

# **BRIGHTON TOWN COUNCIL MEETING MINUTES**

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

\*Approved at the December 13<sup>th</sup>, 2022 Brighton Town Council Meeting

## **ATTENDANCE**

Dan Knopp, Carolyn Keigley, Jeff Bossard, Jenna Malone, Polly McLean, Nate Rockwood, Kara John, Jane Martain, Barbara Cameron, Wayne Dial, Cheryl Lenzer, Dustin Dern, Pam Roberts, John Carpenter, Amber Broadaway, Paul Korth, Mike Doyle, Kathy Anderson, Chad Smith, Johnathan Owens, Kirsten Eliassen, Kathryn Ladig, Angus Robertson, Joshua Korpi, Mark Brinton, Renae Olsen, Gavin Ganung

## **ANNOUNCEMENTS**

There were technical difficulties with the zoom link so a new one was sent out right before the meeting.

## **PUBLIC INPUT**

None

## **MINUTES**

Carolyn made a few corrections and Jane found a typo. The new draft was sent out today. Jeff Bossard moved to approve the minutes and Carolyn Keigley seconded the motion. The minutes were approved as amended for the Town Council meeting on October 11<sup>th</sup>, 2022.

## **UPD**

In addition to the in-person report, Chief Cheryl Lenzer provided a written report:

I don't have a lot to share but, I am going to start with the good news. We are now fully staffed on both shifts. One officer started a couple of weeks ago and two started Sunday and will be on a Canyon FTO for this week. Officer Jim Rodrigues and Officer Ryan Lim are on the day crew and Officer Saul Bailey is on the afternoon crew. Watch out for those guys and say hi. All three are seasoned officers and bring a lot of experience with them.

Octobers calls were pretty much the same in volume as they were last year. In fact about 9 calls less this year. Watersheds were about the same. We had less vehicle burglaries than last year even though we had a few incidents on the same day. I am waiting for reports from other agencies to follow up on any suspect info from that day. We had a few more traffic accidents which is to be expected with the weather. The rest of the calls were for police assistance.

I hope you all had an opportunity to get your stickers from UDOT. With the snow we have and more to come in addition to resorts opening soon it's looking like it is going to be a busy year.

As always if you have any questions or comments let me know.

Thank you!

Detective Cheryl Lenzer C.O.P/Fraud/Property Crimes  
Special Operations/Canyon Patrol and Rescue  
Unified Police Department  
Dispatch 801-743-7000  
E-mail [clenzer@updsl.org](mailto:clenzer@updsl.org)

## **UFA**

Dusty Dern provided the quarterly report in the meeting packet. Last week they had a preseason meeting with the resorts and clinics to prepare for the season. They are getting ready to staff the additional ambulance at station 116 off of Wasatch. This allows a seasonal ambulance to help with the weekend call volume. Seven paramedics were laterally hired and sworn in last night after a month of orientation and training. They will follow for an extra month before taking shifts. Additional job offers are being made with a target to higher 37 fire fighters. UFA has made structure assessments for the Wildland Urban Interface and will begin again in the spring.

## **SKI RESORTS**

### **Solitude**

Amber Broadway is excited that Solitude will be opening on Friday, which is a week ahead of schedule. They will begin with a limited number of lifts and terrain. Staff is still onboarding, and more snow is needed before more can open. They are working closely with Brighton to come up with employee parking in the valley, supported by shuttle vans.

### **Brighton**

Mike Doyle reported they will also be opening on Friday. They've been working to get summer projects cleaned up. They're finishing up a magic carpet and new learning terrain. Staffing is going well. They'll begin by opening Majestic, Explorer, and Snake Creek. They hope to add Crest at the end of the weekend. The new lodge at Snake Creek is being redesigned with a fully framed dining area without the yurts. The construction has been wrapped up and will be continued next year. He thanked Amber for initiating employee shuttles.

## **BUSINESS**

### **WFWRD Rate Increases**

Pam Roberts acknowledged the great team that works hard to collect trash and recycling from the canyon. There are challenges with winter and increased traffic, but the team is dedicated. John Whittaker is a 25 year veteran driver that routinely services the canyon. He received the first national driving award in 2011. He's supported Bobby Boyes as the recycling collector. They handle the front load collection trucks. She introduced Paul Korth, the finance director. The board of trustees has authority to make rate increases, but they prefer to tell the story of why to the affected entities. Their mission is to provide sustainable quality integrated waste and recycling collection services for the health and safety of the community. Their vision is for a sustainable integrated organization that provides for the welfare of the community. The last district wide fee increase in 2018 excluded the Town of Brighton because there

wasn't a need for increase at that time. The last fee increase in the canyon was in 2014. Sustaining services requires a new fee increase effective January 1<sup>st</sup>. Drivers' salaries have gone up in the market, and rising fuel prices have also contributed to the increased cost of services. The bill with the change will be sent in April since it's on a quarterly basis. The cost analysis is made on how many tons are removed from the canyon. Robinson Waste is who removes the compactor waste, and that is billed through WFWRD. The canyon revenues come from 604 private properties (225 Full-time, and 379 Part-time who pay a half rate), and 7 businesses. Their counts come from the Assessor's office so they can track when new homes are built. Their annual expenses for 2023 show a \$20,982 deficit, but the rate increases will cover this. The town will now cover the cost for snow removal around the trash compactor at \$2,300 annually. She acknowledged councilmember Zuspan for sitting on the board and advocating for services in Brighton. Rates may need to be increased again in 2024 or later. Per Jenna's question, Pam clarified the number of residents is actually homes, not people. Jenna mentioned the General plan recognized 180 full time household and 690 part time. Pam appreciated the clarification and mentioned in 2014 they went around and did a site visit to compile home and resident numbers, which may need updating. Paul Korth presented a budget with actual and projected expenses including truck purchases which they expected to cost \$3M. The projected costs will be adjusted as market prices fluctuate. The board desires 20% of the total budget for the year end cash balance, which is approximately three months of expenditures.

Mayor Knopp expressed compliments for a well-run operation.

They are taking public comment on November 14<sup>th</sup>, 2022 at 6:00pm, or Monday December 12<sup>th</sup> at 9:00am at the Midvale Public Works building on 604 West 6960 South.

Jeff previously provided an image that was used for new signs on the recycling bins. They have begun installation, and the signs may already be on the canyon bins.

### **Lane Divider Change on S.R. 190 from Butler Fork to Cardiff**

Jenna Malone noticed that when the Rocky Mountain Power crew repaved and repainted the stretch of road between Cardiff and Butler Fork, they made the line a solid, double yellow, rather than the dotted passing lane it had been. She reached out to UDOT since this is the straightest and longest passing area on highway 190. Sean from UDOT explained that there were complaints and concerns from residents in Mount Haven. Their neighborhood entrance is in this stretch. People often pass on the left at the same time residents slow down to turn into the neighborhood. Jenna is requesting that UDOT look at the area, and at least change the lines to allow uphill passing which would not be a threat to those entering the neighborhood as they travel downhill.

Josh from Mount Haven provided insight on the issue. He understands people's frustration with slow vehicles and their disappointment in the lane change. However, after several recent rollovers and residents with near death experiences from this issue, they reached out to representatives from the traffic and safety division to officiate an unofficial accident study. The conclusion of the study is that the increased traffic and the occupancy density of the surrounding neighborhoods justified the elimination of the passing lane for increased safety for all users. Motorists have commonly sped over 100 mi/hr on this straight stretch which makes it difficult to pull out of the neighborhood. He wants people to understand there are families with young children in this neighborhood.

Jenna and the council were unaware of the study and would like to see details from the study. She has a concern that the area draws illegal passing regardless of the line indications and turn signals. She acknowledged the challenge of the hidden road.

Carolyn suggested a sign to help alert motorists of the road and possible vehicles entering the highway. Shawn Wright from UDOT joined the meeting late due to a hard time connecting virtually. He commented on the passing zone. The change was made by UDOT at the request of Mount Haven residents to the UDOT Traffic and Safety department as well as those higher up the chain. Shawn was unsure of who approved it exactly. This issue arose two years ago. Dan Knopp clarified that the town should be notified of any changes UDOT wants to make, even if they are warranted. Shawn will get Jenna the traffic engineer's contact info to talk about changing the paint to an uphill passing lane.

### **General Plan Adoption**

John Carpenter is the chair of the General Plan Steering Committee as well as a member of the Planning Commission. He presented the General Plan since Erin O'Kelly, from the MSD, who drafted the plan with the subcommittee, was out of town. The process took over a year and the document is roughly 380 pages. A general plan is a state requirement, as well as a living document that can change and adapt over time. Each chapter has goals. There is an overall vision so we can affect the inevitable growth in the canyon. The end of the document suggests action items. They took adequate time to consider the intricacies within the various neighborhoods to accurately represent them. Federal, state and regional agencies were also involved. In July 2021, a kick off workshop allowed public comments that were reviewed and implemented in the document. Short- and long-term goals were identified to help determine action items. In total, there were 21 public meetings, 4 public workshops, 4 online surveys, 900 comments, 180 in person attendees, and 40 groups involved. Part of the comments were organized to highlight strengths, weaknesses, opportunities, and threats. Another part of the comments aimed at identifying things to achieve, preserve, avoid, and eliminate. The comments were organized by chapters and pinned on the map. Chapter titles include: "Housing", "Resilience, Community and Emergency Management", "Land Use", "Natural Resources and Recreation and Tourism" (which had the bulk of comments), "Transit, Amenities, Off Street Parking and Management. Since we are a new town, the census information showed low number statistics for residents without giving a trend line. The estimates are: 432 total population, 875 housing units, 185 full-time properties, and 690 seasonal properties. The average household size is 1.9 people. The numbers can vary since many full-time residents are renters. Much thought has gone into how to manage growth in a historically quiet, sparsely populated town with limited space. The land use revolves around the resorts which are commercially zoned, and residential pockets along the highway that were evaluated as individual character areas. There is a significant amount of public land that will limit future expansion. The Brighton Loop was identified as an area that could develop a town center since it has the most mixed use. We want to maintain the traditional feel of the historic areas." One of our challenges is how we handle transit when we do not have jurisdiction over the main road in our town. Collaboration with other entities is essential. Our transportation goals are to reduce single occupancy vehicles, traffic, air pollution, and noise. The current transportation plans are directed at the resorts, but there are also goals to improve public transit for resident use. Although our population growth is limited due to limited space, the mouth of the canyon expects high population growth, which would increase canyon visitation. Another travel solution is for more walking and biking trails that are off the highway since it only has a 3-foot-wide shoulder. The housing chapter comments focused on short-term rentals. There are a large number of short-term rentals, however they are mostly at Solitude which is fitting for the nature of the resort. The public comments outpaced the reality of the STR statistics. There were 26 rentals within the town against almost 900 housing units. There is a goal to preserve the existing residential homes that contribute to the feel of the community. Additionally, housing should limit the impact to the environment regarding water consumption and management. In addition to summer cabins and vacation homes, there's a goal to preserve residential housing to accommodate young families through aging populations. Regarding natural resources and tourism management, the main goal is to improve transit to prevent habitat degradation with an influx of visitors and vehicles. There is a desire for partners who offer renewable energy, and also, transit centers at trailheads. Wildfire and fuel management is also extremely important. The Resilience and Infrastructure chapter includes emergency management as well as reliable digital infrastructure to effectively communicate emergencies. Hazard mitigation and maintaining biodiversity are the physical aspects of this chapter. The social

aspects are the emergency response teams which unites the full time and seasonal residents. A goal here is to create a sense of place and community by connecting the neighborhoods and creating gathering spaces. The general plan recognizes there are not many commercial opportunities in the canyon except remote work that requires an adequate digital infrastructure. Regarding the community assets, there is a list of the key players and the purposes they serve such as utilities, recreation, education opportunities, natural resources, etc. It was mentioned the Silver Fork Lodge was not included, but it is a community gathering place. The work plan has over 100 action items from short to long term such as transportation, trails, water conservation, etc. The final edits from the Planning Commission were shared.

The council and mayor expressed appreciation to the Steering Committee and MSD for putting this together. Carolyn Keigley moved to adopt the General Plan and Jenna Malone seconded the motion. The General Plan was adopted unanimously.

Dan Knopp: Aye

Carolyn Keigley: Aye

Jeff Bossard: Aye

Jenna Malone: Aye

### **Ordinance 2022-O-11-2 to amend Section 11-20-170 to correct a typo**

Polly McLean explained this typo was found in the parking citation section. The number seven was written, but ten was in parentheses. The correction sets the limit at ten days to respond to a notice.

Jeff Bossard moved to adopt ordinance 2022-O-11-2 to amend section 11-20-170 to correct a typographical error. Jenna seconded the motion. The ordinance was adopted unanimously.

Dan Knopp: Aye

Carolyn Keigley: Aye

Jeff Bossard: Aye

Jenna Malone: Aye

### **Ordinance 2022-O-11-3 to amend Section 3.42.010 to remove reference to Salt Lake County and 3.42.080 to delegate limited planning fee waivers to MSD staff**

Polly McLean explained that this ordinance clarifies it's the council that sets zoning fees. Additionally, it allows for MSD staff to give fee waivers if the amount is under \$500 where they deem appropriate. This prevents them from having to ask the council. If it's over that amount it would go to the council. It doesn't happen often but can help people with hardship. Dan Knopp preferred clarification and examples of why they do this. Jeff moved to table Ordinance 2022-O-11-3 Jenna seconded this. All were in favor of postponing the ordinance.

Dan Knopp: Aye

Carolyn Keigley: Aye

Jeff Bossard: Aye

Jenna Malone: Aye

### **Resolution for MSD FEE Schedule 2023**

Polly McLean explained that the MSD adjusts their fee schedule every year. We want to match their general fees. We've already done this in 2022, so this will be effective in 2023. She provided a draft that highlights the MSD's changes as well as separate highlight for Brighton's unique additions.

Carolyn moved to approve Resolution 2022-R-11-1 to repeal and replace Resolution 2022-10-1, Town of Brighton Fee Schedule Dated October 11, 2022, with the 2023 Town of Brighton Fee Schedule Effective January 1, 2023. Jenna Malone seconded the motion. The resolution was adopted unanimously.

Dan Knopp: Aye

Carolyn Keigley: Aye

Jeff Bossard: Aye

Jenna Malone: Aye

### **Consideration and possible approval to Authorize the Mayor to Execute a Contract for Audit and Consulting Services with Squire & Company, PC , in an Amount Not to Exceed \$8,000**

Nate Rockwood explained this is the first year the town has hit the threshold of receiving \$1M in revenue. When that threshold is met, a state audit is required. Since we do so many services with the MSD and we have a hybrid fiscal year/calendar year it seemed reasonable to use the same auditor. Nate has been in touch with the MSD's auditor from Squire and Company. They came up with a plan for how to do the audit, and it was approved by the state auditor. We could combine with the MSD audit for the expenditures and revenues that go through them. Simultaneously, there could be a separate audit for the funds and fund balances and expenditures that don't go through the MSD. These are the Resort Community Tax and the Transient Room Tax as well as expenditures related to that. This would cover the town's requirements with the state. It will save time and money for us and the MSD to combine audits. The bid is for \$5,000. Since we are a new town, it would be a good idea to have the auditor go over internal controls to make sure our processes for handling invoices, procurements and general finances are done according to government standards. This will be an additional \$3,000. These standards protect the town from embezzlement or fraud.

Jenna moved to authorize the Mayor to Execute a Contract for Audit and Consulting Services with Squire & Company, PC, in an Amount Not to Exceed \$8,000. Jeff Bossard seconded the motion. The motion carried unanimously.

Dan Knopp: Aye

Jenna Malone: Aye

Jeff Bossard: Aye

Carolyn Keigley: Aye

### **Salt Lake County Public Safety Funding**

Dan Knopp presented this topic. He received a call from the Deputy Mayor, Catherine Kanter about public safety funding for UFA. The Mayor's budget is dropping \$647,000 in 2023 and \$1.29M in 2024 for public safety. The county had budget work sessions which were well attended for our support. Dan was out of town, but Carolyn Keigley attended in his place. He expects the county council members aren't for cutting the funds. Dan's impression is that this threat is a repercussion for getting our own planning and zoning authority. This will blow up the UFSA model because they can't charge one entity more than another. The alternative would be to reduce service which isn't a good idea. No one else pays with sales tax, so we won't be expected to do that. Carolyn mentioned that Amy Winder stated that whatever is done with UFA will be done with UPD. If it comes to this point, we will potentially purchase the fire station and have our own fire service like Brian Head. Their fire, police, and emergency medical services are the same staff. Dusty Dern reported that of the transports out of the town, 264 were nonresidents and 5 were residents. Costs are reimbursed from the passenger's insurance and then revenue is spread across all areas. Dan mentioned Chief Burchett is advocating for continued service in the canyon. If we had to rely on ambulances from the valley, response times would drop to thirty minutes on clear days. Dan expressed that when we became a town the Utah legislature allowed us to keep public safety funding, but the language says the county may fund public safety, not shall. Perhaps we could go to the

legislature to change the wording, so we don't have to fight for this every year. The canyons are a county function since that's where the visitors travel from.

### **Review of an application for the Silver Lake Estates Vehicle Control Gate**

Polly McLean explained that we created the gate ordinance a few months ago, but we need to create an application that addresses the ordinance. The town engineer is apart of the county and the MSD. They will need to review it before final approval. Chad Smith has been working to get a gate at Silver Lake Estates. The road is challenging and people visiting Silver Lake Estates often get stuck by going down the road by mistake.

### **Traffic Enforcement Job Description**

Jenna Malone explained that Keith put a job description together. It is loosely defined to allow room for flexibility. It's also crafted so it doesn't sound like a law enforcement position. The position could be interesting to a resident that knows the canyon well. A vehicle will need lights for safety so a personal vehicle may not be preferred. There are vehicles on the state contract that may be available. It will have to be four wheel drive with studded snow tires. The budget will need to be amended. Wayne Dial has a contact from UPD that handles fleet vehicles. The position will be posted this month.

### **Support for Wasatch Mountain Lodge to seek funding from the State of Utah**

Jeff Bossard serves on the newly formed board of directors for the Wasatch Mountain Lodge. They are working toward renovating the building. They plan to go to the state during the legislative session to request \$80,000 to get the process moving. They are seeking a letter from the Town of Brighton for support.

### **PUBLIC INPUT**

Amber Broadway commented that Solitude is throwing themselves a 65<sup>th</sup> birthday party on December 17<sup>th</sup> in person or virtual at the Moonbeam lodge. There is event information on their website. She called for pictures, stories, or memorabilia to be shared at the event. The Barrett family, who started the resort are coming to celebrate, as well as the DeSeelhorst family. She encouraged all to come out to the event.

Kathy Anderson asked if 20 hours a month was intended for the traffic enforcement officer. Dan Knopp explained the hours will vary as needed depending on how much snow which increases traffic issues.

### **CHAT BOX COMMENTS**

None

### **REPORTS**

#### **Mayor's Report**

Dan Knopp reported there is a road meeting on Wednesday next week at 1pm. It includes the town, UDOT roads and avalanche, the resorts, UTA, and the Forest Service. It's monthly through the winter to handle issues as they come up.

Today was the transportation initiative site tour with AECOM. The day began in Cottonwood Heights with the police and Community Development Manager. The challenges were discussed in regard to the mixed use and transit hub at the gravel pit. They learned there are three hundred free parking spaces

behind the Eight Settlers. The meeting continued to the Silver Fork Lodge. The attendance included the Forest Service District, Ranger Bekee Hotzee and Lance Kovel, Amber and Mike attended from the ski areas, and the AECOM consultants. The idea is to start the transportation solution at square one.

The CWC annual retreat will be hosted as a donation at the Silver Fork Lodge.

The Cardiff bridge is still being worked on. It will be finished in the spring. The trail will tie in with the Donut Falls trail.

Dan and Kara spoke about Granicus recently. A payment was just authorized for the next year. He asked the council to think about what we get from them and if it's worth retaining.

He attended a Wasatch Choice Transportation Workshop with Wasatch Front Regional Council on October 17<sup>th</sup>.

The contractor we'd planned on for the firestation demo flaked on us and we are now going with Tim Neilson.

The road project on Old Prospect had challenges getting the new water line, but it is done now. The water company paid for the patching. The overlay is also finished. Black Forest contractor did a great job and helped with a few things in Silver Fork.

The mailboxes in Silver Fork have the pads in. The mailboxes will be installed next week. There will be more boxes than people on the waiting list.

Next week is the TLC with Wasatch Front Regional Council to gain grant money for transportation.

### **Council Members' Reports**

Jenna Malone reported that she spent time investigating the UDOT lane change. She has an upcoming meeting with Polly, Cameron, and Laura Briefer from the watershed to get the ability to walk watershed tagged dogs on paved surfaces.

Jeff Bossard reported the Mosquito Abatement meeting is next week. He attended the quarterly animal advisory board meeting which doesn't pertain much up here for watershed reasons. Costs are becoming an issue for them. He's been working hard on the Short-Term Rental Subcommittee. The survey closed October 28<sup>th</sup>. There is a meeting next week on November 15<sup>th</sup> at 3:00pm to discuss the results.

Dan and Polly added that the Watershed's position on STRs is that no residential connection is allowed to have a license if they have a direct contract with Salt Lake City Public Utilities rather than by going through the individual water companies. Polly is exploring how that works with the individual water companies and SLCPUD and how that applies to rental permits. Polly will update us next month.

Carolyn Keigley presented images to replace the road sign as you enter the town. There are two logo styles and she selected the second alternate logo for branding. Looking at the color variations, she recommended the one with the navy-blue background. The wording options varied with the phrase "Welcome, Historic Town of Brighton". She preferred the irregular shape of the logo rather than a rectangle around the logo. The strongest image is on a green background. She asked for feedback on the wording of "Welcome" vs. "Entering". Dan suggested adding established, est. 1870 and incorporated, inc. 2020. Carolyn can add that next to "Utah". She imagines three signs, one at Mount Haven, one at the Guardsman boundary, and one in the loop. The one in the loop may be the only one with est. and inc. because people can take the time to read that opposed to when driving by on the highway. The sign



will be measured and compared to the size of the one by the roundabout. She'll take recommendations from the sign shop based on the size of the pole. For durability, metal is the way to go. All agreed a large wooden sign like the Forest Service signs would be ideal, but UDOT and the FS won't allow it. All agreed with Carolyn's mockup. Jeff will send a sign shop recommendation.

### **Emergency Management Report**

Jane Martain was not present for the end of the meeting and commented earlier that she had nothing new to report, other than excitement about the snow.

### **BCCA Report**

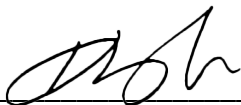
Barbara Cameron reported that they have not had a meeting yet this month; it's next Monday. They will have an annual report that she will provide at the December Council meeting.

Jeff thanked Barbara, Kara and all involved for the last newsletter. It was great as usual.

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

### **ADJOURN**

Jeff Bossard moved to adjourn the meeting. Jenna Malone seconded the motion. The meeting was adjourned at 9:32pm.



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Submitted by Kara John, Town Clerk