

# BRIGHTON TOWN COUNCIL MINUTES

REPRESENTATION ▪ COMMUNITY ▪ LEGACY

July 13<sup>th</sup>, 2021 ▪ 6:30 pm ▪ Electronic Meeting ▪ Presiding: Mayor Dan Knopp

## ATTENDANCE

Dan Knopp, Jeff Bossard, Carolyn Keigley, Jenna Malone, Keith Zuspan, Polly McLean, Barbara Cameron, Jane Martain, Nate Rockwood, Wayne Dial, Dusty Dern, Carole McCalla, Kara John, Kathy Anderson, Sgt. Ed Twohill, Mark Brinton, Don Despain, Chad Smith, Phil Lanouette, Mark Walton

## CALL TO ORDER AT 6:30 PM.

## ANNOUNCEMENTS

Kara John provided an update on elections. The general election is on November 2<sup>nd</sup>, 2021. We won't have primary elections. All voting will be done by mail in ballots to the county clerk. Residents can visit [vote.utah.gov](https://vote.utah.gov) to check their voter registration and update their address if necessary. That's also where to learn more about the candidates, although, candidate profiles have not been posted yet.

## PUBLIC INPUT

No public comment at this time.

## MINUTES

Minutes were approved as submitted for the Town Council Meeting for June 8<sup>th</sup>, 2021 and the Town Council Special Meeting Minutes for June 23<sup>rd</sup>, 2021.

## UPD

Lee Arnold provided the following written report:

On July 17<sup>th</sup> there will be a Sponsored (Utah Highway Patrol) motorcycle ride for Law Enforcement. There will be anywhere from 100 to 300 motorcycles going up canyon stopping at Brighton and then continuing up the Guard Road to Park City. This will occur at 0930 hours and leave Brighton by 1030 hours.

June and the First part of July was very busy for UPD. In the past 30 days we have had 16 Search and Rescues. Three of which were on the 3<sup>rd</sup> of July, and they came out just as the Parade was starting. Traffic has been tolerable and somewhat manageable. The parade day was the first time I have ever seen the Brighton Parking lot totally full, and vehicles lined on both sides of the road down to the Guard Road. It appeared that everyone had a great time with great food provided. I want to thank all of those involved for your expertise in the planning of this event.

This past week UPD investigated an assault on a woman and her child at or near Butler Fork. I want to set your minds at rest knowing that UPD did all we could to locate the suspect that night. We had officers on foot at Butler Fork and nearby trail heads and in vehicles looking for the suspect with the brief description she was able to give of the suspect. We take these kinds of calls very seriously and do all we can to apprehend the suspect. With that said sometimes we don't find them. This suspect is still at large, and this case is still under investigation, so may I suggest that you don't hike or run alone if possible. It may behoove you to carry some kind of spray not only for this kind of thing but also for wild animals. It certainly saved this woman and child. As I have said many times, if you see something or someone acting suspicious, please call.

I have spoken to UPD's Chief Legal Counsel Harry H Souvall about Brighton ORDINANCE #2021- O -06-01 he advised the following:

"In looking at the Utah Code, there is a provision regarding off highway vehicles that references spark arrestors on off highway motorcycles. I would recommend that we apply this to typical dirt bikes off paved roads, not motorcycles on paved roads, as those are likely governed by state law and are exempt from a required spark arrestor. Otherwise, you would be prohibiting motorcycles in the canyons."

UPD is going to follow this advice from our Chief Counsel. Please give me some more time to look deeper into this. For now, we are not enforcing the "Spark Arrestor" ordinance on motorcycles until we have all the facts and the liabilities that UPD would take on by enforcing it. It is not as simple as you may think. We are however enforcing this type of law on all off-road motorcycles. As you know this is a watershed area and therefore there are no off-road vehicles up here. Only at Mineral Fork can they ride them. UPD can and will not violate anyone's civil right to come up to the canyon. I do not believe the Town of Brighton is asking us to, we just don't have all the facts yet, but I am trying to get to the bottom of this.

There were several vehicle burglaries in the canyon some of which occurred at Cardiff parking lot. So, if you see anything that looks suspicious like male or females looking into vehicles please call dispatch at 801-743-7000. Many eyes and good neighbors make a safe and happy community. If you have concerns or questions, please email me at [rarnold@updsl.org](mailto:rarnold@updsl.org)

Thanks  
Lee

Polly McLean will speak with the UPD and UFA legal counsel to better explain the above-mentioned ordinance. She clarified that the spark arrestor is to prevent fire danger and it falls under the statewide fire ban. It does not prohibit motorcycles in general, it just prohibits aftermarket alterations to vehicles that removes the spark arrestor.

Sgt. Twohill reported that he is in attendance in Chief Dial's absence because of an unexpected event that came up this evening.

## **UFA**

Dusty Dern reported that the parade was a success, and the 1936 Mac was a highlight for the fire crew. They've been concentrating on Wildfire risk. If we don't get heavy rain, it won't help fuel mitigation; the light rain will only feed the quick burning brush. They will be around with extra resources for the 24<sup>th</sup> of July holiday celebrations. There is a new station being constructed in Midvale which will be a great upgrade. There is a new Public Information Officer, Aaron Lance, who was awarded the position. They've been busy with assisting in Search and Rescue calls. There have been several calls in the canyon for people out recreating. With this, they've maintained response mode where they bring an extra vehicle up from the valley to support the rescue. There was one complaint of illegal fireworks in the lower canyon over the 4<sup>th</sup> of July weekend, but it was out of town boundaries.

## **BUSINESS**

### **Resolution Updating Electronic Meeting Policy 2021-R-07-01**

Jenna Malone moved to approve the resolution. Jeff Bossard seconded the motion and it passed unanimously. After becoming more familiar with electronic meetings on Zoom and the ability to be hybrid due to COVID, it was determined that we should update the policy to maintain flexibility. We no longer need a quorum at the anchor location.

### **Electronic signs for the highway**

UPD has allowed us to post messages on their electronic message boards but have recommended that we have our own sign. It will be for town information and updates. It could be placed at the town boundary, but it's on a trailer so it can be parked anywhere. We would need to speak with UDOT to confirm that placement at the mouth

is ok. UPD can show us how to use the software remotely, which we'll have to make sure is included in the final bid. The mayor is waiting for bids to come in and will bring those to the next meeting for approval. Since they are so costly, possibly the MSD would pay for an electronic sign for the canyon, and we could pay for a second one to have information in two places.

#### **Authorization to the Mayor to Enter into an Interlocal agreement with Salt Lake County to accept the property known as the Old Fire Station**

Jeff Bossard moved to approve the authorization and Carolyn Keigley seconded it. Keith Zuspan, Jeff Bossard, Jenna Malone, Carolyn Keigley, and Dan Knopp voted in favor of the authorization. Salt Lake County is finally able to revert the land to Brighton where the old firestation was and the trash compactor is currently at the Brighton Loop. This agreement was initiated by the need to secure ownership of where the trash and recycling is kept. Otherwise, if another entity owned it, we would have a hard time finding a new location for the bins with there being so much private land. Polly McLean has reviewed the agreement and believes it looks sound.

#### **Authorization to the Mayor to Enter into an LEASE ASSIGNMENT AND ASSUMPTION AGREEMENT with Salt Lake County for the Nell lease**

Carolyn Keigley moved to authorize the assumption and Jeff Bossard seconded. Carolyn Keigley, Jenna Malone, Jeff Bossard, Keith Zuspan, and Dan Knopp voted in favor. There is an existing lease on the Old Fire Station land. It is with Paul Nell for a storage shed for snow removal equipment. The town will now assume the lease.

#### **Wasatch Front Waste and Recycling Invoice Requesting COVID Related Expenses**

The town spent all of our CARES act funding. For other townships, the county reverted those funds back to be used where appropriate. WFWR is asking for a contribution for managing extra expenses due to COVID. We have not yet received the American Rescue Plan Act funds, so it was recommended that this item be discussed again next month.

#### **Authorization to the Mayor to Enter into an Agreement with Dave Carlson for a Concrete Pad to Place Additional Mailboxes in Silver Fork in an amount not to exceed \$5,000**

Keith Zuspan made a motion for the authorization and Carolyn Keigley seconded that. Keith Zuspan, Jeff Bossard, Carolyn Keigley, Jenna Malone, and Dan Knopp voted in favor. Silver Fork has always been short on mailboxes. With an 8X10 concrete pad, we can place 8 container boxes back to back which will add 64 mailboxes and as many parcel boxes as will fit. The cost will likely be closer to \$1,500. The mailboxes will be relocated next to the dumpsters and will require two separate contractors: one for excavation, and one for the concrete pad. Eventually the boxes may be enclosed with a roof to shed snow behind the boxes.

#### **Ordinance amending requirements for short term business licenses to prohibit open flames on short term rental property. 2021-O-07-01**

Jeff Bossard moved to adopt the amended ordinance; Jenna Malone seconded it and it was voted for unanimously. To educate STR owners of this, it was suggested to include a notice with the business license application since that is a step many are still taking. Polly McLean has been working with the MSD on their application packet and part of that is an agreement signed by the owner acknowledging their understanding of regulations.

#### **PUBLIC INPUT**

Chad Smith clarified the "open flame" ordinance to know if gas powered grills on the deck are allowed for renters and owners. It was clarified that they are still permitted as well as pellet fed Traeger smokers.

#### **Written Input from Chat Box**

00:49:27        Chad Smith:     In yesterday's CWC meeting they kept saying that the two solutions currently proposed are apples to apples, as far as lack of summer service goes. That said, I have to think that the bus and road-widening solution will at least allow a scalable option for expanded summer service. The gondola option, on the other hand, will be all or nothing.

## **REPORTS**

### **Mayor's Report**

Dan Knopp reported on the Central Wasatch Commission (CWC) trails committee meeting. Ideally, their trails plan will coincide with our master plan.

There is a UDOT EIS open house for Little Cottonwood Canyon tonight. The comment period has been extended. They are not talking about an EIS for Big Cottonwood Canyon until the transportation solution is met in Little Cottonwood. In the CWC board meetings, everyone is working to come together as a commission to support a single transportation solution. The mayor asked for council input on this topic to take to the next Transportation Committee meeting on 7/21. The options have been narrowed down to the gondola or enhanced bus with substantial road widening. Both options will start at La Caille and will rely on parking there. Additional parking options will be at the mouth of BCC or 9400 South with a pedestrian underpass for safety. Neither mode will stop until they reach the ski resorts. The gondola is unable to stop, and it is thought buses would cause too much congestion if they stopped at trailheads. Neither option addresses summer transportation. To visit a trailhead, people will have to drive. Tolling will be apart of either mode to encourage public transportation. It was noted that if Little Cottonwood is tolled, so should Big Cottonwood. Otherwise, there will be too much overflow in BCC, which is already dealing with heavy traffic issues. During peak hours, a bus will arrive every 2 minutes. The road will be widened to 54 ft with two designated bus lanes. White Pine parking area will be partially absorbed. There is potential for a shuttle to this area. There will be 3,700 ft of avalanche sheds, which will likely keep the road open during heavy snow conditions, but there will still be traction issues. They will still be using diesel buses but with higher volume and frequency, it won't help environmental impact on air quality despite there being fewer cars on the road. UTA is hopeful for electric buses in 5 years. This option will amount to \$500M. It would be the more expandable option to meet growing needs. The gondola will be subsidized fares and as a novelty, it may encourage use. It is the preferred mode for the ski resorts, and they would participate in paying for it. The cheapest, cleanest solution would have been the train.

In reporting on UFA, Dan thanked them for their support of the parade this year as well as a thank you to Chief Peterson for driving the 1934 Mac.

He has a meeting with UDOT to put in two portable speed signs. One from each direction at the Hawk pedestrian light. He is also working with MSD and UDOT for a sign at each end of the town saying, "You're entering the Town of Brighton". Additionally, there will be "No Parking" signs on the north side of the road from the bever ponds to Brighton. Per Jeff Bossard's requested Dan will ask in next conversations with UDOT that the Brighton Loop be painted with stripes and arrows to keep people from going the wrong way.

He is working with the MSD to authorize a bond for trees at a residence as a building requirement. We would need an ordinance to no longer require a bond for trees which aren't necessary to be planted since we have such an overgrown, dense forest. This action will need to go through the planning commission because it is a change to land use, and, it will have to be taken out of FCOZ. They are working with the MSD to determine changes to the code. Changes require a public hearing and a 10 day notice which means it will be on the Planning Commission August agenda. It will then come before the council at the September meeting.

### **Council Members' Reports**

Jeff Bossard reported that the mosquito abatement meeting revealed the first case of West Nile Virus. As dryness continues, more cases are likely. We haven't had mosquito issues in Brighton this year, but deer flies have been abundant.

He has also been working with Jane on the Emergency Response notifications. They sent out a test, and immediately canceled it because it was scheduled to go out at midnight, but it went anyway. There are a few things to still be worked through on this.

Jenna Malone reported that her focus this last month was on the fire ban. She was in communication with UDOT about getting fire messaging out on signs while Carolyn worked with UPD to get messaging out on their signs. On the COVID front, all hospitalized patients had not previously received the vaccine. Utah is one of the states with lower vaccine rates and cases are on the rise. The mRNA doses from Pfizer and Moderna show it to be the safest and most effective vaccine ever created. She will continue social media posts about that, and chipper days coming up.

Carolyn Keigley reported that the Taylorsville exit from UPD became effective July 1<sup>st</sup>. They offered an incentive for retirement for that staff. It was a good parting compared to how it's gone in the past. UPD is creating their budget for Brighton. We will have a presentation on that in August. It is complex since officers' time is shared among the county and other towns. County funds help pay for public safety funds but it's a learning process for everyone involved since it previously hasn't been done this way. People will need to be educated that we are paying our fair share. Especially if you equate it to what we pay per resident, which is far higher than elsewhere.

Keith Zuspan reported that the MSD has been quiet this last month. The last meeting focused on sidewalks and storm drains. There will be administrative work to adjust the fiscal year budget to include upgrades and to fill holes. Even with the impact on business due to COVID, sales tax revenues have not gone down. The town budget shows that we are contributing to the MSD, unlike last year.

From WFWRD, there has been less dumping at Cardiff this year. This is in part due to a smaller containment area and the size specific molded lids. We may no longer be able to add an additional dumpster in Silver Fork, but perhaps we can increase pick up days.

### **Emergency Management Report**

Jane Martain reported on a new community member, her daughter's new son, Sage. They are living in the Brighton Circle. On June 15<sup>th</sup> was a tabletop training with the BCCA, community team leaders, team members, and council members. They identified some strength and weaknesses, and areas of opportunity. There is an Emergency Operations meeting on Thursday to discuss those findings and to test walkie talkies. She collected new contact information at the Brighton Parade booth. Jane has a master list of contacts that is routinely sent to Kara and Barbara. All data has been entered in the Emergency Response system, One Call, and has been tested. After posting information on the town website and newsletter, we have received more contacts. She has applied for a 2021 Emergency Management grant for \$5,000 but it requires emergency planners to go through a full training, so may not be awarded to us.

### **BCCA Report**

Barbara Cameron thanked everyone for the success at the Brighton parade. Upcoming is Brighton days at Solitude on July 23<sup>rd</sup> and at Brighton on July 24<sup>th</sup> with booths, original songs by Clive Romney followed by line dancing. Chipper days is starting July 26<sup>th</sup>. So far there are 29 properties signed up. There is a program for Homeowners to request an assessment of their property by Utah state foresters; and dependent on the assessment, they may qualify for crews to do fuels reduction work on their property. There is no cost to the property owner, and this is a

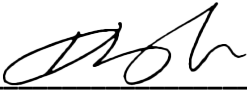
result of extra FEMA funding. SLCPU needs more time to study the Beaver Restoration project at Willow Lake, so it likely won't happen this year. The General Plan Kick Off is 7/22/21 from 6-8pm at the Brighton chapel. There is a zoom meeting for the UDOT EIS of LCC. Find it on UDOT's website, and comments are still welcome. The Rocky Mountain Power project of burying 7 miles of electrical lines is still in process as they do public outreach prior to the work. RMP donated \$1,000 for the Brighton days event.

#### **PROPOSALS FOR FUTURE AGENDA ITEMS**

- a. Wasatch Front Waste and Recycling Invoice Requesting COVID Related Expenses

#### **ADJOURN**

The meeting was adjourned at 7:58pm.



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Submitted by Kara John, Town Clerk