

August 12, 2014

The Regular Meeting of the
Brian Head Town Council
Town Hall - 56 North Highway 143,
Brian Head, UT 84719
TUESDAY, JULY 22, 2014 @ 1:00 PM

Roll Call.

- Members Present:** Mayor H.C. Deutschlander, Council Member Jim Ortler, Council Member Larry Freeberg, Council Member Clayton Calloway.
- Members Absent:** Council Member Reece Wilson.
- Staff Present:** Bret Howser, Nancy Leigh, Tom Stratton, Wendy Dowland

A. CALL TO ORDER

Mayor Deutschlander called the regular meeting of the Brian Head Town Council to order at 1:00 pm.

B. PLEDGE OF ALLEGIANCE

Mayor Deutschlander led the Council and others in the Pledge of Allegiance.

C. DISCLOSURES

There were no conflicts of interest with today’s agenda items. Mayor Deutschlander stated that the disclosure statements are on file at the Town Clerk’s office and are available for public inspection during normal business hours.

D. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items

Mayor Deutschlander inquired if staff will be installing posts/throw bags on the dock of Bristlecone Pond for emergencies. **Council directed staff** to install posts with throw bags on the dock of Bristlecone Pond for emergencies.

Council Member Freeberg

1. Congratulated staff on the installation of the new dock at Bristlecone Pond. Tom Stratton, Public Works Director, reported the dock will be removed during the winter months and staff will monitor the dock and weather to determine when to remove the dock and/or rope off if necessary.
2. Inquired if garbage cans will be installed around the picnic areas on the west side of Bristlecone Pond. Tom reported staff is aware of the need and will be addressing the issue.
3. A manhole located in the middle of the OHV trail that has been dug up. Tom reported the area was excavated to install a control panel to send water over the water wheel at the Bearflat pump house.

Tom Stratton, Public Works Director

1. Hydroseeding around the Bearflat pump house will take place in September. Tom inquired if Council would consider a change order for the hydroseeding since it would be with the existing contractor. Tom reported he would like to hydroseed in front of the Mall, Village Way and the south side of Steam Engine Drive towards hwy. 143 and will also hydroseed by Chair #1 where dirt was removed. Council Member Ortler commented he would like to see sod put down around the pond area and requested the Council to consider it.
2. Updated the Council on the status of Carter Enterprises, contractor for the Bearflat pump house.
3. Staff is preparing for a prequalified meeting for the placing of the casing in the Bearflat well. This item will be going to bid in the near future. Bret Howser, Town Manager, reported staff will present this agenda item at the next Council meeting.

Bret Howser, Town Manager

1. Krista OConnell has accepted the Marketing Coordinator position with Brian Head Resort. She has given the town her resignation.
2. Tom Stratton will be acting Town Manager on July 24-27th. Bret reported he will be out of town during these dates.

Beau Bryan, Cedar Breaks Lodge

1. Has joined the Branding Committee and will be working with the committee on moving forward with a plan of action on a conceptual idea for the slogan and logo for Council consideration.
2. On behalf of Cedar Breaks Lodge, he is requesting additional information regarding an issue with a storage container is located on Cedar Breaks Lodge’s property. Cedar Breaks Lodge has been requested to either remove the containers or comply with the Land Management Code. Bret reported staff will meet with him on this issue.



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E. AGENDA ITEMS:

- **REAL PROPERTY DISPOSAL ORDINANCE.** An ordinance for the disposal of the town’s real property.

Bret Howser, Town Manager, presented a revised draft ordinance for the disposal of the town’s real property (see attached). Bret explained this draft has been revised based on the comments from Council during the last Council meeting and requested Council adopt the proposed ordinance.

The Council held discussion on the following:

- Changes that were made to the draft: a) town property does not need to be listed with a real estate agency before it is available for purchase. b) The Town Manager will contact real estate agents to determine if an offer is reasonable before an appraisal is completed.
- Council Member Ortler reported there is a difference in the procedure for properties that are identified as “significant” in which those properties that are over five acres require a public hearing and Council action before it can be sold. Council Member Ortler inquired if the five acres is too large for “significant property” and if significant property should be a smaller piece of property.

Motion: Council Member Ortler moved to adopt Ordinance No. 14006, an Ordinance amending the disposal of real property owned by the Town of Brian Head, Title 2, Chapter 2 of the Brian Head Town Code. Council Member Calloway seconded the motion.

Action: **Motion carried 4-0-0, roll call vote (summary: Yes = 4 Vote: Motion carried by unanimous roll call vote).** **Yes:** Council Member Calloway, Council Member Freeberg, Council Member Ortler, Mayor Deutschlander. **Absent:** Council Member Wilson).

F. WORK SESSION OF THE TOWN COUNCIL

- **LAND MANAGEMENT CODE REVIEW**

Council Member Ortler commented he would like the Council to start reviewing Chapter 14, Sign Code, since there have been several items in the code that need to be reviewed. There have been situations in which businesses are violating the existing sign ordinance and the Council needs to determine if enforcement is the issue or if the code needs to be revised. Bret explained it is a struggle to balance the priorities of the town on whether the town wants to be business friendly and if the existing sign code is a good fit towards the town’s general goals.

Council Member Ortler requested the Public Safety Officers enforce the sign ordinance during the weekends and holidays when the code enforcement officer is not working.

Chapter 4 – Submittal Requirements

1. **9.4.2 – Table 2 #10: Building Permit – Final: REMOVE** check mark under “development agreement required”.
2. **Table 2 – Title Reports:** Staff verifies ownership of a property prior to issuance of a building permit by using the County’s website for property ownership.
3. **Table 3 - #20 Proposed Vegetation: DELETE #20,** same as #21- duplicate. Staff will reformat.
4. **Table 3 - #30 General Construction: CHANGE** “General” to “Preliminary.
5. **Table 3 - #31 Specific Construction: CHANGE** “Specific” to “Final”.
6. Staff will review the design standards for compaction and will present a report in writing regarding the Building Official’s change in requiring 95% compaction from the standard of 90% compaction for footings.
7. Staff will review the Design Review Standards sheet and bring to Council for approval.
8. **9.4.3.A.1- Submittals, Applications/Fees: 2nd Sentence: CHANGE TO READ** “All applications must include an accurate legal description of the property”.
9. **9.4.3.A.2 - 2nd Sentence: CHANGE TO READ:** “A Fee Schedule for each type of action can be found either online or available at the Town Hall”.
10. **9.4.3.A.3 – Multiple copies:** does not provide for electronic version. Staff will update and present to Council for approval.
11. **9.4.3.A.6 – “Town staff may modify the application...” INSERT** the word “form” after “application”.
12. **9.4.3.B. Title Report:** One submittal of a title report with the initial application. Title reports must be dated within 30 days prior to the submission to the town.
13. **Table 2.#6: REPLACE “D” with a “checkmark” from Table 2 since it is covering in 9.4.3.B.**
14. **Table 2 #5&6: ELMINATE** Check marks requiring a title report. Title reports will be submitted with a schematic plat.



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- 1 15. **9.4.3.F – Referral Packet: 2nd sentence: DELETE:** “The mailing list shall be certified by a professional engineer, attorney,
- 2 title company or similar qualified individual”. Will be consistent with Chapter 1.
- 3 16. **9.4.3.G.2: ADD** “sand” on the list of a-g.
- 4 17. **9.4.3.j.6 – Detailed landscape plan:** last sentence: **DELETE:** “and wildland urban interface code”.
- 5 18. **9.4.3.j.8.g – other information: DELETE:** “in the state and associated”.
- 6 19. **9.4.3.j.9.c – Final Plat – title report: CHANGE** “ninety (90)” to “thirty (30)” days.

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8 **Chapter 5 – Town General Plan**

9 Staff will review the references to state code for accuracy and update if necessary.

10 Council will begin with Chapter 6 – Zoning at the next work session on the Land Management Code.

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14 **G. ADJOURNMENT**

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16 **Motion:** Council Member Ortler moved to adjourn the regular meeting of the Brian Head Town Council for July 22, 2014.
17 Council Member Calloway seconded the motion.

18 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote:** Motion carried by unanimous roll call vote).**Yes:** Council
19 Member Calloway, Council Member Freeberg, Council Member Ortler, Mayor Deutschlander. **Absent:** Council
20 Member Wilson).

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22 The regular meeting of the Brian Head Town Council was adjourned at 3:45 for July 22, 2014.

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25 August 12, 2014

26 Date Approved

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32 Nancy Leigh, Town Clerk

