,000 and can be reallocated from the MSD as needed.

Keith reported on the MSD. They've directed efforts toward sorting the business license program. Not affecting us, they've also been busy regarding HB 35 which move townships to municipalities.

Wasatch Front Waste and Recycling District (WFWRD) has had issues with trash pickup the last few weeks because of snow. He's been discussing solutions with Pam Roberts, and one option is to initiate collection three days a week in the winter to allow a fall back when days are missed for snow. Yesterday, there were two trucks to make collections. Per Dan's question, Polly will investigate whether the town can pick up the cost of waste and recycling.

Jeff Bossard reported that he attempted to attend the Mosquito Abatement meeting yesterday but had a teaching conflict for part of it. They gave an annual report, and he complimented their expertise. They treat mosquitos in the canyon much differently than in the valley. He is also on the Animal Services board, and they are meeting next week.

Lise Brunhart reported she went to the meeting with Dia Theodore. She has been working on training classes and has one left to complete.

Carolyn Keigley commented on the new trail idea. She and John Knoblock are both familiar with the Truckee trail system that takes you from downtown to the regional park. The road is too narrow and dangerous, but now kids can get to Truckee by trail, and people commute to work year-round on the trail. It works for bikes, strollers, and wheelchairs. There are garbage bins along the sides. It has brought the community together. It took years to put in place because of private land they had to go through.

She reported on UPD and SLVELSA. She's hoping we will see the costs for both options soon. While that is being figured out, the UPD structure is settled. In staying with UPD, our officers will be housed at the holiday precinct, and they will be our designated officers. This means that our officers won't be pulled away unless there is a major incident in Holiday or elsewhere. Carolyn learned that whether Brighton goes with UPD or the Sherriff's office, we can stay within a service district. If we go with the Sheriff's office, there will not be a voting seat on the board, although, we could be on an advisory committee. Carolyn's concern is for the stability of the officers, and she hopes for a good transition that allows them to choose where they want to work.

Emergency Management Report

Jane Martain reported that before the fire yesterday, it had been quiet in the canyon. The snow conditions may have kept visitation down. Jane shared a slideshow of images from the cabin fire. It was around 10 am. Dan went up with the plow about the time the fire truck was arriving. They got to the scene and had water. It was a one-story cabin on stilts. It had a lot of oxygen under the building which is why it burned down in 10 minutes. Flames could be seen at night from a distance. Yesterday around 2pm, Jane met with the firemen, Steve McIntosh (watermaster), Dave Carlson, and the homeowners. She reiterated the importance of having working smoke alarms, carbon monoxide alarms, visible house numbers, and proper use of fireplaces and other heating sources. It's also important to be able to identify propane tank

location. Finally, knowing where the nearest fire hydrant is and keeping it clear of snow is also important.

Dan received a call from Dusty Dern that the compactor bin is currently on fire, and the crew left the station to handle it.

BCCA Report

Barbara Cameron reported that Angus Robertson in Giles Flat called the fire department because of an incident that started while the oven was in cleaning mode. With so many STRs, it may be helpful to notify owners to prohibit using the cleaning mode.

BCCA discussed goals and events. They want a toilet at Willow Heights. People were excited about the Community Trail going back to the Scenic Byways plan in 2010. Upcoming, there's an avalanche safety class in January, ski waxing clinic in February, open mic nights in February and March at the Thirsty Squirrel. There will be a discussion with the Shoshone chief Darrin Perry about Native Americans in the Wasatch canyons. And, we'll have four wonderful art classes with Carolyn Keigley, geology classes, and Brighton cabins' historic tour in August.

PROPOSALS FOR FUTURE AGENDA ITEMS

- a. Title 19 Code Updates

ADJOURN

Carolyn Keigley moved to go into a closed executive session for discussion of pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property pursuant to Utah Code §52-4-205. Jeff Bossard seconded the motion.

Carolyn Keigley: Aye

Lise Brunhart: Aye

Jeff Bossard: Aye

Keith Zuspan: Aye

Jeff Bossard moved to close the closed session and Lise Brunhart seconded the motion. The closed session was closed unanimously.

Carolyn Keigley moved to close the open session and Lise Brunhart second the motion. The open session was closed unanimously at 9:15pm



Submitted by Kara John, Town Clerk