

# **BRIGHTON TOWN COUNCIL MEETING MINUTES**

Tuesday, March 8<sup>th</sup>, 2022 at 6:30 pm

\*Approved at the 4/12/22 Town Council Meeting

## **ATTENDANCE**

Dan Knopp, Carolyn Keigley, Jeff Bossard, Keith Zuspan, Jenna Malone, Polly McLean, Nate Rockwood, Cameron Platt, Kara John, Jane Martain, Barbara Cameron, Wayne Dial, Cheryl Lenzer, Dustin Dern, Melissa Anderson, Amber Broadaway, Renae Olsen, Scott VanBeuge, Tom Scott, Ch. Christensen

## **ANNOUNCEMENTS**

The next newsletter has a big list of upcoming events, so see that for more information.

## **PUBLIC INPUT**

None were made.

## **MINUTES**

Jeff Bossard moved to approve the minutes and Carolyn Keigley seconded the motion. The minutes were approved as submitted for the Town Council meeting on February 8<sup>th</sup>, 2022.

Keith Zuspan moved to approve the clarification in the minutes for the January 11<sup>th</sup>, 2022 meeting and Jeff Bossard seconded this. Corrections were made for the middle paragraph of the business item: "Making Rufus Road a One Way Road in the winter". The correction was approved as submitted.

## **UPD**

Chief Cheryl Lenzer reported that they ran the speed and traffic counter for the President's Day weekend as the weather cooperated. On 2/18/22- 10,332 cars; on 2/19/22 – 9,778 cars, on 2/20/22 – 8,345, and on 2/21/22- 6,716 cars. Not as busy as MLK weekend due to the Ikon black out days for some of the pass holders.

It was an average month as far as calls for UPD goes, there wasn't anything out of the ordinary to report. The majority of details were calls for service, which are non-emergency type calls. There were 372 calls for the month and 109 tickets written.

There will be a slight change in personnel in April as Officer Kent Lundberg, on the afternoon shift, will be transferred out to the Holladay Precinct. We should be able to replace him without any impact to our manpower. Another note, Sgt. Ed Twohill, who is the afternoon Sgt., will be out for about 6 months as he is having shoulder surgery this week.

I have already worked with the Motor Sergeant and will have 2 Motors to ride the route for the July 4<sup>th</sup> Parade. I might be able to ride it on one of our mountain bikes. I will make sure we have plenty of help for traffic control for the event and should have plenty of help for the Wildflower Festival.

Dan Knopp clarified that the car counts were in both directions, so it's closer 5,000 cars per day that weekend.

## **UFA**

Dusty Dern reported they are still working through the budget process for the next fiscal year. It will be presented to the board on April 15<sup>th</sup>, the full board will review on May 17<sup>th</sup>, and then the approval is scheduled for June 21<sup>st</sup>. Fire Chief Dan Peterson will be retiring after five years. There is a committee of board members to help with the review process for the three individuals testing for the position. There should be a final decision on the 15<sup>th</sup> with the change of command ceremony on April 2<sup>nd</sup>. The firefighter recruit camp is in their 5<sup>th</sup> week. They will graduate on May 19<sup>th</sup>. There were good gains in the legislative session in the areas of State Chiefs and Special Districts. The call volume was 63 calls last month which is higher than the previous year. Most were medical calls or traumatic injury at the resorts. There was a residential structure fire near the Brighton loop. Crews were able to respond quickly and put out the roof fire with minimal damage to the structure.

## **SKI RESORTS**

### **Brighton**

Randy Doyle reported that business has seen an ebb and flow depending on the amount of snow. They were incredibly busy last weekend.

### **Solitude**

Amber Broadway reported that they had a good turnout on President's weekend. The Ikon base blackout dates result in a 30% decrease in visitation. With the delayed snow, lodging is low for the spring. On March 13<sup>th</sup> they will move to 8am to 5pm lifts for the remaining Saturdays and Sundays in March. They will assess April hours as it gets closer. They are targeting May 1<sup>st</sup> for a closing date. Their Events webpage has upcoming things for locals like Nordic Nights on March 18<sup>th</sup>. The Nordic and Snowshoe Center has had a busy year. On March 20<sup>th</sup> Solitude is hosting the Ski Mountaineering Powder Keg, organized by Sarah Cookler and the Silverfork Skimo team. It'll be held in the Last Chance Lodge area and will be an Olympic sport in 2026. Amber is expecting a busy weekend with this new snow.

## **PUBLIC HEARINGS**

**OAM2022-000526 – An Ordinance amending the Brighton Land Use Code, Foothill Canyons Overlay Zone (FCOZ), Section 19.72.110, "Tree and Vegetation Protection." The proposed amendments will amend the tree replacement standards and clarify that maintenance of defensible space around existing buildings for fire safety as an allowed use.**

Jeff Bossard moved to adopt Ordinance 2022-O-3-1 and Carolyn Keigley seconded the motion. Jeff Bossard, Carolyn Keigley, Keith Zuspan, Jenna Malone and Dan Knopp voted in favor.

Melissa Anderson presented the proposed ordinance amendment to the FCOZ overlay area. The objectives are to maintain defensible space for fire safety without a permit within 30 feet of existing buildings. Additionally, this ordinance changes the replacement standard for tree removal. Rather than two new trees for every one removed, the proposal is to change the requirement to 10 seedlings for every tree removed. The public notice was sent out according to state law. Notice was mailed to affected entities as well as posted in three public locations and on the Utah Public Notice Website ten days prior to the hearing at the Planning Commission meeting. There were public comments received at the Planning Commission meeting. One was from the Utah Division of Forestry and another from the SLC Department of Public Utilities and the Health Department. After the meeting and Planning Commission recommendation, an additional comment was received from the US Forest Service for best land management practices. All comments are in the packet. At the hearing before the Planning Commission,

they considered all comments and made a recommendation to approve the ordinance with two amendments. One, to replace the requirement for bare root seedlings with container seedlings; and two, respect the 50 foot riparian setback for streams. Barbara Cameron finds it important to inform people through the newsletter that a permit is not needed for defensible space within 30 feet. She mentioned that it is important for the Planning Commission and the Town Council to know that UFA has standards for different treatment areas, and 30 feet does not cover all treatment areas.

**OAM2022-000527 - An Ordinance amending the Brighton Land Use Code, Sections 19.01.010, and 19.02.060. The proposed amendments will remove Section 19.01.010 and adopt Section 19.02.060 to address scrivener errors**

Keith Zuspan moved to approve Ordinance 2022-O-3-2 and Jeff Bossard seconded the motion. Keith Zuspan, Jeff Bossard, Carolyn Keigley, Jenna Malone, and Dan Knopp voted in favor.

Melissa Anderson presented the Ordinance with the two proposed changes to the code. In 2021 when Brighton obtained land use authority and this portion of the code was adopted, the Salt Lake County code was not removed, which it will be now. Secondly, the licensing requirements were inadvertently omitted. The public notice was sent out according to state law, although, no public comments were received. The Planning Commission's recommendation was to adopt the ordinance.

**BUSINESS**

**Holding Town Council Meetings in person**

UFA has given approval to hold in person meetings. We will maintain a hybrid option. There is not a capacity limit on COVID, but there is a fire code limit. Keith has rearranged the set up so that there can be a second camera pointing at the audience with a separate microphone and monitor so that we can accommodate everyone's needs and maintain the level of public participation. UFA has been doing in person meetings for 3 months and CWC has decided to move to in person next meeting. Carolyn Keigley made a motion to move into in person meetings and Jenna Malone seconded that. It was voted for unanimously.

**STR update on final licensing letters and enforcement**

Kara John presented that the MSD's counts on business licenses are 131 active STR business licenses; 6 are in the land use process; 1 waiting to appeal; and 1 due for renewal. Last month there were 8 properties in Granicus that the MSD had identified as not having started the licensing process. The MSD sent final letters and now there are 3 that appear to be actively renting that haven't started the process. The Granicus dashboard is not accurately reflecting properties that have a business license. They may have missed the update because it was requested along with a request to uniquely mark the addresses at Solitude since they continue to creep into the scan of addresses that we monitor.

Dan acknowledged the progress toward correcting behavior. Polly referenced the final warning letter and that with proper evidence, an illegal rental can now be cited. Cameron Platt added that we will issue a notice of violation. The owner can respond in a hearing before citation will occur and fines are assessed. It is set at \$675 per day so the risk of fines may help people comply. Evidence is the burden of the town to determine a code violation. Jenna mentioned that Granicus recommended reviews as burden of proof and something we can use to help.

**Legislative session update for bills impacting the town**

Dan Knopp explained that \$5M was awarded to the town for a transportation study. At this time, the funds cannot be located. Dan will follow up with Gaylynn Bennion to see if she's been able to solve for

this. Jeff went to the legislative house website today and it shows that we are prioritized at number 53 for funds.

Polly McLean recommended waiting until next month to report on the other items to confirm what gets signed.

Jeff Bossard reported on HB 407 which made it through committee and house committee and didn't pass. The muffler bill didn't pass by only four votes.

## **PUBLIC INPUT**

### **CHAT BOX COMMENTS**

No comments were made.

## **REPORTS**

### **Mayor's Report**

Dan Knopp reported on CWC and whether or not to replace Ralph Becker as he retires, or, put the pressure on staff to fill his role. They're also deciding if they should maintain monthly meetings or switch to quarterly. Dan would rather meet monthly for involvement to be more effective. Ben McAdams group was hired to reevaluate the Mountain Accord. He was able to discuss it with all stakeholders, but there wasn't outreach to the ski areas. They made a recommendation and then redlined it after public comments were received and they've reopened the comment period.

The UFA update is that Chief Peterson is retiring. There is a meet and greet tomorrow night with the three candidates pursuing the chief's job. Dan thinks he's the best and he will be hard to replace. There will be a learning curve for the person taking this on, but they have a good board to help them succeed. Salt Lake City Public Utilities has an advisory committee and they've asked Dan to join. He will serve for the eight meetings they have this year.

Dan has arranged a monthly meeting with Bekee Hotzee from the US Forest Service. They spoke about bathrooms and improving the collection source for water. Dan proposed a new transit center for Solitude near the Giles Flat entrance. It would keep buses out of parking lots and the structure could have lockers and restrooms and a bridge across the creek. It was John Knoblock's idea to move the trail for Willow Heights to that location since there is an existing forest road that comes out by Solitude entry one. It would give us offroad parking and bathrooms for this popular trail. It's next to the land donation from Utah Open Land.

Half of Silverlake boardwalk will be done this summer and half next summer. Everything is ready for the bridge at Cardiff so people don't walk up the road to access the trail.

Dan and Keith have a meeting with Kevin Smeltzer to certify B&C road areas. All three town owned roads will be paved down to the bridges nearest them.

It's important to be educated on UPD's funding process since they are looking at alternate sources of funding. Dan would rather a one line that says how much we pay for police.

Dan has been working with Cameron Platt on parking enforcement to mirror Milcreek for civil tickets. There has been great progress with Verizon district managers and engineers because they are interested in solutions in our area. They will upgrade equipment when the season warms up. They are looking at another cell tower in the Silver Fork area and new equipment at Scott's Peak. Dan will meet with them in

the next few weeks to do testing in the neighborhoods. He thanked Jane Martain and Jim Woodward for getting this started from a public safety standpoint.

The council authorized payment for the Planning Commissioners but we have not paid them so that is now set to go through. Dan has been very happy with their work.

On Friday, Dan is having a ski day with the mayor of Alta.

### **Council Members' Reports**

Carolyn Keigley reported the UPD 101 meeting will explain the financial model and encouraged the council members to attend. They will be explaining the complexities of their financial model. UPD provides the service, but they don't have a taxing authority. SLVLESA is the district created to be the taxing authority. The members of SLVLESA are paying for their service with property tax. The legislators have put a cap on the percentage of property tax that can be used for public safety funds and because of inflation, they won't have enough funds to cover UPD within the next few years. If we go with other funding sources, we'd be looking at either fees or a franchise tax to meet the budget needs. There will be a meeting to discuss these options and the state laws surrounding them. The board will follow up the meeting with a brainstorming session so they can then take the ideas back to their councils before taking a vote. Currently, we pay with our property tax and Salt Lake County also pays for public safety funds. Kennecott pays 40% of SLVLESA's budget but they wouldn't have to pay under a franchise tax since they are unincorporated. A transit tax option would hit hard at the ski resorts. State law doesn't allow both fees and property tax. Carolyn encouraged the council members to attend both meetings if possible.

She also encouraged community members to get involved in the Brighton Institute and help is always needed for the 4<sup>th</sup> of July parade.

Keith Zusapn reported that the MSD bond was funded and \$300,000 will go toward paving our roads. The meeting with Kevin Smeltzer will validate that work. They are still working on finding a director of Finance at the MSD. A topic for tomorrow's meeting is to consider suspending all capital projects for FY 2023. They want to make sure the right money is funding the right capitol projects.

Reporting on WFWRD: the County Council is meeting Thursday to separate them into a local service district. Any changes won't affect current customers including us. The compactor door is broken, but Keith was able to make a temporary fix. He tried to get help from Salt Lake Public Works, but the facility manager concluded it is our problem since it is our building. In the summer when the building is torn down, we will look at resurfacing the concrete to make it a nice even foundation with drainage.

Jeff Bossard didn't have anything new to report that wasn't already stated.

Jenna Malone appreciated Representative Bennion supporting HB407. Jenna made some social media re-posts of UDOT information regarding canyon closures. She posted about the resorts parking situation and reminded people about tonight's council meeting as well as a happy International Women's Day today.

### **Emergency Management Report**

Jane Martain thanked the residents that responded to her email so quickly regarding Verizon service. Within one day, she received comments from nearly 100 people that are affected by service issues. Jane and Kara volunteered at the Be Ready Utah Conference on February 25<sup>th</sup> at the Sandy Expo Center.

### **BCCA Report**

Barbara Cameron reported that last month the community council voted unanimously to support the County Council's efforts to prohibit mining in Forestry and Recreation zones.

The Engelmann Mountain School gave an encouraging report on their school year. One of the teachers, Emily Ford, won a national award for her ornithology curriculum.

At the Community Council meeting, they also heard from Eric Hutchings, Mayor Jennie Wilson's policy advisor for Google Fiber. Many communities may get ARPA funding to improve internet connections. UDOT has been cooperative in sharing their conduit for community fiber upgrades. There could be transmitters along the conduits for homes to receive internet signal without direct fiber. They won't be digging trenches directly to homes because they can bounce the signal around. It may be about \$22,000 for transmitter costs for the last mile gap. This month, an official from SenaWave will discuss their service which was originally installed at Solitude and is now at Brighton with excellent service. It will be installed in Forest Glenn this summer.

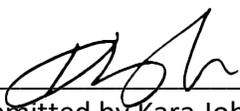
The SKIMO race is coming up on Saturday, March 19<sup>th</sup> near the Miley chalet from 8am to noon. Then the race moves to Solitude on Sunday, March 20<sup>th</sup> from 8am to 10am near Last Chance. There will be over 200 racers from all over the country and half of them are youth racers. This will be an Olympic sport in 2026 and Barbara imagined we may see some of our local youth participate in that.

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

- a. Ordinance for inactive land use applications within the MSD system. For discussion and possible action.
- b. Legislative update. For discussion.

### **ADJOURN**

Jeff moved to adjourn and Jenna Malone seconded it. The meeting was adjourned at 7:45pm.



Submitted by Kara John, Town Clerk