

## BRIGHTON TOWN COUNCIL MEETING MINUTES

Tuesday, April 8<sup>th</sup>, 2025, at 6:30 pm

\*Minutes were approved at the Brighton Town Council Meeting on May 13<sup>th</sup>, 2025

### ATTENDANCE

Dan Knopp (Mayor and meeting chair)

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

Staff: Polly McLean, Cameron Platt, Nate Rockwood, Jane Martain, Kara John

Partners: UPD- Justin Hoyle, UFA- Troy Prows, Mike Doyle, BCCA- Barbara Cameron, MSD- Tolin Hessel, Curtis Woodward, Solitude- Nick Sieckowski, Brighton Resort-

Public: Chad Smith, Don Despain, Ulrich Brunhart, Gwen Gushee, Morgan Sigafos, Wendy Smith, Kim's iPhone, Jennifer Brinton, Nichola's iPhone, Sydnie Walker, W., Kurt Slaughter, Jan Slaughter, Sarah Langridge, Tom Ward, Brent Ludlow, Daniel Schleuber

### ANNOUNCEMENTS

a. **Visioning Meeting** April 14<sup>th</sup>, 2025, from 11am-4pm.

b. **Election Dates:**

- **May 1** notice of municipal offices to be voted on in the municipal general election.
- **June 2-June 6** Municipal Candidate Declaration period
- **August 1** Last day to register to vote
- **August 12** Primary Election
- **November 4** Municipal General Election

### PUBLIC INPUT. RECORDING 1:01.

- 1) **Ulrich Brunhart** commented on item 8d, amending the code to require water and sewer company approval of the floor plan. He thanked Polly, Curtis, and the staff who worked on this in time for tonight. As a planning commission member, he and Tom Ward advocated for this code addition. It will strengthen the ability of the water companies to control development in their respective service areas. The objective is to prevent over subscription to water shares and prevent water shortages in the not-so-distant future. It will also help the Sewer District in their mission to provide reliable sanitary service to the canyon. Please vote yes on this amendment.
- 2) **Chad Smith** thanked the town council for the focus group last night. Although he was unable to attend, he loves that we are proactively looking for goals to set for the next three to five years. He loves that they solicit input from the community. He doesn't want feedback limited to the few people that were able to be there in person or speak up in a timely way. He'd still like to write something to submit. He commented on the agenda item for short term rental rules. He's a strong proponent of being precise and disallowing a few things but not trying to specifically enumerate all the things that are allowed. We'll never think of all the property rights and ways that people use their

property that the town has no interest in restricting. He worries that when we try to say this is what is allowed that we end up restricting rights unintentionally. For example, someone should never be able to have two short-term rentals in the same house at the same time. When we became a town, we were all hoping for less onerous rules and having the town be very precise in restricting the things that need to be restricted and not getting into people's business when it isn't needed.

**MINUTES. RECORDING: 5:32.**

Lise Brunhart moved to approve the minutes for the Town Council Meeting on March 11<sup>th</sup>, 2025, and Jeff Bossard seconded the motion. The minutes were approved unanimously. Jeff Bossard moved to approve the STR Subcommittee Minutes for March 18<sup>th</sup>, 2025, Carolyn Keigley seconded the motion. The minutes were approved unanimously.

**UPD- Dispatch 801-840-4000. RECORDING: 6:40.**

Chief Hoyal reported on traffic stats for March. There were 181 calls. The top five categories were traffic, health and safety, larceny or thefts, public peace, and trespassing. In the valley, we're seeing a rise in copper thefts because the value of it is going up. He encouraged residents to call UPD for a property check if they're away from their property for a while with valuables that somebody could access. Regarding the precinct, they transferred Officer Tom Stavansa out because he wanted to work in the valley, and brought up Officer David Wilson. He started his first shift yesterday. He was a part of the canyon patrol previously and then worked in Emigration Canyon. It's exciting to have him, and he'll be a great asset to the community. On May 10<sup>th</sup>, there is the Vigor half marathon. It's first thing in the morning, and the canyon will be closed for about 15 minutes while everybody gets started on the run, but then we'll start shuttling cars one lane up and down the canyon while the race is happening.

**UFA. RECORDING 9:30.**

Troy Prows attended on behalf of Dusty Dern. He's been a captain in Brighton for about 6 years. He didn't have anything specific to report on, but he's available to report back to Chief Dern on anything needed after the meeting.

**SKI RESORTS**

**Solitude. RECORDING 10:27.**

Nick Sieckowski, director of lodging, filled in for Amber. He provided an update: Solitude is open for normal spring hours, which are 9am-4pm, Monday through Thursday, 9am-5pm, Friday through Sunday, and that's going to take place through Easter on April 20<sup>th</sup>. At that point, it will switch from 9am till 3pm through May 11<sup>th</sup>. Then, they're looking to open for two extra weekends after that, with limited lifts, Apex and Link. They'll close the winter season on May 26<sup>th</sup> and then reopen for summer season on June 12<sup>th</sup>. This spring, there is a Beach Bash, which is a concert every Saturday in April at Last Chance. The employee pond skim is on the 11<sup>th</sup>, and the actual pond skim is on the 12<sup>th</sup>. The Easter Bunny will show up on Easter. There is a mogul competition the weekend after that, and then a closing day party on May 11<sup>th</sup>, when daily operations end. Restaurants will mostly close after May 5<sup>th</sup> which is when the hotel closes. Stone Haus will be open for pizza 365 days a year and from 8am till 4pm in the shoulder season.

**Brighton. RECORDING 14:38.**

Kim Doyle reported they've closed normal operations for night skiing, but they're offering night skiing Friday and Saturday this coming weekend only. Normal operating hours will be 9am-4pm, and 9am-5pm on Sundays. There will be an Easter egg hunt at 8:30am on Easter morning. There will be breakfast at the Alpine Rose, \$12 for pancakes, bacon, and sausage, and drinks available additionally.

**BUSINESS**

**a. UFA budget. Presented by Chief Burchette.**

This item was added to the agenda by mistake.

**b. Engineering Standard Drawings and Specifications. Presented by Tamaran Woodland, MSD. For discussion. Pages 32-66. RECORDING 15:53.**

Tolin Hessel presented in place of Tamaran Woodland. It was explained that the Engineering Standards need to be presented to the Planning Commission before council approval. The PC will hear this in May, and the council may approve this in June.

Dan noted we don't need to include standards for curb, gutter, sidewalks, and streetlights since those don't exist in Brighton. There have been discussions about how to handle storm water retention basins. When people apply for building permits, they must get a variance to exclude those standards.

Tolin explained these were previously adopted by the county, but now that the engineering department is a part of the MSD, it's possible for each jurisdiction to adopt specific standards. This applies to public infrastructure and development projects. The MSD recommends adopting the industry standards. Exclusions will be made, but they were not reflected in this draft. Another exception could be made for small excavation projects such as road repairs or access needed to utilities. In these cases, a T-patch is used, and exceptions could be made for sections under 300 feet. Dan noted that most roads are private, so this will only apply to a few roads in town.

**c. OAM2025-001352 - Amendment to the Town of Brighton Land Use Ordinance, Chapter 19.46.070 General Site Standards, to include a standard on accumulation of junk on private property. For discussion and possible action. Pages 67-75. RECORDING 23:52.**

Curtis Woodward explained this section was deleted instead of moved when the Title 19 code was amended and reorganized. It will now be in the Site Standards section. The provisions are the same. The number of items to qualify it as a junkyard was removed in the drafting of the ordinance. The Planning Commission recommended adoption of the ordinance.

Lise Brunhart moved to approve Ordinance 2025-O-4-1 and Keith Zuspan seconded the motion. The motion passed unanimously.

Lise Brunhart: Aye

Keith Zuspan: Aye

Dan Knopp: Aye

Carolyn Keigley: Aye

Jeff Bossard: Aye

**d. An Ordinance Amending Sections 5.02.030, 5.19.030 And Chapter 15.04 To Require Water Company Approval of Floor Plans for All Business Licenses and Building Permits. For discussion and possible action. Pages 76-80. RECORDING 27:39.**

Curtis Woodward explained the Planning Commission has been working to update the IADU/STR codes. The amendments include water company approval on floor plans for all building permits on new construction, additions, long-term and short-term rentals, and business license applications. They've been working with Trent Sorensen, the Planning Director, through these changes because the state code is very specific about what constitutes a complete application as well as what a jurisdiction is allowed to do during a plan check review. There was a question whether the sewer district should also be providing approval. There are times when a building gets approved but then the owners learn where the connection is, and it may require an easement from a neighbor or installing a pump station. If the sewer company could be included in the plan review it would improve the planning process for the owner and simplify the building process.

Dan Knopp had concerns about the water companies reviewing plans since they aren't trained that way. He also doesn't want the process to become more onerous than it already is, and he doesn't want the water companies to require changes. It was confirmed the water companies will not be marking up plans. The intent is for the water companies to determine capacity before plans are approved. The water companies will be included in the initial application, so they are aware of what is coming, and to confirm that the property has water. They will also be included in the final approval since plans often change throughout the process. There are 16 water companies, and this way, it is up to the individual water company to provide a letter to the shareholder based on the unique threshold their system can handle. If needed, they will have the authority to limit the allowable buildings of their shareholders.

Carolyn Keigley moved to approve Ordinance 2025-O-4-2 Amending Sections 5.02.030, 5.19.030 And Chapter 15.04 To Require Water Company Approval of Floor Plans for All Business Licenses and Building Permits with amendments as described by Polly McLean to require a copy of the proposed floor plan that have been approved by the Sewer District, verifying access to the sewer. Jeff Bossard seconded the motion. The motion passed unanimously.

Carolyn Keigley: Aye

Jeff Bossard: Aye

Dan Knopp: Aye

Lise Brunhart: Aye

Keith Zuspan: Aye

**e. An Ordinance granting an electric utility franchise and general utility easement to Rocky Mountain Power. For discussion and possible action. Pages 81-87. RECORDING 44:16.**

Dan Knopp introduced Brad Knolls, and explained RMP are the only providers, and they've been great partners. They've invested a lot of money in our community over the last few years with

the project to bury the powerlines the entire way up the canyon. It's a fire safety effort to remove overhead lines, and they were willing to extend the burial to the secondary lines in the neighborhoods. Brad Knolls was grateful for the pleasure and honor to serve this community. Wildfire mitigation for the safety of the community is their number one priority. They wouldn't have had funds to do this 10 years ago, but he is glad to see them go underground in a beautiful area such as this. Discussions for a franchise agreement began 6 years ago. It was written for a 20-year term and there is enough capacity for growth for the amount left in the canyon including the potential changeover of high-speed chair lifts that the resorts may do in the future.

Keith Zuspan moved to authorize the mayor to sign the franchise agreement with Rocky Mountain Power. Lise Brunhart seconded the motion. The motion passed unanimously.

Keith Zuspan: Aye

Lise Brunhart: Aye

Dan Knopp: Aye

Carolyn Keigley: Aye

Jeff Bossard: Aye

**f. Resolution Finding Hazardous Environmental Conditions and Restriction of Fireworks Within All Portions of the Town of Brighton. For discussion and possible action. Pages 88-90. RECORDING 51:50.**

Cameron Platt explained this is an annual requirement that the legislature has for municipalities to restrict fireworks. It's the same resolution as last year. However, the legislature changed the terms on how they refer to fireworks, but that doesn't go in effect until May 7<sup>th</sup>. This will cover us for this year. Essentially, if the council finds that there are hazardous environmental conditions, meaning that there's a fire risk within two of the previous five years, we can restrict fireworks over the 4<sup>th</sup> of July and 24<sup>th</sup> of July. The other days that we can restrict are New Year's and Chinese New Year. Generally, fire risk is low in Brighton at that time of year, so we just refer to July 4<sup>th</sup>, and July 24<sup>th</sup>. This must be provided to the county by May 1<sup>st</sup>.

Jeff Bossard moved to approve Resolution 2025-R-4-1, Finding Hazardous Environmental Conditions and Restriction of Fireworks Within All Portions of the Town of Brighton, and Lise Brunhart seconded the motion. The motion passed unanimously.

Jeff Bossard: Aye

Carolyn Keigley: Aye

Lise Brunhart: Aye

Dan Knopp: Aye

Keith Zuspan: Aye

**g. Legislative Update. Presented by Cameron Platt. For discussion. RECORDING 53:49.**

Cameron Platt provided a spreadsheet of legislative changes in the packet. There were 962 bills drafted this year, and 582 passed. He highlighted some to review with the council.

- HB 20 amends the tax property code section to give some relief for property tax for people to defer or delay their taxes. It also gives an exemption for property tax for certain members of the armed forces.
- HB 48 requires that we pass the wildland urban interface within two years, and that we amend that when the state amends that. If we don't follow the guidelines under this one the state may not pay the shared costs that we have in the agreement with the state.
- HB 59 changed the terms and definitions referring to the types of fireworks.
- HB 64 requires that the council pass an ordinance designating levels of insurance coverage for crime coverage for elected and appointed officials. It's my understanding that we already have that level of coverage through the town's insurance, and so we just need an ordinance that sets that.
- HB 69 restricts government access to some voter information, such as whether a voter returns a ballot with postage.
- The flag display amendments are generally directed at schools, but also governments. It includes a list of approved flags, which are generally the US flag, state flags, college flags.
- HB 81 prohibits adding fluoride to any public water system, but they did allow pharmacists to prescribe fluoride without a doctor's prescription.
- The municipal election amendments prohibit us from passing an ordinance for dismissing a town manager or making it more difficult to appoint a town manager between municipal elections. The concern was that when a council member is not elected, they don't want the existing council members before the end of their term to be able to change who the town manager is until the newly elected council member comes in. It's not an issue for us, but it could be if the council chose to take that route.
- Traction control devices. HB, 196 allows UDOT to require additional traction control measures for predicted or existing weather conditions
- HB 198 deals with billboards: where they can be relocated, under what conditions. If they're not allowed or if the municipality refuses to allow them to be relocated, it requires compensation under a certain market valuation.
- HB 274, setting water rates. It requires municipalities with a public water system to take conservation into consideration when they are setting water rates. The intent here was that if you have a tiered water usage rate, you want the higher rates to be correspondingly more expensive to encourage conservation.
- The zoning amendments relate to STRs. A municipality can contact a listing entity and ask them to require a business license if the town requires a business license for short-term rentals.
- HB 285, public water systems must adopt the capital asset management plan.
- SB 95 requires a quorum of council members to be present at a public hearing for truth in taxation. Previously, we had to hold a hearing. We didn't necessarily have to have a quorum.
- SB 154 has to do with Legislative Audit and whether the request for information from the municipality is privileged.

- SB 165 requires voter approval for a revenue bond that funds municipal broadband infrastructure.
- SB 179, regulation of business, requires us to pass an ordinance indicating what we will use to evaluate a new unlisted business and what the time frame is for when we approve or deny that use.
- SB 215 emergency medical services. This grants municipalities the authority to ensure a minimum level of ambulance service and requires that the minimum level of service is met.
- SB 220, construction site storm water runoff controls. This applies to the Department of Environmental Quality, but it expands their ability to issue fines and update those fines. It clarifies when they can issue a stop work order and gives application timelines.
- SB, 277, Government Records Access Management Act. Before this statute, there was a records committee, and it was comprised of government officials, members of the media, private, members of the public. They heard appeals when a records request was denied by a government agency. The problem with that committee is that it was sometimes not staffed. They couldn't meet frequently, and they developed a very large backlog. This change established a government records office and a director of that office who will hear the appeal. It required that that director be a lawyer and that they have experience in government records, access requests and denials. That director will hear appeals. The intent is to reduce the backlog and become streamlined.
- SB 280 outlines when a municipality can offer retail facility incentives.
- SB 340 is a protective person amendment. This allows people to make security improvements to their home without submitting or gaining approval of the plan. It does require that the Department of Public Safety Director approve the security proposal, and they do still have to comply with building codes, fire codes, etc.

**h. STR Subcommittee Updates and STR Topics. Presented by Cameron Platt.**

Cameron Platt explained that the STR subcommittee recommended changing the language so that the caps will be recalculated as of May 1 of each year, depending on how many residential properties are built to completion.

The subcommittee recommended the Solitude Village should not be included in the water requirements on initial application.

The third recommendation is that the MSD issue a conditional license if the application is complete except for the inspection from SLCPU. We don't have a conditional license process in our code.

The final issue is whether a property owner can have a short-term rental license and a long-term rental license at the same time. Some owners expressed interest in renting out their home long-term in one season and short-term in another season of the same year.

The mayor and council agreed to bring these issues to the agenda for action next month.

**i. Appoint a hiring committee. For discussion and possible action. RECORDING 1:19:51.**

It was noted we've received a few applications for the position of Community Engagement Coordinator. Jeff Bossard moved to appoint Lise Brunhart, Carolyn Keigley and Barbara Cameron as the hiring committee. Keith Zuspan seconded the motion. The motion passed unanimously.

## **PUBLIC INPUT**

- 1) Wendy Smith commented on the STR/ IADU code amendments in progress. She thanked Polly and Curtis for their work on this because it seems to be moving in the right direction. Her concern is that the language didn't have a provision for a home with an IADU to be able to rent their entire property. A second kitchen automatically designates an IADU, and people must determine which unit to rent out short-term.

## **REPORTS**

### **Mayor's Report**

Dan Knopp reported there is a new nonprofit group working for a global approach to public transportation. Members include Ralph Becker, former SLC mayor, and Mike Allegra, former head of UTA. Dan recommended they come to a council meeting to present next month. Dan attended the Wasatch Front Regional Council meeting for the informational Wasatch Choice presentation. We need another presentation from UDOT on the development of the BCC EIS. They are engaging the ski areas, and the Forest Service is on board. There would be a transit hub at Solitude Entry 1 and the maintenance shop at Brighton. The Willow Heights trailhead is expected to move so it's across from Solitude Entry 1 so visitors can use bathrooms. The town has become a funding source for other entities, which Dan is in support of for prioritized projects. We will help the Forest Service repair the roof on the restrooms at Silver Lake and rebuild the parking lots at Spruces since they aren't strong enough for plows to drive over them.

### **Council Members' Reports**

**Keith Zuspan** reported we received revenue from resort community tax and STR tax which was \$307,648 for January's distribution. The balance from Interstate was \$8,981. Zion's bank account has \$14,205. At the end of March, the PTIF account was \$5.92M. We earned \$20,525 in interest in March, which equated to approximately 4.5% annualized return.

The MSD relocated. Their new phone numbers are on MSD.utah.gov. The new address is 860 Le Voy Avenue, Taylorsville. At the last MSD meeting, there was a presentation on cellphone data from Placer.AI. They don't give out personal information, but they track cell phone travel patterns. We can subscribe to the platform for information on where people come from to get into the canyon, how long they stay and where they stop. They also provide geofencing which could be used for emergency communications for everyone in the canyon.

WFWRD will return the bins to the Cardiff area when the weather permits. They are reprinting signs for the exterior and hoping to make the "recycle" signs larger. UPD was instructed to keep an eye out for people hauling large truck loads of waste up the canyon to dump in our residential dumpsters.

**Lise Brunhart** reported she attends the newsletter meeting with Barbara, Jane and Kara. She attended the UPD PIO meeting. They help us with social media promos that we can put on our social media outlets. She attends the BCCA meeting. She attended the STR subcommittee meeting and noted that complaints need to be reported to Granicus or the town to be tracked. 2 violations in 6 months can result in license suspension. She attended the Association of Municipal Councils, attended by GayLynn Bennion, Carolyn Moss, and presenter, Will Summercorn, a planning officer. He talked about land use bills that went through the legislature; 40 were introduced, and 25 bills passed. Pertaining to us, Senate Bill 195, transportation and traffic circulation, which gives UDOT oversight of local transportation planning. HB 355, gravel pit regulation, is a problem of air, noise and safety versus cheaper road building materials. HB 256 STR enforcement, we can now use advertisements as evidence of rental activity.

**Carolyn Keigley** presented a slide show demonstrating the differences between our two service districts, SLVLESA and UFSA. These acronyms are on our property tax notices. There are 12 entities that are UFSA members and 4 entities that have UFA services but are not part of the service district. Among the members are cities with large populations like Mill Creek and Midvale, mixed with very small cities and towns. The chart reflected entities that are part of SLVLESA and UFSA. SLVLESA has 7 members, opposed to UFSA 12, which notes the difference in economy of scale. The mill rate is the same in all districts despite population size. The money brought into a district is distributed by need, but the needs don't always equate to what is being paid. Overall, the two districts can't be compared because they are so different in the membership population and where the taxes are being collected

**Jeff Bossard** reported the mosquito abatement meeting will be next week. He encouraged anyone with STR questions to read the meeting minutes to understand what was discussed. He attended the Focus Group last night and thanked the 40 people who attended and gave input. The Neighborhood Nodes group will present their findings at the visioning meeting next week.

### **Emergency Management Report**

Nothing to report

### **BCCA Report**

Barbara Cameron thanked Brad Knolls with Rocky Mountain Power for donating \$1,000 to the Brighton Institute. It will go towards Brighton Days and the Wildflower Festival.

Some upcoming events are:

April 17, is a bike tune up and repair event at the fire station, sponsored by the Brighton Institute.

April 29, the Brighton Institute is sponsoring the art and essence of Chi Gong, which is a kind of Tai Chi exercise.

July 12 and 13<sup>th</sup> Brighton Days

July 28 chipper days. The chipper crew will be working for about two weeks in the community.

September 13, Revel marathon

**PROPOSALS FOR FUTURE AGENDA ITEMS**

- a. Proposed Fiscal Year 2026 Brighton Fee Schedule. For discussion and possible action.
- b. Explore possibilities of the town reimbursing the plow fee for homes on town roads.
- c. OAM2025-001354 amending Chapter 15.16 "Additional Technical Building Code", of Title 15 "Building and Construction", to include section 15.16.040, "Public Sanitary Sewer". For discussion and possible action.
- d. Special Events- possibly setting a limit on for profit events that require a road closure.
- e. Tentative Budget.
- f. Legislative amendments for speed limit designations and town road speed limits.

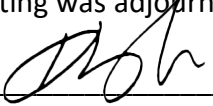
**CLOSED SESSION**

- a. Discussion of pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property pursuant to Utah Code §52-4-205.

None.

**ADJOURN**

Keith Zuspan moved to adjourn the meeting and Jeff Bossard seconded the motion. The meeting was adjourned unanimously.

  
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Submitted by Kara John, Town Clerk