

# **BRIGHTON TOWN COUNCIL MEETING MINUTES**

Tuesday, June 14<sup>th</sup>, 2022 at 6:30 pm

## **ATTENDANCE**

Jeff Bossard (Mayor Pro Tempore and Meeting Chair), Carolyn Keigley, Keith Zuspan, Jenna Malone, Polly McLean, Nate Rockwood, Cameron Platt, Kara John, Jane Martain, Barbara Cameron, Wayne Dial, Cheryl Lenzer, Dustin Dern, Chad Smith, Mike Doyle, Amber Broadaway, Ben Kraja, Mark Brinton, Brian Reynolds

## **ANNOUNCEMENTS**

See the calendar on the town website for a list of events.

## **PUBLIC INPUT**

None

## **MINUTES**

Carolyn Keigley moved to approve the minutes and Jeff Bossard seconded the motion. The minutes were approved as submitted for the Town Council meeting on May 10<sup>th</sup>, 2022.

## **UPD**

Chief Cheryl Lenzer provided a written report:

“We have had a pretty normal month. There were 147 calls for Big Cottonwood Canyon, 72 in the Town of Brighton. The calls ranged from thefts, to traffic issues, to police assists. There has been an uptick seen in dogs in a watershed as the weather turns warmer and the trails open. Nothing very significant to report there.

We are still down in personnel numbers. We have an open allocation still waiting to fill. I understand once the valley precinct fills their allocations, we may fill our open one. Sgt. Twohill and Officer Todd are still out for their medical. I am going in for a minor surgery on the 17<sup>th</sup> to repair some tears in my meniscus. I have a two week check up on July 6<sup>th</sup>, and I hope to be cleared to work by then. I will make sure officers are available for the July 4<sup>th</sup> parade to shut down the traffic and for any other needs that day. Motors have already been scheduled to lead the parade.

The two half marathon races in May and just this past Saturday seemed to go very well for us. We did see larger numbers than before of vehicles travelling up canyon in the morning which made the escorts a challenge.”

Additional comments: the new dispatch number is 801-840-4000 for non-emergency calls.

## **UFA (reported after the first business item)**

Dusty Dern reported that the fire season has started in Arizona, New Mexico, and Southern Utah. We have engines and hand crews in these locations. As those resources return, they'll join the fuels crews on mitigation work. They will be ready for the town's festivities on July 4<sup>th</sup>. The new hires are out in the field and an additional eight will start at the end of the month. Call volumes are down from the ski

season, but they are getting some calls for search and rescue from hikers already. They'll be adopting the budget next week.

## **SKI RESORTS**

### **Solitude**

Amber Broadway thanked those that attended the Solitude Town Hall meeting. It was recorded and the video can be found on their YouTube channel. The link is on their blog.

The resort opens on Thursday for the summer season. The base area is out of the village. There are projects planned for improvements to allow the moonbeam area to be open as well. They will open moonbeam bathrooms seven days a week from 10-6pm with a sign on the highway to alert travelers. Stone Haus will be open daily. The Inn will be open Thursday-Sunday and St. Bernard's will be open for breakfast. Honeycomb Grill will be open Thursday through Sunday. Moonbeam lodge will have mountain bike lessons and rentals once they're able to open that area. Thursday night movie series will kick off at the end of June with BBQs and root beer floats. Sunday night music in the village will continue this summer. The 4<sup>th</sup> of July will be a disc golf tournament. They are participating in the Wild Flower Festival with the Town and Brighton Institute. The Homeowner's Summer Fest weekend is in August. They may add some last minute specialty events so look at the website for details. The village store is the only liquor store in the canyon and is open 6 days a week from 10am -6pm. This year, they've moved the minimum wage to \$17.25. New this summer are two 15 passenger vans to reduce cars in the canyon and to help with rising gas prices. There aren't as many weddings as last summer and they will adhere to the 10pm quiet hours. Amber welcomes noise complaints to be brought to her attention so that she can handle them quickly before issues escalate.

### **Brighton**

Mike Doyle reported they will continue with burning projects as needed around the Great Western area. They will notify the town, UPD, and UFA as well as post to their website on those days. The Sunday Flea Market began and will last through September. The first two had poor weather and low visitation but they usually pick up as the summer goes. They've temporarily moved the recycle bins away from the Brighton Sign to get them out of wedding photography. They'll be located by the winter heavy machinery or the power pole. The Milly bathrooms are open 24 hours a day. Snake Creek restaurant construction will begin this summer. The Brighton parade plans are set as well as Brighton Days. They have several weddings this summer and will adhere to 10 o'clock curfew.

## **PUBLIC HEARINGS**

Public Hearing and Resolution to adopt FY 2023 Budget & FY 2022 Adjusted Budget.

Jeff Bossard opened the public hearing. No public comments were made. The public hearing was closed. Nate Rockwood presented. The tentative budget was reviewed thoroughly and adopted last month with minimal changes made for the final budget. Sales tax from March were received and were in line with the tentative budget. The total sales tax rate is divided among the state, county, and town. The 1% Local Option Tax and Transit Tax go to the MSD to pay for the town's expenses. The 1.1% Resort Community Sales Tax and 1% Municipal TRT Tax go directly to the town for expenditures. The state code requires the budget to show: the actuals for the previous fiscal year of July 1<sup>st</sup> through June 30<sup>th</sup>; the estimated budget for the current year; the actual final budget; the current year original budget and adjusted budget; and next year's final budget. The only thing changing in the final budget is the MSD Interlocal

Revenue which is calculated based off requested expenditure budget. There was a \$10,000 expenditure increase to account for the cost of the Environmental Impact Plan, which is also reflected as a change in the budget requests. A wage increase will require looking back at the job description and completing an evaluation before changes are made as well as looking at the cost-of-living index before moving the pay scale. The fund balance didn't change. It was recommended to transfer \$200,000 from Unallocated Funds to Infrastructure and Improvement Projects, making the total \$1,700,000. At the end of the year, any money not spent from the operating budget goes into the fund balance. Any money in the CIP not spent is carried forward to the next year. There are state parameters that don't allow moving funds from the capital fund back to the operating fund.

Carolyn Keigley moved and Keith Zuspan seconded to adopt resolution 2022-R-6-1. A Resolution adopting the final budget for the Town of Brighton, State of Utah, for the Fiscal Year 2023 beginning July 1, 2022 and ending June 30, 2023 and the 2022 Amended Budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022 and setting the Property Tax Rate at no increase for the Town of Brighton at a rate of 0.00%.

Carolyn Keigley: yes

Keith Zuspan: yes

Jeff Bossard: yes

Jenna Malone: yes

## **BUSINESS**

### **Review of the MSD Financial Report**

Keith Zuspan explained the report. The entire financial report was included in the packet to show the complexity of operation and the external audit. The MSD is laid out with each town/township as a discrete unit recorded separately and then incorporated as a whole. Their calendar year covers parts of two of our fiscal years. It shows our projected costs, projected incomes, and net position with the MSD. We have a fund balance with the MSD which incorporates the rates of income and expenditures. At the end of 2021 our fund balance was \$115,000 of discretionary money that we are allowed to pull from to make adjustments. Today's intention is to accept the financial reports as provided by the MSD's annual audit. The MSD fund balance operates the same as the town's fund balance. The limit on the balance is 100% of what we collect. It is not stated in the agreements what happens with that money if we were ever to separate from the MSD.

### **Authorization for the town to purchase an event tent. For discussion and possible approval.**

Carolyn Keigley reported we've been using other people's tents for events. Our own tent is needed for the 4<sup>th</sup> of July and Brighton days to have Jane and Kara and a council member to collect property owner's updated information and to answer questions. Prices range from \$200-\$300. Polly McLean explained that this cost is small enough that it falls under the threshold of the procurement policy so doesn't need to be discussed.

### **Special Events Ordinance and update from subcommittee**

Cameron Platt presented on the work the subcommittee has done. They determined three main concerns surrounding special events that can be improved. 1) If an event closes or restricts the highway 2) noise level 3) there is a need for notice given to the town of events that will impact the town. The

existing ordinance was taken from the county and adjusted for us, but it didn't consider these three goals. Previously, a permit is required for 50 or more people, or for a road closure. The proposed changes would require a permit only for closure or the state road rather than all roads. We would receive notice of events that are not town events but pass through the town. The language for noise violations was changed. Lastly, applications for events will start with the Town Clerk and the notice will be distributed appropriately to the various agencies that are involved with the event such as MSD, UPD, UDOT, UFA, etc. The MSD is already coordinating special events for other entities and can easily take on this process. Once all approvals are given, the Town Clerk will be notified. The criteria that will exempt the need of a permit are if the criteria fall under regular business operations. For instance, the resorts' normal business operations typically draw large crowds, but they have adequate amenities to support that. A permit would be needed for events that are large enough to impact public streets or the health department noise levels. The proposed fee schedule was taken from the MSD and considers staff time to process applications. Parades are still permitted, but the distance was changed to be more applicable. Parameters were made for when an event requires insurance.

It was determined that more considerations are to be made before the ordinance is ready for adoption. Weddings were not mentioned specifically and those cause issues at private residences when they are commercial, have amplified sound, and when parking can't be contained. They weren't included specifically because there can be circumstances where a family residential wedding may not trigger the need for a permit if it is under 50 people, within the noise restrictions, and doesn't impact the roadway. It was also clarified that weddings aren't permitted at short term rentals and commercial weddings aren't permitted in residential zones.

Additionally, the council could consider a policy decision to require the resorts to submit a list of events and dates at the beginning of each season. Some of their events are outside of typical ski resort operating expectations. It could help to know when there will be crowds during the review process of other event applications. Resort events are on Forest Service land and may be out of the town's jurisdiction for approval. It was decided that legal council will review the resorts business licenses to determine the scope of events that are within their existing master plans. The council will review the details that were settled on in the version of the ordinance that was finished after the version in the packet. The US Forest Service permit requirements and UDOT requirements will also be reviewed to determine they are sufficient so that entities don't have to get an additional town permit. All events will need to be noticed to the town even if a town permit is not required.

### **Weddings in the Cardiff area.**

Ben Kraja from the US Forest Service is the Winter Sports Program Manager and Special Uses Program Manager. Weddings in the Salt Lake Ranger District do not require permits. Parties can reserve a group site or campground or picnic area on any grounds that are hardened. Group events are not permitted on any other areas such as the Cardiff Meadow. Despite that, it is common to see weddings, engagement photos and large groups in the Cardiff area that often leave glitter and other remnants. A resident sent Jenna a photo of about 70 people with chairs and amplified music. UPD does not have a cause for enforcement in this case. In future, calling Tucker Woods, the Forest Service Enforcement Officer is the best way to report these events. Carolyn requested stationing a ranger in that area to help educate and prevent these events. Ben will be able to assist with setting this up and the town could contribute funds. There is a permit requirement for groups of 75 or more people for non-commercial gatherings. He discussed the general requirements for when a special event permit is required. He will share the process document they use for recreation or race events. If there is commercial activity, they require a

permit and require operating plans and certificate of insurance. The open season for submittal is Mar. 1-31<sup>st</sup>. They review the permits to make sure they don't interfere with the trails work or other projects they have planned. The resorts have 40-year term permits for the ski areas. They submit an annual summer operating plan and winter operating plan. Ski resort can absorb recreation permits or races under their permit and in doing so, they take on the liability insurance. If they don't want to take on the liability, then they apply for a separate event permit. They submit summer events by the end of May. They are currently reviewing these plans. It includes any major event that uses FS land such as races or improvement projects. They don't ask about weddings or routine events, but they review the revenues earned on all events. The town can ask for this information to be shared.

### **Drought and wildfire conditions that could result in a fire ban.**

Jenna Malone would like to see this on the agenda every year before the fire season. Last year, we had a special meeting to put a ban into effect because the need arose between council meetings. The town ban followed the Forest Service decision that escalated their fire hazard level. Having criteria for placing a ban ahead of time may expedite the decision making. We can't automatically initiate a ban based on decisions of the Forest Service, but we can use their criteria to determine our threshold. Chief Dern explained that the US Forest Service and state have different thresholds for fire risk levels of fire restrictions. Typically, the state will implement a ban before the Forest Service but there are varying criteria that they consider. Additionally, the Forest Service will allow recreational fires in campgrounds longer than on other Forest Service land because of approved pits and maintained vegetation in campgrounds. Higher elevations typically have later hazard seasons. We can also follow what counties are doing but they often follow what the state is doing. Currently, there is a moderate hazard in the town but it's still in level green with the late spring and early summer storms. Dustin Dern will provide UFA educational material for safe fires, approved fire pits, and fuel space to Barbara and Kara to be included in the newsletter this month.

### **Reappointment of Town Attorney**

Carolyn Keigley moved and Jenna Malone seconded the adoption of resolution 2022-R-6-2. A Resolution Approving The Renewal Of A Civil Legal Service Contract For A Town Attorney Between The Town Of Brighton And Polly Samuels Mclean.

Cameron Platt was added as an addendum to the previous contract. The rates have increased slightly to match other towns. The council members were appreciative of the work and guidance Polly and Cameron have given especially for a new town. Polly expressed enjoyment in working with the town and looks forward to continuing the partnership.

### **PUBLIC INPUT**

Chad Smith asked about the impacts of special events on private roads such as a block party in Silver Lake Estates. It was clarified that the requirements only pertain to public access roads. If you close a road residential road there would need to be a signature from all residents that would be impacted by a road closure. It would also be necessary to let the fire department and canyon patrol know of the dates and times for public safety purposes.

### **CHAT BOX COMMENTS**

00:13:53 Keith Zuspan: 801-840-4000  
00:14:27 Amber L Broadway: Can you please share that phone number via email with all participants?! Thanks  
00:15:05 Keith Zuspan: 801-840-4000  
00:50:43 Jane Martain: We can,t hear the discussion.  
00:52:34 Jane Martain: Thank you.  
01:34:02 Keith Zuspan: 2022-R-6-2 A Resolution Approving The Renewal Of A Civil Legal Service Contract For A Town Attorney Between The Town Of Brighton And Polly Samuels Mclean  
01:49:54 Ben Kraja, USFS: Tucker Wood - US Forest Service Law Enforcement Officer - 801 733 2668  
01:50:13 Jenna Malone:Thanks for all the info, Ben!  
01:51:08 Ben Kraja, USFS: Thanks for the invite, Jenna. I am excited to work with the town!  
02:03:36 Keith Zuspan: Taylor Litwin  
02:03:58 Keith Zuspan: 518-210-1319  
02:04:19 Keith Zuspan: cottonwoods canyons.org

## **REPORTS**

### **Mayor's Report**

Jeff Bossard as mayor pro tem reported as a participant in the June 4th Trails Day at Brighton Resort hosted by the Cottonwood Canyons Foundation and CWC. There were about 45 people that participated. The remaining snow resulted in more trash pick up than trail work.

Jeff had an insightful conversation with a senator last week discussing the miscommunication about the funding we believed was awarded for the transportation study. We were given a priority in the committee but when it got to the executive committee it got eliminated.

The Mosquito Abatement board had a situation of hackers obtaining the emails and phone numbers of board members and fraudulently requesting gift cards to be purchased and sent to the scammers. Those in public positions should be very conscious of scams going on.

### **Council Members' Reports**

Carolyn Keigley reported on the numerous UPD and SLVLEA meetings. Referring to the hot spot map we can see the heaviest ticket and call area is at Cardiff/Donut Falls. The town takes up 32.3% of all canyon patrol canyon calls on the east and west side of the valley. A reminder that the upcoming finance workshop is July 14<sup>th</sup>. She explained that if we need to speak with Wayne, Cheryl, or Mike we need to contact them during business hours because they are not dispatchers. Lee Arnold always had us call him 24/7 but it's an unrealistic policy.

Last Wednesday the construction traffic lights weren't adjusted for the 400 participants in the Solitude trail race. RMP gave us a hotline number, but it was a voicemail, and it took an hour to get a response. The number for Canyon Patrol in Carolyn's cell phone was old number. To streamline communication, Carolyn created an email group to include Wayne, Cheryl, the resorts, and Kara. When there are events that may clog the highway, these entities need to notify in advance, canyon patrol and the RMP mitigation manager.

For those interested in participating in the 4<sup>th</sup> of July parade, they should arrive by 9:30 to get a parking place. The parade starts at 10:30. The road will close at 10:15. The parade route is around the loop twice. Participants will be greeted at the Brighton store and they will direct traffic and parade participants. The participants will be lined up at the chapel parking area with the first lane will be the fire engines, second is cars, then bikes, and last walkers and wagons. Please no candy throws from vehicles because of kids running into the road.

Taylor Litwin will come this Saturday to Forest Glenn for weed pulls and wildflower planting. She is offering this to all communities.

Lastly, Carolyn provided a letter she received:

The 911 National Day of Service initiative constitutes a unique opportunity to bring our communities together in a united cause. Please consider the following:

Objective: Co-create service opportunities for the September 11th National Day of Service, coordinated by civic, community, charitable and faith organizations broadly incorporating members of the entire community to which we belong, independent of their affiliations. In Utah, it should be noted that the day of service will be held Saturday, September 10th.

Goal: Complete one or more service projects that benefit our communities through the cooperation of multiple organizations. Thus, creating and strengthening bonds of friendship and community.

I would like to invite the Town of Brighton to join in this worthy goal. I am facilitating the creation of a committee of faith, civic and community leaders to put this idea into action. Once a group is formed your representative will be invited to attend a planning meeting at the Cottonwood Heights City Hall in the near future (exact date TBD).

Warm regards,  
Steve Haslam  
President, Cottonwood Heights Utah Wasatch Stake  
The Church of Jesus Christ of Latter-day Saints

This takes place annually and they are trying to get someone involved who represents the various agencies. It could be a community member or a town council member who heads the project.

Jenna Malone reported that in addition to meeting posts, she's been tracking and posting twitter alerts from the UDOT Cottonwood Canyons about the RMP project. There was also a post for the CWC's Environmental Dashboard.

Polly and Jenna are working to get a meeting this summer with SLCPU for watershed permitted dogs to be walked on leash in certain areas without getting citations but while still respecting the watershed. She attended the Association of Municipal Councils meeting. Phil Dean is the Senior Policy Fellow at the Ken Gardner Policy Institute. He's a Utah economist that discussed the state of the labor shortage. One thing contributing is the large number of baby boomers that retired in record numbers during the pandemic. Labor is no longer cheap or readily available and is likely a permanent structural change.

Corporate profits are at an all-time high and the supply of jobs is outweighing the demand. There are 88,000 open jobs in Utah and only 33,000 Utahns are currently filing unemployment. His recommendation was to focus on retaining skilled labor which provided Jenna with a desire to increase our staff wages. Another speaker from an international banking consortium that specializes in bonds discussed when to consider bonds instead of cash to pay for capital projects.

Keith Zuspan reported the county released the final report from the digital infrastructure survey we participated in last month. Each township has one page in the 40 page report. It's a high level review. Kayla from the MSD is collecting information for us regarding the working group we were advised to create. It would be helpful for them to create a template for the project because the other entities are doing the same thing. We can apply for individual grants and the planning department has people who can help with that. A plan will be developed in the next few weeks with steps for us to take. It's unknown how we can take grant money and provide it to commercial enterprises. The other towns operate differently. Kearns didn't participate in the study and White City is already in progress of getting fiber to homes.

Regarding the downed road sign in Forest Glen and Mount Haven, Kevin Smeltzer from the MSD is working to replace them. The No Parking signs needing replacement were directed to UDOT since those were on their road.

Two more individuals were interviewed for the Financial Director job at the MSD. Another new staff member was just hired and has started.

Wasatch Front Waste and Recycling District has set up the new containers at Cardiff Fork. At the compactor there was a mattress, desk, bookshelves and other bulky items. Keith has been checking on the site and removing these items to maintain the area. The town is responsible for the upkeep of the compactor building. When Dan returns, they will discuss hiring a contractor to maintain the dumpster area. Perhaps it could be the same person to maintain bathrooms.

### **Emergency Management Report**

Jane Martain reported that she's waiting for Dan to get back to town to see where the progress is with improving Verizon service. Jane and Kara will be stationed at the 4<sup>th</sup> of July town tent. She asked for requests for anything that should be handed out. She asked if UPD does addresses finding drills in the community. A citizen was concerned about the time it takes to arrive at an incident. Wayne Dial clarified that officers can be stationed anywhere in the canyon, and it may take them 30 to 40 minutes depending on where they are in relation to the incident at the time of the report. It's unlike the quick response time in the valley. The only way to quicken the response time would be to hire additional officers. Jane will discuss the details of this concern at a later time.

Jane Martain provided a written report:

"On Saturday, June 11th at 8:00 a.m. I sent out an email and a text message to all Team Leaders and Team Members and asked them to send it to all contacts on their assigned neighborhood lists.

The Town of Brighton is conducting a DRILL to test our Neighborhood Team Communication System **today**. We want to make sure we can reach you in an emergency situation.

We need you to respond as soon as possible. Send the word "**SAFE**" to this email/text message before **5:00 p.m. MST today**.



These team leaders and members then reported back to me how many contacts they made out of the number of messages sent. 39 Teams participated out of 52 Teams in our canyon which is 75%. We received 291 responses out of 454 tried contacts by text or emails. That was a 64% return. I will let Jim Woodward, our Emergency Management Planner for the county know that we conducted this drill and how it went.

I will be discussing the drill with the BEOP Team Meeting to be held on Thursday, July 28th at 6:00 p.m. via Zoom and will be making suggestions for updating some of our contact information. The OneCallNow system will be used if there is a major emergency need to reach everyone in the Town at once. This was just a drill to help Teams check on their contact information.”

### **BCCA Report**

Barbara Cameron acknowledged Keith for his efforts maintaining the dumpster areas.

BCCA has an internet committee working with Erick Hutchings from the County Mayor's Office.

Members include Paul Kuhn (Pinetree), Scotty John (Silver Fork), Bart Reuling (Cardiff) and Barbara Cameron (Silver Fork). Internet provider, SenaWave, has plans to serve Forest Glen, Silver Fork, and Pinetree, but the Cardiff, Mt Haven, Mill D areas may need help financing better internet connections. Grants are available and the MSD might be able to help. If Keith would like help from the community to procure better internet connections, he could contact the BCCA Internet Committee.

Renate Plant came from Wasatch Front Waste and Recycling District. She provided informational links. If you're interested in a free waste container from SL waste and recycling, reserve as soon as possible.

[www.wasatchfrontwaste.org](http://www.wasatchfrontwaste.org) or call: 385-468-6325.

Reminder: There are delays driving in the canyon M-F as Rocky Mountain is burying electrical lines. You can expect up to a 15 minute delay, sometimes even on weekends.

### **Summertime means lots of Special Events and Festivals**

The Brighton Flea Market is in full swing on Sundays from 10am-5pm.

Solitude opens for the summer season this weekend. New Restaurants Menus, Disc Golf, Geology Hikes, Yoga, Sunday music concerts. The sunrise lift opens Thursday-Sunday from 10AM-6PM for hiking or biking.

June 30- Growing Oyster mushrooms 5:30-7:00PM at Solitude Village. Go to the Solitude website to register.

### **Weed Pulls and Wildflower Planting with Cottonwood Canyons Foundation**

Thursday June 16 at Solitude, Tuesday, June 21<sup>st</sup> and June 28 at Brighton.

**July 4<sup>th</sup>**- Breakfast and Parade, will be at the Brighton Circle. Breakfast is 8-10 AM at Millie's and the parade starts at 10:30. Shout outs to Kim and Mike Doyle for their support, Kara and Jane for hosting the Town of Brighton tent. The starting point for the parade is the church parking lot where UPD motorcycles will lead out followed by the UFA's shiny red trucks.

**July 9-** Brighton Days Wildflower Festival at Brighton. Exhibitors include Hogle Zoo, Natural History Museum, Discover Gateway... over 20 exhibitors plus the huge Cottonwood Canyons Foundation Wildflower Festival going on at the same time.

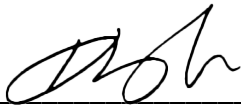
**July 10-** The Wildflower Festival will move to Solitude where Brighton Institute will provide craft booth, music, and Plein Aire painters.

**PROPOSALS FOR FUTURE AGENDA ITEMS**

- a. Revisit goals for the Town
- b. Revisit Short Term Rentals and evaluate the need for density restrictions
- c. Update on Town sign
- d. Status of mailboxes at Silver Fork
- e. Tearing down the old firestation
- f. Ranger at Cardiff
- g. What to do with Capital Improvements Funds
- h. Gate Ordinance
- i. Need for no parking signs on our side of the guard road
- j. Special Event Ordinance revision

**ADJOURN**

**Adjourned at 8:59pm.**



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Submitted by Kara John, Town Clerk