



The Regular Meeting of the
**Brian Head Town Council Acting as the Governing Body for
Community Development Agency (RDA),
Special Service District, & Municipal Building Authority**
Brian Head Town Hall – Council Chambers
56 North Highway 143 – Brian Head, UT 84719
[www.Zoom.us \(Click Here\)](https://www.zoom.us/j/84855649072)
Via Zoom Meeting ID# 848 5564 9072
TUESDAY, MAY 27, 2025 @ 1:00 PM

MINUTES OF THE TOWN COUNCIL

Roll Call.

Members Present: Mayor Clayton Calloway, Council Member Kelly Marshall, Council Member Martin Tidwell, Council Member Mitch Ricks (1:08 via Zoom Meetings).

Members Absent: Council Member Larry Freeberg.

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Shane Williamson, Administration Service Director/Treasurer; Ciera Claridge, Deputy Clerk; Amanda Hunter, Code Enforcement; Chief Dan Benson, Public Safety Director; Jon Ficken, Public Works Director.

A. CALL TO ORDER

Mayor Calloway called the regular meeting of the Town Council acting as the governing body for the Redevelopment Agency, Special Service District, and Municipal Building Authority to order at 1:02 PM

B. PLEDGE OF ALLEGIANCE

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

C. DISCLOSURES

Mayor Calloway stated that the disclosures were on file and could be viewed during regular business hours with the Town Clerk. He asked if anyone had a potential conflict of interest with the day's agenda. No conflicts were disclosed.

D. APPROVAL OF THE MINUTES

May 13, Town Council Meeting Minutes.

This item was not addressed.

E. REPORTS / PUBLIC INPUT (Non-Agenda Items)

Nancy Leigh, Town Clerk

Nancy Leigh, Town Clerk, reported on the town's 50th anniversary events for July. Nancy mentioned that the fishing derby had started on Wednesday, May 20th with 50 tagged fish

associated with prizes. One large prize of \$500 in cash was available. Fifteen fish tags had been turned in over the past week, but the \$500 prize fish was still uncaught.

Mayor Calloway

Mayor Calloway reported on a successful turnout for the trail maintenance event that day.

Amanda Hunter, Code Enforcement

Amanda Hunter, Code Enforcement, provided a code enforcement update for the winter season (see attached report). Amanda reported that winter parking violations were up compared to the previous year, with 103 violations compared to 91 the year before. She attributed this increase to a lack of snow, allowing more use of roadsides for parking.

Amanda also noted an increase in violations for businesses operating without licenses, particularly short-term rentals. Amanda had begun issuing citations to 23 general commercial businesses that had not renewed their licenses.

In response to questions, Amanda clarified that out of 59 businesses operating without a license, 22 were not short-term rentals. These included handyman services and cleaning businesses.

Public Comments

Korry Trimmer, a property owner at 416 Kokopelli Loop, addressed the council regarding a proposed alternate water connection for his cabin. He explained that he had never had water at the cabin and understood the "leapfrog law." Trimmer had submitted plans through Go Civil Engineering following ordinances to extend the water line to the farthest corner of his property. However, he also submitted an alternate plan to connect directly to the existing water line at the closest corner of his property.

Trimmer stated he was not trying to avoid his obligation to advance the town's growth but was seeking to buy time. He expressed willingness to fulfill the obligation within a set timeframe, whether one or two years, but needed to get water to his property to continue the building process and manage his budget.

Mayor Calloway directed staff to continue working on the issue and bring a recommendation to the council. Bret Howser, Town Manager, noted that this was a policy matter and that staff would return with a recommendation.

F. AGENDA ITEMS

1. Public Hearing For The Fiscal Year 2026 Budgets (Town, RDA, SSD, And MBA)

Shane Williamson, Administration Service Director/Treasurer, provided an introduction to the public hearing for the fiscal year 2026 budget. Shane explained that the budget would run the financial operations of the town from July 1, 2025, to June 30, 2026. Williamson noted that the tentative budget had been adopted in a previous meeting on May 13th with no changes made since then.

Mayor Calloway opened the public hearing at 1:11 PM. No comments were received from the public. The Mayor closed the public hearing at 1:12 PM.

2. Public Hearing For Public Officials' Compensation Increases

Shane Williamson, Administration Service Director/Treasurer, introduced the public hearing on compensation increases for executive municipal officers within the fiscal year 2026 budget. Shane explained that this was a new requirement from the legislature starting the previous year. Williamson defined municipal officers as those who are elected or statutory, including the town manager, chief administrative officer, city or town attorney, and department heads.

Williamson stated that the proposed fiscal year 2026 budget included a 7% increase for department heads.

Mayor Calloway opened the public hearing at 1:14 PM.

John Stark, property owner, speaking on behalf of the public, recommended that any merit increases on an annual basis be reviewed after a 180-day evaluation of all public service employees.

Mayor Calloway closed the public hearing at 1:15 PM.

3. Ranger Court Special Assessment Area Discussion

Shane Williamson, Administration Service Director/Treasurer, presented an update on the Ranger Court Special Assessment Area (SAA). Shane reported that an updated cost estimate had resulted in a coverage ratio of 2.87 to 1, which was below the state statute requirement of a minimum 3.3 to 1 coverage ratio. Additionally, as the area is in a fire protection zone B, it requires a 4 to 1 ratio.

Williamson outlined three options:

- Discontinue the SAA
- Consider allocating town funds to subsidize it to meet the coverage ratio requirement.
- Pause or recess the SAA, which would be similar to discontinuing it as it would require a new petition to be reconsidered.

Staff recommended discontinuing the SAA, with the option to reconsider if new economics becomes more favorable to meeting the ratio.

Council Member Ricks asked for clarification on the improvement estimate of \$752,000, which Williamson confirmed was based on current costs for work done on Snowshoe and other water infrastructure projects. Ricks also inquired about the timing of property assessments in relation to when gas and power were run down the street.

Council members discussed the challenges of getting competitive bids and the importance of understanding the current environment for planning purposes.

Mayor Calloway asked if anyone had issues with discontinuing the SAA process. No concerns were raised.

Consensus of the Council: The council agreed to follow the staff's recommendation to discontinue the SAA.

4. Nightly Rental Code Amendment

Nancy Leigh, Town Clerk, presented proposed changes to the Nightly Rental Code (see attached). The main points of discussion were:

- Occupancy calculation method: The proposed change was to use a bedroom-based calculation instead of square footage. This was intended to simplify the process for both staff and property owners.

- Definitions: Definitions for "bedroom" and "living space" were added based on IRS and IRC guidelines.
- Advertising requirements: The new legislation effective May 5th allows the town to require posting of business license numbers, occupancy limits, and parking information on rental listings.
- Occupancy limits: The proposed changes would allow for higher occupancy in some cases than the current fire code-based limits.

Mayor Calloway expressed concern about the occupancy calculation change, stating that it exceeded the state fire code in some cases and that the town lacked the ability to enforce occupancy inside private homes.

Council members discussed the pros and cons of the proposed changes, with some supporting the staff's recommendations for easier enforcement and others concerned about potential liability if allowing higher occupancy than fire code permits.

After discussion, Mayor Calloway called for a motion to adopt the ordinance with a modification to strike the bedroom-based occupancy calculation and retain the fire code square footage method.

Motion: Council Member Marshall moved to adopt Ordinance Number 25-004, amending the Business License Code, with the change of striking section 3-2a-2-1-3-e-2 (the bedroom-based occupancy calculation). Council Member Tidwell seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote:** Council Member Marshall, Council Member Tidwell, Council Member Freeberg, Council Member Ricks, Mayor Calloway. **Absent:** Council Member Freeberg).

5. Future Agenda Items

No specific future agenda items were discussed.

G. ADJOURNMENT

Motion: Council Member Marshall moved to adjourn the meeting. Council Member Tidwell seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote:** Council Member Marshall, Council Member Tidwell, Council Member Ricks, Mayor Calloway. **Absent:** Council Member Freeberg).

The regular meeting of the Brian Head Town Council acting as the governing body for the Redevelopment Agency, Special Service District and Municipal Building Authority was adjourned at 1:35PM on May 27, 2025.

June 10, 2025

Date Approved

Nancy Leigh, Town Clerk