

The Regular Meeting of the
 Brian Head Town Council
 Acting as the Governing Body for the
 Brian Head Special Service District,
 Brian Head Redevelopment Agency, and
 Brian Head Municipal Building Authority
www.Zoom.us [\(Click Here\)](#)
 Via Zoom Meeting ID# 848 8186 2198
TUESDAY, MAY 24, 2022 @ 1:00 PM

Roll Call.

Members Present: Mayor Clayton Calloway, Council Member Kelly Marshall, Council Member Martin Tidwell, Council Member Dennis VanNostran.

Members Absent: Council Member Larry Freeberg.

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Shane Williamson, Town Treasurer; Chief Dan Benson, Public Safety Director; Becky Bennett, Town Planner.

A. CALL TO ORDER

Mayor Calloway called the regular meeting of the Brian Head Town Council to order at 1:00 pm for May 24, 2022.

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:**1. May 10, 2022, Town Council Meeting**

Motion: Council Member Marshall moved to table the May 10, 2022, Town Council minutes. Council Member VanNostran seconded the motion.

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

2. May 20, 2022, Town Council Special Meeting

Motion: Council Member Marshall moved to table the May 20, 2022, Town Council minutes. Council Member Tidwell seconded the motion.

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

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

Council Member Tidwell reported that the Church of Latter-Day Saints approached Gardner Plumb Development requesting a donation of property to build an LDS church in Brian Head. Flint Decker, (Gardner Plum) the mayor, and himself toured a site that they would donate to the church.

Bret Howser, Town Manager

1. The annual Town Cleanup is scheduled for May 25, 2022. Bret reported there will be a dutch oven potato cookoff which he is hoping will catch on. There will be another Town Cleanup event scheduled after Labor Day. Bret reported on a recent comment on the Town's Facebook page requesting the Town Cleanup event be held on a weekend instead of mid-week. Bret requested feedback from the Council on this request.
2. Will be on vacation starting Thursday, May 26, 2022, and will return to the office the following Wednesday. Chief Benson will be the acting Town Manager in his absence.

Chief Dan Benson, Public Safety Director

1. Mayor Calloway inquired if there will be a fire restriction for the Town. Chief Benson reported there have been some red flag fire restrictions posted since there is a little perception in the forecast leading up to the 4th of July holiday. Chief Benson explained unless there is significant moisture, then the chance of holding the annual fireworks display is slim.
2. Mayor Calloway inquired if the message board will be used to inform the public about the fireworks display. Chief Benson reported he plans to have the message board display the OHV laws as the message during the Memorial Day weekend.
3. Mayor Calloway inquired if the electronic speed signs located on Kodiak Drive in the Steam Engine Meadows Subdivision will be relocated to Vasels Road leading to the public safety building. Chief Benson responded they can relocate the speed sign and one option would be to work with UDOT to post it on Highway 143.
4. Mayor Calloway inquired if the car count data gathered by electronic speed sign located near Aspen Drive will be available for the Council to review after the Memorial Day holiday. Chief Benson reported the statistics will be in his June Department Update to the Council.

Aldo Biasi, Public Works Director

1. Updated the Council on several public works projects: a) the pipe materials for the three Special Assessment Areas (SAA) (Falcon Court, Trail Road, and Scenic Drive) arrived and the contractor is in the process of beginning the project.
2. The power for Highland Drive is underway. There have been some changes in the plan to accommodate the Aspen Meadows Southeast Subdivision coordinated some work with Perco Rock who is the contractor that is contracted by the Town to complete the SAAs.
3. While moving dirt to establish the right-of-way, crews hit the top of a fire hydrant that was buried in a landslide years ago.
4. The Town is planning to crush some of the materials for their road base to save on some of the Town's projects.
5. Trail Road has been center lined and staff is currently working with the property owners that the right-of-way changed their property. Aldo reported there will be a lot of material due to widening Trail Road.
6. The Bristlecone Park remodeled restroom project is nearing completion but may not be entirely open due to a delay in parts.
7. Brian Johnson has been hired for the full-time Parks and Recreation position and is scheduled to begin June 1, 2022. Aldo reported two applicants applied for the position.
8. Ethan Gurr was re-hired as the seasonal parks and recreation worker and will begin in his position soon.
9. Nick Wallis was hired for the full-time public works tech position. Nick previously held the part-time public works position. The Town is seeking interested individuals for the part-time public works tech position open and will remain open until filled.
10. Council Member Marshall commented that the roll-off dumpster has been located on Village Way, but she noticed that no signage has been identified for the dumpster. Aldo reported he



planned to use the electronic message board to inform the residents and public about the roll-off dumpster. Staff will be monitoring the dumpster and dump when needed.

Beck Bennett, Town Planner,

1. Received a lot of building permits but has only issued one permit within the last two weeks. Becky explained that homeowners and contractors cannot conform to the Town's requirements and in turn, received complaints that the Town is too stringent on the requirements. She now has created a checklist that is to be completed with each building permit application.
2. Becky explained if the Council receives complaints, it could be due to her requiring the property owners/contractors to follow the Town Code.
3. Council Member Tidwell inquired if there is a common thread of complaints. Becky responded it is typically the landscaping, elevation, and grading permits that require engineered grading plans since other cities do not require engineered grading plans.

Jim Ortler, Copper Chase Homeowners Association President, stated that CopperChases' HOA Board has expressed its concern about the recent change in the Town's Consolidated Fee Schedule as it relates to the penalties and fines associated with the dumpsters. Mr. Ortler explained the Town currently has two dumpsters located in the right-of-way adjacent to Copper Chase Condos, but the HOA has received citations for dumpster violations, and they were able to work it out. The HOA Board is concerned about those who are not residents of Copper Chase who dump their garbage in the dumpsters, and they receive a citation for another person's violation. He and the HOA Board would encourage the Council to reconsider the penalties/fines to see it changed or enforcement limited to those who violated the policy. Mr. Ortler stated that finding a dishwasher in the dumpster does not mean it was a Copper Chase homeowner and believes there could be confrontation if the Town tries to enforce it. He feels it is unfair and believes the Town should be working with the residents and property owners on instituting fines. Mr. Ortler commented that he has been asked by the HOA Board to approach the Council with the request.

F. AGENDA ITEMS:

1. PUBLIC HEARING FOR THE FISCAL YEAR 2023 BUDGET(S) A public hearing for the fiscal year 2023 budget(s) for the Town, RDA, SSD, and MBA.

Shane Williamson, Town Treasurer, reported the Council, acting as the governing body for the Town, Redevelopment Agency, Special Service District, and Municipal Building Authority will hold a public hearing for the fiscal year 2023 budget(s). Shane reported the Council approved the tentative FY2023 budget during their May 10, 2022 meeting and the public now has the opportunity to give their comments on the proposed budget(s) before the final budget is presented for adoption.

Shane reported there were some changes to the proposed budget since the tentative budget was first presented to the Council. The changes are as follows:

General Fund – 10

- a. GL# 10-3890, Fund Balance Appropriated (Surplus): will bring \$7,696 into the expense side to cover the following:
 - i. \$1,000 increase in expense line 10-4111.250: Council Supplies/Equipment for the electronic meeting upgrades.
 - ii. \$1,500 increase in expense line 10-4660.615: Marketing/Events: Entertainment: to cover the cost of the increase in fireworks for the 4th of July display.



Mayor Calloway stated once the public hearing is opened, the Council will not engage with the public and any questions that are raised during the public hearing portion will be answered after the hearing is closed.

Mayor Calloway recessed the regular meeting of the Town Council and opened the public hearing to receive comments on the proposed the fiscal year 2023 Town, RDA, SSD, and MBA Budget(s) at 1:22 pm.

No comments were received, and no written comments were submitted. Mayor Calloway closed the public hearing at 1:23 pm and reconvened the regular meeting of the Town Council.

The fiscal Year 2023 Budget Discussion: The Council discussed the following:

1. Mayor Calloway inquired as to the \$40,000 grant for the public safety department that was carried over for the past few years. Shane responded it is identified in the Asset Replacement Fund (47). Bret reported it was \$43,000 to replace the SCBA compressor and the department has been searching for a grant to help replace the compressor.
2. Chief Benson explained that they applied for a FEMA grant for the past three years, but due to the competitiveness of the grant, they have not been successful in obtaining the grant. Chief Benson then explained the current condition of the SCBA compressor which is 30 years old and will only pump up to 30 psi and the new pumps will hold up to 40 psi. This will extend 20 minutes of air for the firefighter, which can be a lifesaver.
3. The Council reviewed the public safety vehicle replacement fund, 47-4200.741. Bret explained that vehicles purchased are identified in the Asset Replacement Fund and for those vehicles that are on a guarantee buy-back program, the revenue is identified in the 47.3810 GL budget line. Shane explained there are two new vehicles identified in the Capital Project (46) fund due to the hire of two new officers.
4. Mayor Calloway inquired as to a budget item that was identified for improving the surface conditions around the dumpsters. The budget was to pave the area around the dumpsters so the residents would not have to step in mud when disposing of their garbage in the dumpster. Aldo reported this item was identified in the General Fund under the "road improvement" line 4410.420. Aldo reported that they were looking at an asphalt underlayment for Park-U-Pine Road and Apple Annies area where the garbage truck sinks into the mud when picking up the dumpsters. The Town will be working with the contractor for the Elevate Condo project to help with the paving around the dumpster areas.
5. Mayor Calloway inquired as to the dumpster site on Forest Drive. Aldo reported that the dumpster is to be relocated across Steam Engine Drive and a bump-out will be established.
6. Aldo reported an estimated budget amount for each dumpster site is approximately \$5,000. Bret reported it will be identified in the solid waste fund.
7. Mayor Calloway inquired if the staff has contacted the shuttle company to determine if there is an increase in their contract due to the increasing fuel costs. Bret reported staff will verify if there is a provision identified in the contract for an increased cap.

2. FY2022 FRAUD RISK ASSESSMENT. A discussion on the results from the FY2022 Fraud Risk Assessment as required by the State Auditor.

Shane Williamson, Town Treasurer, explained that the state instituted a mandatory assessment on municipalities to reduce the risk of fraud. Shane reported this will be the third year for this requirement and distributed the Fraud Risk Assessment list to the Council (see attached). Shane reported that last year, the Town scored 280, which is in the moderate range for risk, which he believes is a decent score with the limited staffing and the state's requirements for separation of duties.

Shane reported in reviewing the questionnaire, that the Town increased the score to 286 due to establishing a credit card policy and implementing it with the employees this year. He is currently



working on a Travel and Written Cash Receipting Policy this year that will improve the Town's score by ten points which will bring the Town's risk of fraud to a "low risk" category.

The Council discussed the following:

1. Shane reported once the travel and cash receipting policies are completed, he will begin to work on the larger items such as a fraud hotline and a shared internal auditing system.
2. Council Member Tidwell's inquired about a couple of items that have not been addressed. Shane responded that the travel policy and cash receipting policy are the two items that will be addressed this year.
3. Council Member Tidwell inquired as to the separation of duties and if other opportunities could be followed to help the Town increase its score. Shane responded that adding more duties would be difficult without hiring additional people since the majority of the duties are split between himself and the Town Clerk, which already has their plate full.
4. Council Member Tidwell inquired as other people reviewed bank reconciliations. Shane reported that Bret does review some of the financial items such as he signs the checks.

3. PUBLIC SAFETY BUILDING FURNISHING DISCUSSION. A discussion and direct staff on funding for furnishings for the expansion of the public safety building.

Bret Howser, Town Manager, reported that the public safety department is requesting \$23,000 for furniture for the expansion of the public safety building. Bret reported the blinds and cabinets have already been installed and the blinds were more than anticipated. Bret explained a budget adjustment can be made for the amount, but the staff has not yet done a public notice for the budget adjustment until the end of June. Bret reported he would like to discuss with the Council before a budget adjustment which would give staff a six-to-eight-week lead time on ordering the furniture for the building.

The Council discussed the following:

1. The blinds were \$4,628 and the cabinets cost \$11,000. Bret explained the 2021 surplus funds could pay for the blinds and still have some of the surplus remaining.
2. Mayor Calloway inquired if any other costs were needed to complete the project. Chief Benson explained the sectional couch was donated.
3. Chief Benson reported that the officers will be using their computer laptops for their monitors in their offices since the laptops move from their vehicles to their offices.

Bret reported staff will identify a budget adjustment for the furniture for the public safety building expansion project.

4. VEHICLE REPLACEMENT PROGRAM DISCUSSION. A discussion on the Town's vehicle replacement program.

Bret Howser, Town Manager, presented an Asset Management Balance spreadsheet (see attached) for the fiscal year 2022. Bret reported that \$260,000 was originally identified in the asset replacement fund for vehicles, computers, equipment, and buildings, and each year \$150,000 was contributed to the fund with the split of \$47,000 for vehicles, which were being replaced annually, but were later replaced every two to three years. The computers are scheduled to be replaced every three years and \$15,000 was identified annually for computer/electronic replacement. Equipment was identified for \$88,000 annually and nothing was identified for buildings.

The Council discussed the following:

1. In the fiscal year 2022, \$88,000 was identified for vehicle replacement, \$30,000 for computers, and \$137,000 for equipment, which showed a minus in the buildings.



2. Bret reported in reviewing the vehicle replacement schedule for public works including the 2008 Dodge utility truck along with the 2001 Ford flatbed is scheduled to be sold and replaced with a runner truck. The 2016 Ford truck will be moved to the parks and recreation truck. Bret explained this will keep the same number of vehicles.
3. The public works department can get a vehicle on state bid for \$41,000, with an additional \$1,200 to install the lights needed. This would give the Town a guaranteed buyback of \$39,500 after two years.
4. A total of six vehicles for the public works department with two vehicles for each crew (three crews)
5. Public safety vehicles: 2017 Chevy 3500 was scheduled for five years and to be moved as the rescue vehicle for the department. With the challenge of acquiring new vehicles, staff has identified ten vehicles, five (5) Ford's and five (5) Chevys for the state bid list.
6. The Town hired two new officers who are sharing vehicles and one option may be to purchase a vehicle at the retail price of \$55,000 with an additional \$5,000 to install the lights and other police equipment.
7. Bret recommended the Town purchase two vehicles at \$60,500 per vehicle and keep the vehicles for three years instead of two years. One of the two vehicles can be passed down instead of selling it back for an additional two years.
8. The administration department has three vehicles: Toyota Rave 4, Ford Explorer, and the Chevy Colorado for code enforcement. Bret recommended the Town identify \$15,000 every five years for the administration vehicles.
9. The Public Works Director would use either the public works runner truck or the administration Ford Explorer.
10. Council Member Tidwell inquired if it would be beneficial to the Town to own the vehicle rather than paying for mileage to an employee for using their vehicle? Bret responded it would be something to look at, but he believes it would be beneficial to own the vehicle vs. mileage reimbursement.
11. Mayor Calloway commented it would be reasonable for the Town to provide a vehicle for its employees since it would not be fair to ask employees to drive their vehicles for town business.
12. Bret explained with three new vehicles, two of the vehicles were budgeted for the police, and the additional expense could be identified with surplus funds. The third vehicle is a new public works vehicle. The budget identified \$84,000 and an additional \$92,000 would be needed to fund all three vehicles for the year.
13. Bret reported he does not believe that the vehicle replacement fund will require \$92,000 a year but would need an additional allotment of \$45,000 per year to bring the fund up to \$92,000.
14. Council Member Tidwell commented that the assumption on the budget is based on the current state of affairs and that it could continue for one year or multiple years.
15. Bret explained he is not requesting a decision from the Council regarding the \$92,000 but requesting a decision from the Council on whether to pay retail for the public safety and public works vehicles.
16. If the Council were to approve the purchase of the public safety vehicles at retail, the cost would be \$121,000 for two vehicles.
17. Mayor Calloway stated he believes the Town needs to maintain the asset replacement program and fund the additional \$92,000 for the vehicles.
18. Bret reported the public works department would need to find a 2022 surplus list and purchase a vehicle either in October or November.
19. There would be a \$60,000 budget adjustment for the fiscal year 2022 budget.

Consensus of the Council: Agree to purchase the two public safety vehicles at retail price.

20. Asset Replacement: Equipment: Bret reported the fund identifies \$137,000 for heavy equipment. Bret explained the funds can be used for equipment in the future (see attached list) which includes the 10-wheel dump truck, skid steer, sander, Kodiak blower,



and the side-by-side ATV, which total \$600,000 in equipment and \$137,000 currently saved for replacement.

21. Mayor Calloway inquired as to the funds that were to be set aside for a purchase of a snowcat in the FY2022 budget. Bret reported it was rolled forward into the FY2023 budget. Mayor Calloway suggested that the amount be increased since it is needed to access the remote well sites in the winter along with using it for rescue when needed.

22. Bret reported that \$20,000 was allocated towards the snowcat and recommended the Council include additional funds towards the purchase of a snowcat.

5. ORDINANCE AMENDING THE LAND MANAGEMENT CODE, CHAPTER 6 (ZONING), AND CHAPTER 7 (ZONE DISTRICT REGULATIONS) FOR A COMMERCIAL CORE OVERLAY DISTRICT. An ordinance amending the Land Management Code, Chapter 6, and Chapter 7, for a Commercial Core Overlay District and setback exceptions.

Bret Howser, Town Manager, presented a draft ordinance amending the Land Management Code (LMC), chapter 7 – Zone District Regulations, and chapter 6 – Zoning establishing a commercial core overlay district area (see attached). Bret reported the exhibit was for a bigger illustration and staff amended the language to add a sentence that would use evergreen trees and specify the spacing for tree foliage. An added provision for maintenance was also identified as well. Bret requested the Council adopts the code as presented.

The Council discussed the following:

1. Council Member Marshall commented that reducing the R-3 and GC zones from 40% to 25% landscaping is satisfactory.
2. Council Member Tidwell commented he is in support of the proposed amendments.

Motion: Council Member Tidwell moved to adopt ordinance No. 22-004, an ordinance amending Title 9, Land Management Code, chapters 6 (Zoning) and chapter 7 (Zone District Regulations), and establishing a commercial overlay zone as presented. Council Member VanNostran seconded the motion.

Council Member Kelly commented that in reviewing the Zone District Map, she inquired if the Council is comfortable where the Overlay Zones are identified and staying out of the Village Commercial Core zone.

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

6. STREETLIGHTS AND DARK SKIES FRIENDLY DISCUSSION. A discussion regarding the Dark Skies policy and Town streetlights.

Bret Howser, Town Manager, gave a brief background on the Dark Skies. Mayor Calloway explained he would like to discuss the benefit of the new Council Members since the Town Code was amended in 2019 which implemented some of the night sky-friendly language.

Mayor Calloway inquired he would like to know what the new Council Member's version of lighting in Brian Head and what purpose it serves, and if there is a need for more lights vs. fewer lights and to also give direction to staff to propose an amendment to the Town Code.

The Council discussed the following:

1. Mayor Calloway distributed a streetlight map showing the current streetlights throughout Brian Head (see attached). Mayor Calloway commented that some streetlights do not



- 1 make sense and those streetlights identified on the map with an "x" do not meet the Town
 2 Code by placement. Some of the lights are in the Trails at Navajo Subdivision, Pinetree
 3 Condos and some are the responsibility of the Homeowners Association and believe they
 4 need to be given some latitude in achieving the Dark Skies of what they want to achieve.
 5 2. Bret reported the Town Code was amended in 2019, in which streetlights were identified
 6 at the intersection on the highway and collector roads such as Hunter Ridge Road,
 7 Steam Engine Drive, and Ridge View Street along with any other areas the Public Safety
 8 Director deemed for safety.
 9 3. Streetlights were identified at the end of cul-de-sacs.
 10 4. Bret reported that in reviewing the minutes of the Council meeting, the minutes indicated
 11 that a committee would be established to make decisions, and it could be something the
 12 Council may still want to do.
 13 5. Council's Vision for Lighting in Brian Head:

14 Council Member Tidwell:

- 15 a. Council Member Tidwell reported on a field trip to Springdale, UT which is one of the
 16 few towns in the nations that are Dark Sky compliant. The lights had shields facing
 17 the light downward and there was a sense that it was very up-to-date with the lighting
 18 scheme. Council Member Tidwell stated he would like the Council to adopt some of
 19 the lighting practices from Springdale and more towards Dark Sky friendly
 20 compliance.
 21 b. Bret presented some options from Rocky Mountain Power on the types of lighting for
 22 the streetlights they would install (see attached).
 23 c. Council Member Tidwell commented he would like to amend the Code to give the
 24 Town more flexibility on the locations of streetlights.
 25 d. Council Member Tidwell commented on the subdivision plans for Aspen Meadows
 26 Southeast for lighting. The plans provide for lighting as per the Public Works
 27 Standards, but he believes that he would like to reduce the number of streetlights
 28 instead to bring the vision more in line with Springdale's lighting.
 29

30 Council Member VanNostran's vision for lighting:

- 31 a. Agreed with Council Member Tidwell's opinion about downward-facing shielded lights
 32 on walkways.
 33 b. Council Member VanNostran commented that there should be streetlights placed at
 34 strategic locations. When people are out walking at night, they would need some
 35 streetlights for safety reasons.
 36 c. Commented on the lights located at the Sawmill Condos which look nice and are
 37 staggered.
 38

39 Council Member Marshall's vision for lighting:

- 40 a. Commented on reading the Town Code showing E-1 at every intersection and
 41 collector road is overkill on the streetlights and believes the Code should be
 42 addressed.
 43 b. As development progresses, one reason to have the streetlights has to do with the
 44 sense of arrival and allowing the guests to navigate through Town to find a road for
 45 which they are searching.
 46 c. Would like to see Springdale's lights at night and believes establishing a committee
 47 would be beneficial to determining the best location for streetlights.
 48

49 Mayor Calloway:

- 50 a. Reported he spoke with Council Member Freeberg on this subject who had some
 51 concerns: Council Member Freeberg agrees with the minimizing the streetlights and
 52 suggested that Council consider low-level lighting at intersections, similar to the
 53 solar lights. Possibly two lights on each side that identifies a road sign or something
 54 at that intersection. The lights could be mounted on a four-foot (4') post.
 55



6. Mayor Calloway inquired what would be necessary for public safety issues. Council Member Tidwell responded that people depend on the mapping software to find their destination and not as much visually to find their location. Council Member VanNostran agreed with Council Member Tidwell
7. Council Member Tidwell explained that with minimal lighting, there could be people who have criminal intent, and the Town has seen occasional cabin break-ins. He would like to have Chief Benson's input on this topic.
8. Council Member Marshall commented that Highway 143 needs lighting, especially in the winter and snow conditions, but felt that the collector roads and pedestrian crossings would be a lower priority for lighting.
9. Council Member Marshall commented that people have their GPS, but she still sees people getting lost since there are different street names on the GPS vs. actual street names. She would like to see some type of sign that identifies the subdivision which would help people find their destinations.
10. Council Member Tidwell commented that he has a presentation on dark skies which also addresses the public safety side of it. It reports that dark skies are safe for the public as the lights are focused in a downward direction making it easier for people to see, due to glare issues. Adopting the dark skies practices is better for public safety and he would be willing to share his presentation on dark skies.
11. Mayor Calloway commented that if the Council moves in the direction of eliminating lighting, he feels the public would begin to put more lighting up. He has noticed there have been some cabins putting more lights up. Council Member Tidwell responded there was some history regarding a particular homeowner who ended up turning the lumen down, but his lights were on continuously. The Code Enforcement Officer reached out to the property owner, and he reported that some people feel there is a need for lighting.
12. Some examples of too much lighting: are Brian Head Village, Aspens Condos, and Evergreen Condos.
13. Mayor Calloway commented that Brian Head Village is a good example and if the code were to change to reduce the lighting, they could add lights to compensate.
14. Council Member Marshall explained that it is a challenge for the HOA's such as Brian Head Village and Evergreens but having some good examples for the HOA to point to and to disseminate the information sooner since the majority of HOA's hold their annual meeting in the summer. Getting information to the people is critical for enforcement purposes.
15. Mayor Calloway commented that he owns a business and to have it illuminated would make sense but believes there is a random scattering of lights throughout the town.
16. Council Member Tidwell commented there are two topics of discussion: 1) What is the Code. 2) What does the Town want to do.
17. Bret reported staff has been reducing the lighting on the town-owned buildings and reaching out to the condominium complexes to work with them individually. The Town has offered to pay some of the cost of changing the lighting with the Business Beautification grant. The streetlight retrofit will be the next big lighting project for the Town and if the Town can do all three items, then the Town could have the moral authority to talk to the homeowners to retrofit their lights.
18. Bret reported he will get samples from Rocky Mountain Power on the options for the streetlights to present to Council.
19. Shaun Kelly, a resident, explained he read an article that reported cities will be forced to change lighting nationwide and could be coming down to LED lighting. Shaun reminded the Council to use the right kind of lighting where it is needed. The committee needs to assess things such as how to identify the problems, educate and help provide solutions. And to work with the HOA's on the lighting.
20. Council Member Tidwell commented that he would not want anyone to build based on the current code and then be asked to retrofit their lighting. Bret responded it would only



1 apply to a subdivision and the staff can flip the language to state it will do no more than
 2 ... requirement to a maximum requirement.

3 21. Council Member Tidwell suggested changing the wording on E.1.i to take it to the next
 4 step.

5 22. Bret reported staff will come back in a future Council meeting, no more than two council
 6 meetings out. Council Member Tidwell suggested an amendment to the Town Code
 7 sooner than later since he would not want Aspen Meadows Subdivision to have to
 8 redesign its streetlights. Bret responded the code would not apply to the roads off of
 9 Highland Drive and Kodiak for the first phase of the subdivision and would be a minimum
 10 requirement and the Town would not require them and take on the expense of the
 11 streetlights.
 12

13 **Consensus of the Council:** A committee consisting of Council Member Tidwell, Chief Benson,
 14 and the Town Manager to review the lighting and make a recommendation to the Council.
 15

16 7. FUTURE AGENDA ITEMS. The Council will discuss potential items for future agendas. 17

18 **Capital Facilities Plan:**

19 Mayor Calloway commented that the Council received the CFP that was based on the past
 20 growth rate, and if the town acerates those rates, then the Town would need to do the
 21 improvements and acquire additional water faster. Mayor Calloway commented that in looking
 22 at the CFP from a different angle, there may not be enough water for those who have prepaid
 23 water connections and had more connections than the number of lots in the Trails at Navajo
 24 subdivision. Bret responded there is a way that Mr. Grissinger could apply them outside the
 25 Trails of Navajo subdivision.
 26

27
 28 Mayor Calloway commented that he believes the Town does not have enough water and the
 29 Council needs to take a different approach and review the issue of what the Town has and what
 30 the town will need for future growth. Bret explained the growth rate can be modified, but another
 31 factor that needs to be considered is snowmaking.
 32

33 Mayor Calloway commented he spoke with the Mayor from Ivins, and he would like to implement
 34 something for water conservation for new buildings that would be a recirculating pump for water.
 35 The mayor of Ivins reported it saved the city 10,000 gallons of water and is a simple and small
 36 water conservation plan. Bret reported there is an action step for a water conservation plan.
 37

38 **Dumpster locations:**

39 Mayor Calloway commented he would like the dumpsters located on the HOA's property instead
 40 of within the right-of-way. Council Member Marshall commented that if there was a witness to
 41 the dumpster violation, it would not be a violation cited to the HOA.
 42

43 Bret reported the change to the Consolidated Fee Schedule was made recently because staff
 44 would have to come back and pick up the dumpster again if it were blocked and believed at the
 45 time, it was the best option for the Town. The other option is for the Town to absorb the cost.
 46 Mayor Calloway suggested that staff not return to the dumpster unless the HOA states the
 47 dumpster is clear for pick up.
 48

49 G. ADJOURNMENT

50 **Motion:** Council Member Marshall moved to adjourn the regular meeting of the Town
 51 Council acting as the governing board of the Redevelopment Agency, Special
 52 Service District, and Municipal Building Authority for May 25, 2022. Council Member
 53 Tidwell seconded the motion.
 54
 55



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

The regular meeting of the Brian Head Town Council acting as the governing body for the Brian Head
Redevelopment Agency, Special Service District, and Municipal Building Authority was adjourned at 3:40 pm
for May 25, 2022.

June 28, 2022
Date Approved

Nancy Leigh, Town Clerk

