



The Regular Meeting of the
Brian Head Town Council
Brian Head Town Hall – Council Chambers
56 North Highway 143 – Brian Head, UT 84719
[www.Zoom.us \(Click Here\)](https://www.zoom.us/j/83215369271)
Via Zoom Meeting ID# 832 1536 9271
WEDNESDAY, NOVEMBER 12, 2025 @ 1:00 PM

TOWN COUNCIL MINUTES

Roll Call.

Members Present: Mayor Clayton Calloway, Council Member Larry Freeberg, Council Member Duane Nyen, Council Member Mitch Ricks.

Members Absent: Council Member Tidwell.

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Chief Dan Benson, Public Safety Director; Jon Ficken, Public Works Director; Amanda Hunter, Code Enforcement; Greg Sant, Planning & Building Administrator.

A. CALL TO ORDER

Mayor Calloway called the regular meeting of the Town Council to order at 1:00 pm

B. PLEDGE ALLEGIANCE

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

C. DISCLOSURES

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

D. APPROVAL OF THE MINUTES:

October 28, 2025, Town Council Meeting Minutes

Mayor Calloway called for any changes or corrections to the October 28, 2025, minutes. There were no changes noted.

Motion: Council Member Nyen moved to approve the October 28, 2025, Town Council minutes. Council Member Freeberg seconded the motion.

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

E. REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS. Public input is limited to three (3) minutes on non-agenda items.

Nancy Leigh, Town Clerk, reported on the recent election and congratulated the three Council Members who were elected. She informed the Council that a special meeting would be held on Tuesday, November 18, 2025, at 1:00 pm to canvass the election results as required by state law. Nancy explained that canvassing involves officially accepting the

1 election results after allowing time for overseas ballots and certifying these results to the
2 Lieutenant Governor's office and County Clerk.
3

4 **Council Member Nyen** shared a report on the northern lights that were visible in Brian
5 Head the previous night. He described that the lights were visible starting around 9:00 pm,
6 with the red lights appearing first and green lights becoming visible around 10:00 pm. He
7 had gone to Aspen Meadows to get a clearer view and shared a photograph with the
8 Council.
9

10 **Bret Howser, Town Manager**

- 11 1. Provided a staffing update for the Public Works Department. He reported that the
12 department was currently experiencing significant staffing challenges, with the Public
13 Works Director having submitted his resignation and one crew lead position already
14 vacant. Additionally, the other crew lead, Nick Wallis, had just submitted his two-week
15 notice. Bret acknowledged there were underlying issues contributing to the turnover
16 and stated he was seeking to understand these issues. Despite these challenges, he
17 expressed confidence that the town could manage snow removal operations since most
18 staff members had plowing experience from previous years. He noted that the Town
19 had backup options from Parowan if needed for emergency situations.
- 20 2. Currently working an evaluation for the gravel roads in town. Bret reported that he will
21 need to research further on Snowshoe Road to ensure that snow removal can take place
22 to allow propane trucks to access the area.
- 23 3. The Town's annual holiday party is scheduled for November 14, 2025, from 7-9pm at
24 Top Shots in St. George.
- 25 4. There will be a first annual Holiday Lighting ceremony on November 26, 2025, at the
26 Town's pavilion. Hot chocolate and smores will be provided to the public along with a
27 visit from Santa Clause.
- 28 5. Bret also provided updates on several town projects:
 - 29 a) Streetlight Project: He reported that they were waiting for Rocky Mountain
30 Power to complete the final connections. The Town had received approval from
31 UDOT to hang banners on poles over the highway, and he was working on
32 getting a generic holiday season banner designed. Mayor Calloway inquired if
33 the America 250 celebration could be incorporated into the banners. Bret
34 reported he believes there is a holder for a flag.
 - 35 b) Water and sewer project: This project was essentially complete, with crews
36 currently reseeding disturbed areas before snowfall. Some road base work
37 remained to be completed. The Rue Jolley waterline project is now completed
38 which looped the water system from Forest Drive to Aoki Mitchi.

39
40 **Greg Sant, Building and Planning Administrator**

- 41 1. Reported on the Rocky Mountain Power substation project. Greg stated that the project
42 was moving forward because of its connection to a solar farm being built in the
43 Parowan Valley area. The substation wall is expected to be completed by year-end, with
44 the entire project scheduled for completion by August of next year. Bret explained that
45 Rocky Mountain Power is required to screen the area from any views of the right-of-
46 way to keep with the spirit of the Town's first impression and they have extended the
47 retaining wall on the north side into the trees to help clean up the corner around the
48 substation. The Town has offered funds from the Redevelopment Agency to assist with
49 the screening. Bret reported that a budget adjustment will be presented to the Council
50 in the near future.
- 51 2. Construction mitigation is in its first year and staff are taking time to inform interested
52 parties of the requirements for the right-of-way. Currently there are five contractors
53 who have submitted an application.

Council Member Nyen reported that the annual Volunteer Firefighters Association is hosting its annual Thanksgiving dinner on November 25, 2025, at 6:00 pm at the fire station.

Council Member Ricks inquired about the number of employees for public works, with three employees gone and if the department has a mitigation plan for snow removal. Bret reported that there are three employees who have recently left the Town's employment but there are sufficient resources to cover it. Snow removal may be scaled back from last year and there is sufficient staff to handle any waterline leaks.

F. AGENDA ITEMS

1. PUBLIC HEARINGS :

- a. **GENERAL PLAN USE MAP AMENDMENT.** Low Density Residential to Medium Density Residential

Greg Sant, Building & Planning Administrator, gave a brief introduction to the public hearing for the General Plan Land Use Map. Greg explained that the request is to change the area located on Ridge View Street from Low Density Residential to Medium Density Residential. Greg explained that the Standards for Review are the same for both a General Plan Land Use Map and Zone Amendment.

Greg reported that the Planning Commission held a public hearing and forwarded a recommendation of denial to the Council for the General Plan amendment citing additional traffic issues since a medium density residential allows up to eight units per acre and there are two acres that could allow up to 16 units.

Mayor Calloway recessed the regular meeting and opened the public hearing to receive comments on the proposed General Plan Land Use Map Amendment at 1:42 pm.

Carrie Dever, a broker at High Country Realty and planning commission member who had recused herself from the November 4th planning commission meeting due to prior business with the applicant, provided public comment. Carrie expressed concern that the Planning Commission's recommendation for denial did not adequately address the Standards For Review outlined in the packet. Carrie noted that only one standard might be of concern (traffic congestion) but argued that R1 zoning would still allow three driveways, whereas R2 might result in fewer access points if lots were combined. Carrie emphasized that the location would be well-suited for employee housing, which she described as desperately needed for continued commercial growth in Brian Head.

Mayor Calloway noted that written comments had been included in the Council packet, with one additional comment received the previous night (see attached comments).

Mayor Calloway closed the public hearing for the General Plan Land Use Map at 1:46 PM.

- b. **ZONE DISTRICT MAP AMENDMENT** Single-Family Residential to Medium Density Residential.

Greg Sant, Building & Planning Administrator, gave a brief introduction to the public hearing for a Zone Map Amendment. Greg explained that this item is related to the General Plan Land Use Map amendment in which the applicant is requesting a zone change from single-family residential to medium density residential for the area located at 160 Ridge View Street.

Mayor Calloway opened the public hearing to receive comments on the proposed zone amendment at 1:47 PM.

Carrie Dever indicated that her previous comments also applied to this public hearing for the zone amendment.

Applicant, Mr. Shakiar, spoke regarding his request. Mr. Shakiar explained that he had owned the properties since 2008 and had considered rezoning them around 2014, but medium-density zoning wasn't available at that time. Mr. Shakiar stated that R2 zoning would create appropriate transitional land use between R1 and R3 zones and could provide opportunities for more affordable housing for locals. He noted his understanding that the Planning Commission had recommended denial partly due to procedural concerns and partly due to the absence of a specific development plan. He argued that requiring a development plan at this stage was premature and placed an economic burden on property owners. Mr. Shakiar requested the Council consider both the General Plan and Zone Change as one item instead of two separate ones since there is a \$1,000 application fee for the zone amendment and a \$3,000 application fee for the General Plan amendment. This creates an economic burden, and it is required before the project can even begin.

There were no other comments. Mayor Calloway noted the written comments submitted for the zone amendment were included in the Council's packet (see attached).

Mayor Calloway closed the public hearing and reconvened the regular meeting of the Town Council at 1:51 PM.

2. GENERAL PLAN LAND USE MAP AMENDMENT. An ordinance amending the General Plan Land Use Map from Low-Density Residential to Medium Density Residential for lots 5, 6 & 7 of the Brookhill Subdivision located on Ridge View Street.

Greg Sant, Planning/Building Administrator, clarified that both the General Plan amendment and Zone District Map amendment were being considered simultaneously but required separate votes. He noted that the Planning Commission had recommended denial of both amendments, primarily due to concerns about increased traffic in the area.

Bret Howser explained that these zoning decisions were legislative in nature, meaning the Council wasn't bound by specific administrative standards and had discretion to make these decisions based on their judgment of what was best for the town.

Council members discussed several concerns about the proposed changes:

Council Member Ricks, who participated via Zoom but had to leave early, expressed hope that affordable housing would indeed be developed if the change was approved, though he acknowledged there was no guarantee of this outcome. Council Member Ricks was excused at 1:57 PM.

Council Member Nyen noted that while he understood the desire for employee housing, there were many existing parcels around town with higher-density zoning that remained undeveloped. Council Member Nyen questioned whether there was a demonstrated need for additional medium-density zoning when existing zone areas weren't being utilized.

Council Member Freeberg expressed significant concerns about traffic safety along Ridgeview Street, noting the street had dangerous curves that became icy in winter. Council Member Freeberg pointed out that the current R1 zoning would allow three residences with three driveways, while R2 zoning could potentially result in many more driveways backing onto a main collector road, creating safety hazards. Council Member Freeberg also questioned whether the proposal constituted "spot zoning" by changing just three lots in the middle of an R1 area.

Mayor Calloway highlighted several concerns based on the standards for review, including questions about demonstrated community need given the recent approval of other multi-family projects nearby. He noted traffic safety concerns and the possibility of creating an "island" of R2 zoning surrounded by R1. Greg clarified that the minimum lot size for R2 zoning was half an acre, which these lots met, and that the utilities serving the area could handle the increased density without overburdening public facilities.

Bret Howser noted that after reviewing the code, R2 zoning would require parking configurations that don't require backing onto public streets, with exceptions only possible if deemed safe by the public safety director.

Logan Cruz, incoming new council member, reported that he would need further information on the request but reported that he spoke with a few of the neighbors who were in favor of the proposed amendments.

After extensive discussion, the Council expressed interest in having all Council members present for this decision, as two members were absent and a new member would be joining in January.

Motion: Council Member Nyen moved to table the General Plan Land Use Amendment until the first meeting in January 2026 when the new Council Members will take their seat and vote on the issue. Council Member Freeberg seconded the motion.

Action: **Motion carried 3-0-0 (summary: Yes = 3 Vote: Yes: Council Member Nyen, Council Member Freeberg, Mayor Calloway. Absent: Council Member Ricks, Council Member Tidwell).**

3. LAND MANAGEMENT CODE, CHP. 6, ZONE DISTRICT MAP AMENDMENT FROM SINGLE-FAMILY RESIDENTIAL(R1) TO MEDIUM DENSITY RESIDENTIAL (R2) FOR LOTS 5, 6 & 7 OF THE BROOK HILL PHASE 2 SUBDIVISION . An ordinance amending the Land Management Code, Chapter 6, Zone District Map from Single-Family Residential to Medium Density Residential for lots 5, 6, & 7 of the Brookhill Subdivision located on Ridge View Street.

Based on the previous discussion, this item was also tabled.

Motion: Council Member Nyen moved to table the Zone District Map Amendment until the first meeting in January 2026 when the new Council Members will take their seat and vote on the issue. Council Member Freeberg seconded the motion.

Action: **Motion carried 3-0-0 (summary: Yes = 3 Vote: Yes: Council Member Nyen, Council Member Freeberg, Mayor Calloway. Absent: Council Member Ricks, Council Member Tidwell).**

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2 **4. FUTURE AGENDA ITEMS.** Discussion on potential items for future Council agendas.
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4 Bret Howser reminded the Council of the special meeting scheduled for the following
5 Tuesday to canvass the election. Bret also mentioned that this meeting would include a
6 request for right-of-way use on Gurr Well Road.
7

8 Nancy Leigh noted that the November 25th special meeting would include the protest
9 tally for the Brian Head Unit 3 Special Assessment Area, the Notice of Designation for the
10 Brian Head Unit 3 SAA and plans for a memorial park.
11

12 Bret Howser mentioned he had a design for a pocket park/amphitheater area that would
13 be presented at an upcoming meeting.
14

15 **G. CLOSED SESSION OF THE TOWN COUNCIL** A strategy session to discuss
16 pending or imminent litigation including water rights.
17

18 **Motion:** Council Member Nyen moved into closed session to discuss pending or
19 imminent litigation including water rights, Council Member Freeberg seconded
20 the motion.

21 **Action:** **Motion carried 3-0-0 (summary: Yes = 3 Vote: Yes:** Council Member Nyen,
22 Council Member Freeberg, Mayor Calloway. **Absent:** Council Member Ricks,
23 Council Member Tidwell).
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25 The Town Council entered closed session at 2:57 PM. The Council reconvened the regular
26 meeting at 3:16 pm.
27

28 **H. ADJOURNMENT**
29

30 **Motion:** Council Member Nyen moved to adjourn the regular meeting of the Town
31 Council. Council Member Freeberg seconded the motion.

32 **Action:** **Motion carried 3-0-0 (summary: Yes = 3 Vote: Yes:** Council Member Nyen,
33 Council Member Freeberg, Mayor Calloway. **Absent:** Council Member Ricks,
34 Council Member Tidwell).
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36 The regular meeting of the Brian Head Town Council was adjourned at 3:17 pm.
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Date Approved

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45 Nancy Leigh, Town Clerk
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