

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](#))
Via Zoom Meeting ID# 831 1257 3199

TUESDAY, JANUARY 13, 2026 @ 1:00 PM

MEETING MINUTES OF THE TOWN COUNCIL

Roll Call:

Members Present: Mayor Clayton Calloway, Council Member Larry Freeberg, Council Member Mitch Ricks, Council Member Logan Cruz

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Greg Sant, Building & Planning Administrator; Shane Williamson, Administration Dept. Head; Chief Dan Benson, Public Safety Director (via Zoom Meetings); Tom Gurr, Public Works; Ciera Claridge, Deputy Clerk; Amanda Hunter, Code Enforcement.

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:

December 09, 2025, Town Council Meeting

Motion: Council Member Freeberg moved to approve the December 9, 2025, Town Council minutes. Council Member Nyen seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Freeberg, Council Member Nyen, Council Member Ricks, Council Member Cruz, Mayor Calloway).**

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

Council Member Cruz expressed gratitude for the confidence placed in him to represent the town, stating he was excited to serve.

Council Member Freeberg expressed appreciation for the snow they had received.

Bret Howser, Town Manager,

1. Reminded the Council about the upcoming strategic planning retreat on January 27th and 28th from 9 AM to 4 PM at the public safety building. Bret requested any feedback on the tentative agenda. Bret reported that the Strategic Retreat binders will be delivered to the Council this Friday.
2. Announced the hiring of a new Public Works Director, Jared Tubbs, who starts on January 19th. Mr. Tubbs comes from Kaysville, Utah, with over 20 years of experience, particularly in water management but also with a background in streets.

Shane Williamson, Town Treasurer, provided an update on the annual audit, noting that while the regular annual audit was mostly complete, they were still working on the federal single audit portion due to federal money received for water and sewer projects. Shane anticipated presenting the audit at or shortly after the strategic retreat.

Tom Gurr, Public Works gave an update on the status of the garbage trucks. Tom explained that both trucks are currently being repaired. Staff will make arrangements to ensure that garbage is picked up if neither of the town's garbage trucks are ready by Thursday.

F. AGENDA ITEMS

1. **MAYOR'S INTRODUCTION FOR NEWLY ELECTED COUNCIL MEMBERS.** Mayor Calloway's introduction for the newly elected council members on the role of the Council.

Mayor Calloway provided an introduction for newly elected council members, emphasizing that the council's purpose is to conduct the people's business in an open manner. Mayor Calloway explained that Brian Head Town operates under a council-manager form of government where the council holds legislative powers and sets policies while the town manager handles daily administrative implementation.

Bret Howser, Town Manager, elaborated that their council-manager form of government is dictated by state statute rather than local ordinance, meaning the town manager position and its duties are defined by state law. He explained this form was grandfathered in as it is no longer available to cities under current state law, with only about 6-7 municipalities in Utah still operating under it.

Council Member Cruz asked about the powers the mayor can give and take away. Mayor Calloway clarified that in their form of government, the mayor has the same power as other council members with a vote and no extra powers, describing himself as primarily a "ceremonial head figure."

Mayor Calloway shared that when he first joined the council, meetings were contentious with name-calling. He has worked to cultivate a respectful environment and introduced the Code of Ethics and Personal Conduct document. Mayor Calloway directed attention to the town's core values displayed on the wall (collaboration with stakeholders, fiscal responsibility, quality of life, and excellent public service), which all focus on creating the "Brian Head experience."

Mayor Calloway provided guidance on meeting procedures, asking council members to:

- Be on time and prepared.

- Direct questions to staff before meetings to streamline discussions.
- Stay on topic during agenda items.
- Follow an orderly process when speaking.

Mayor Calloway noted that public comments are technically limited to three minutes, but he would allow more time when warranted. Mayor Calloway asked the Council to always consider whether decisions align with the town's core values.

2. ORDINANCE AMENDING THE GENERAL PLAN LAND MAP FOR AN AREA IN THE BROOK HILL PHASE 2 SUBDIVISION FROM LOW-DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL. An ordinance amending the General Plan Land Use Map for a designation of Medium Density Residential for three lots located in the Brookhill Subdivision located on Ridge View Street.

Greg Sant, Planning & Building Administrator, explained that the staff report is for both the General Plan amendment and zone change amendment. Greg presented a draft ordinance amending the General Plan Map (see attached).

Greg noted a recent discovery that in the Land Management Code, there was a discrepancy in the R-2 zone density – the purpose statement indicated 8 units per acre while the density section specified 4 units per acre. Greg explained that about two years ago, the Town Code was changed from 8 to 4 units per acre, but the purpose statement was not updated. The Planning Commission would be addressing this discrepancy at their next meeting. Greg also mentioned that one additional letter of opposition had been received from Dean Cavaletto, who lives near the property in question (see attached).

Mayor Calloway reviewed the standards for approval, expressing concerns about several criteria:

1. Disagreed that the application met a recognized need in the community.
2. Viewed it as "spot zoning."
3. Concerned about potential traffic impacts
4. Questioned whether the proposal was compatible with the character of the neighborhood.

Based on these concerns, Mayor Calloway recommended denying the request.

Council Member Freeberg agreed with the Mayor's assessment, particularly emphasizing safety concerns related to traffic at blind corners near the property.

Council Member Ricks noted that if there was a lack of R-2 zoned properties, there might be reason for further discussion, but he did not believe that was the case. He suggested that a development agreement for affordable housing could make the proposal more favorable.

Council Member Cruz reported having had a conversation with the applicant and agreed with the Mayor's concerns, particularly regarding spot zoning. While he saw the area as a potential transition zone from R-3 to R-1, he felt the application as presented could not pass.

Council Member Nyen expressed concern about preserving residential areas and the increased traffic that would result from the rezoning.

Shakir Gushgari, the applicant, addressed the Council, suggesting that the General Plan amendment should be considered first before the zoning change. He argued that his

proposal would create a logical transitional zone between R-3 and R-1 designations, rather than having them directly abut each other.

Greg clarified that under the General Plan, the property could already be zoned R-3 without requiring a General Plan amendment, as the General Plan allows flexibility at zone boundaries.

Bret Howser noted that whatever could be done under R-2 zoning could also be done under R-3, making the practical distinction somewhat unclear.

Council Member Cruz observed that the Town has very little R-2 zoning, with most being in Crystal Aire subdivision and suggested looking at the General Plan as a whole regarding transition zones.

After discussion about whether to have the Planning Commission review the concept of transition zones more broadly, Council Member Freeberg suggested denying the application but consider waiving fees if the applicant chooses to reapply after broader planning discussions.

Motion: Council Member Nyen moved to deny the request for the General Plan Map from low-density residential to medium-density residential in the Brookhill subdivision based on the Standards Of Review. Council Member Freeberg seconded the motion.

Action: Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Freeberg, Council Member Nyen, Council Member Ricks, Council Member Cruz, Mayor Calloway).

- 3. ORDINANCE AMENDING TITLE 9, LAND MANAGEMENT CODE, CHAPTER 6, ZONE DISTRICT MAP FOR A ZONE CHANGE OF LOTS 5, 6, & 7 IN THE BROOKHILL SUBDIVISION LOCATED ON RIDGE VIEW STREET.** An ordinance amending the Land Management Code, Chapter 6, Zone District Map, to change the zone designation from Single-Family Residential (R1) to Medium Density Residential (R2) for lots 5, 6, & 7 located in the Brook Hill Phase 2 Subdivision located on Ridge View Street.

Greg Sant, Planning & Building Administrator, presented a draft ordinance amending the Land Management Code, Zone District Map (see attached). Greg noted that this item had the same Standards Of Review as the General Plan and the same concerns applied.

Motion: Council Member Ricks moved to deny the request for a zone changes for the Brookhill Subdivision, for lots 5, 6, & 7 from R1 to R2. Council Member Ricks seconded the motion.

Action: Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Freeberg, Council Member Nyen, Council Member Ricks, Council Member Cruz, Mayor Calloway).

- 4. CITIZEN'S MISSING VOICE AD HOC COMMITTEE DISCUSSION.** A review of the Missing Voice Ad Hoc Committee's report presented on December 12, 2025.

Mayor Calloway thanked the committee members for their time and effort, acknowledging that while his original intent was for the committee to focus on policies

1 and ordinances, Mayor Calloway welcomed their broader insights, particularly regarding
2 administration and town operations.

3
4 Bret Howser, Town Manager, presented his response to the committee's report, outlining
5 several action points:

6 Policy discussions needed on:

- 7 • Proactive versus reactive code enforcement
- 8 • Whether to focus enforcement only on safety hazard issues
- 9 • Administrative improvements:
- 10 • De-escalation training for the code enforcement officer
- 11 • Improving transparency about code enforcement without publishing individual
- 12 complaints
- 13 • Revising code enforcement warning notices to have a less punitive tone
- 14 • Updating the code enforcement policy appeals process to include deadlines.
- 15 • Communication improvements:
- 16 • Creating a better system to track public inquiries using the existing "311" yellow
- 17 button on the website
- 18 • Conducting a "marketing campaign" for the yellow button to encourage its use
- 19 • Creating a link for people to sign up for project updates
- 20 • Investigating GPS technology for snowplows
- 21 • Reviewing the snow removal policy, particularly regarding berms in front of
- 22 driveways
- 23 • Implementing new business license software to address concerns about business
- 24 licensing

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26 Mayor Calloway acknowledged that the committee had opened his eyes to issues,
27 particularly around communication. Mayor Calloway suggested several ideas:

- 28 • Creating a summarized version of council meeting outcomes
- 29 • Possibly developing a resident-focused Facebook page
- 30 • Ensuring information provided is correct and staff are comfortable saying "I don't
- 31 know, but I'll find out."
- 32 • Improving follow-through on inquiries
- 33 • Better notification about construction and maintenance projects

34
35 Skyler Bennett, Ad Hoc Committee Spokesperson, suggested that training for the public
36 works crew on snow removal could help address berm issues, proposing a test in a small
37 area to determine costs and feasibility. Skyler also suggested the council consider hiring a
38 public relations position to ensure that communication between the citizens and town is
39 open and active.

40
41 Council Member Ricks requested access to raw survey data with comments to better
42 understand the feedback. Council Member Ricks also suggested looking at segmenting
43 business feedback between physical businesses and rental properties. He also mentioned
44 that a summary of the council meetings was the minutes that are available to the public on
45 several different platforms.

46
47 Council Member Nyen thanked the group for their work and looked forward to using the
48 information, while being mindful of fiscal considerations.

49
50 Council Member Cruz, who was part of the committee, explained that the questions were
51 designed to gather public input to inform council decisions, and had not submitted the

information to staff because he wanted the council members to see the raw data to form their own conclusions.

Skyler Bennett, spokesperson for the committee, expressed disappointment with aspects of the response, feeling that the council had focused on lower-priority issues from the report. Skyler stressed the need to address resident frustrations and use resources effectively.

Troy Benson, Ad Hoc Committee, noted progress had been made but emphasized the desire for more council direction and community involvement. Troy suggested the town could innovate with available resources to address communication needs.

Motion: Council Member Freeberg moved to accept the final report from the committee and to disband the committee. Council Member Nyen seconded the motion.

Action: Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Freeberg, Council Member Nyen, Council Member Ricks, Council Member Cruz, Mayor Calloway).

5. CONSIDERATION FOR ADOPTION OF A RESOLUTION APPOINTING A BOARD OF EQUALIZATION FOR THE TOWN OF BRIAN HEAD, UTAH SPECIAL TAX ASSESSMENT AREA 2024-02 (ELK DRIVE); SETTING THE DATES FOR THE BOARD OF EQUALIZATION TO HEAR AND CONSIDER OBJECTIONS AND CORRECTIONS TO ANY PROPOSED ASSESSMENTS; AUTHORIZING THE TOWN CLERK TO PUBLIC AND MAIL A NOTICE OF ASSESSMENT AND BOARD OF EQUALIZATION HEARING; AND REALTED MATTERS. A resolution appointing a Board of Equalization and Notice of Assessment for the Elk Drive Special Assessment Area (SAA).

Bret Howser, Town Manager, explained this was the next step in creating the Elk Drive and Brian Head Unit 3 Special Assessment Areas (SAAs) and presented a draft resolution (see attached). Bret explained that a Board of Equalization needs to be established to hear any appeals of assessments. The Board would meet for one hour on three consecutive days (February 11, 12, and 13, 2026, at 1 PM, 2 PM, and 3 PM respectively).

It was agreed that Mayor Calloway, Council Member Cruz, and Town Manager Howser would serve on the Board. The proposed assessment for the Elk Drive SAA would be \$22,375 per lot.

Motion: Council Member Ricks moved to adopt Resolution No. 25-563, appointing a Board of Equalization for the Elk Drive SAA with hearings to be held February 11, 12, and 13, 2026, at 1 PM, 2 PM, and 3 PM. Mayor Calloway, Council Member Cruz and Town Manager, Bret Howser will serve as the Board of Equalization. Council Member Nyen seconded the motion.

Action: Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Freeberg, Council Member Nyen, Council Member Ricks, Council Member Cruz, Mayor Calloway).

6. CONSIDERATION FOR ADOPTION OF A RESOLUTION APPOINTING A BOARD OF EQUALIZATION FOR THE BRIAN HEAD UNIT 3 ASSESSMENT AREA; SETTING THE DATES FOR THE BOARD OF EQUALIZATION TO HEAR AND CONSIDER OBJECTIONS AND CORRECTIONS TO ANY PROPOSED ASSESSMENTS; AUTHORIZING THE TOWN CLERK TO PUBLIC AND MAIL A NOTICE OF ASSESSMENT AND BOARD OF EQUALIZATION HEARING; AND REALTED

MATTERS. A resolution appointing a Board of Equalization and Notice of Assessment for the Brian Head Unit 3 Special Assessment Area (SAA).

Bret Howser, Town Manager, presented a draft resolution for the Brian Head Unit 3 Special Assessment Area (see attached). Bret noted that for the Brian Head Unit 3 SAA, the proposed assessment would be \$39,818 per lot. Bret reported that Mayor Calloway, Council Member Cruz, and himself will serve as the Board of Equalization for this SAA and will have the same times; February 11, 2026, 1:00 to 2:00PM; February 12, 2026, 2:00 to 3:00PM; and February 13, 2026, 3:00 to 4:00PM.

Motion: Council Member Nyen moved to adopt Resolution No. 26-564, appointing a Mayor Calloway, Council Member Cruz, and Town Manager Bret Howser as the Board of Equalization for the Brian Head Unit 3 SAA with hearings to be held February 11, 12, and 13, 2026, at 1 PM, 2 PM, and 3 PM. Council Member Ricks seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Freeberg, Council Member Nyen, Council Member Ricks, Council Member Cruz, Mayor Calloway).**

7. MAYOR PRO TEM RESOLUTION. Mayor Calloway. The Council will consider a resolution approving the Mayor Pro Tem.

Nancy Leigh, Town Clerk, presented a draft resolution for the Council's consideration for a Mayor Pro Tem (see attached). Nancy explained that former Council Member Tidwell no longer serves on the Council and the Council will need to decide on a new Mayor Pro Tem along with a Mayor Pro Tem backup in case the Mayor Pro Tem is unavailable.

Mayor Calloway recommended Council Member Nyen as Mayor Pro Tem and Council Member Freeberg as the backup for the Mayor Pro Tem.

Motion: Council Member Ricks moved to adopt resolution No. 26-565 appointing Council Member Nyen as Mayor Pro Tem and Council Member Freeberg as the backup Mayor Pro Tem. Council Member Nyen seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Freeberg, Council Member Nyen, Council Member Ricks, Council Member Cruz, Mayor Calloway).**

8. FUTURE AGENDA ITEMS. Discussion on potential items for future Council agendas.

The Council discussed the upcoming Strategic Retreat, which was the main future agenda item of note.

G. ADJOURNMENT

Motion: Council Member Ricks moved to adjourn the regular meeting of the Town Council. Council Member Nyen seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member Freeberg, Council Member Nyen, Council Member Ricks, Council Member Cruz, Mayor Calloway).**

1 The regular meeting of the Town Council was adjourned at 2:53PM on January 13, 2026.
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3

4 February 10, 2026

5 Date Approved

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8
9 Nancy Leigh, Town Clerk

