

## **BRIGHTON TOWN COUNCIL MEETING MINUTES**

Tuesday, March 14<sup>th</sup>, 2023, at 6:30 pm

\*Approved at the Brighton Town Council Meeting on April 11<sup>th</sup>, 2023

### **ATTENDANCE**

Mayor and Meeting Chair: Dan Knopp

Council Members: Keith Zuspan, Jenna Malone, Jeff Bossard, Carolyn Keigley

Staff: Polly McLean, Cameron Platt, Jane Martain, Kara John, Steven Kulhmeier,

Partners: Cheryl Lenzer, Wayne Dial, Dustin Dern, Dominic Burchett, Amber Broadaway, Mike Doyle

Public: Done Despain, Kathy Anderson, Renae Olsen, Mark Brinton, Angus Robertson, Jonathan Owens, 801-891-2000, Sean

### **ANNOUNCEMENTS**

None

### **PUBLIC INPUT**

None

### **MINUTES**

Jeff Bossard moved to approve the minutes from the Town Council meeting on February 14<sup>th</sup>, 2023 and Carolyn Keigley seconded the motion. The minutes were approved unanimously.

### **UPD**

Cheryl Lenzer provided her report in writing:

Big Cottonwood Canyon saw 428 calls come in and 344 of those were in the Town of Brighton. We had several traffic accidents, thefts (mostly at Brighton for snowboards and skis), a couple of suspicious calls, a Search and Rescue, a camping in the watershed, and a couple of disorderly conducts. Those are in addition to the normal number of calls for service mostly dealing with traffic issues.

For the month of Feb. 179 Parking Notices were issued with officers working an extra 84 hours of overtime traffic enforcement shifts. Most of those shifts were done on the weekend. We have received a lot of positive feedback from the public which we appreciate greatly. We would appreciate if the resorts would give us a heads up of any events, they may be hosting so we can try and have extra officers on doing traffic enforcement. This past weekend proved to be a challenge from the weather bringing snow to hide the white fog line to the numbers of people coming up for the blue bird day and the event at Brighton. I worked an enforcement shift on Saturday and I could not address all the parking issues that was the result.

Detective Cheryl Lenzer C.O.P/Fraud/Property Crimes  
Special Operations/Canyon Patrol and Rescue  
Unified Police Department  
Dispatch 801-840-4000

It was realized that the resorts are supposed to notify the town of events that are outside of their normal operations. Dan Knopp will talk to them and remind them of this.

## **UFA**

Dusty Dern reported there were 59 incident responses this last month; 9 of those were emergent. The top 17 calls were traumatic, with 2 of those from chest pain, 2 head injuries, and 2 long fall incidents. They follow the legislative updates from bills that affect them and the member communities they serve. HB 183 allows only EMS employees to enter the retirement system. HB 261 addressed funding for fire mitigation work. Construction on station 102 is moving well, and on target to be completed by May 30<sup>th</sup>, 2023. Construction on station 251 in Eagle Mountain is on track to be completed in April, and 253 will also be completed in late May. Recruit camp has 31 recruits who've been working on saw safety, ventilation, and roof operations. Next week is captain's academy and battalion chief camp. The finance committee is meeting on April 10<sup>th</sup>. The full UFA board will see the budget on May 16<sup>th</sup> with final review and approval on June 20<sup>th</sup>. With 8 feet of snow this season, he reminded everyone that vents need to be clear and open for all propane and gas appliances. Good air circulation is necessary for combustion and exhaust outlets to prevent carbon monoxide poisoning. Dusty will send around information on signs and symptoms. If there is a concern in the community, they can call 911 and the crews will come check it out with CO detectors and bonders.

Dan Knopp advised that the town send out directions to residents via social media. There was an incident in the community where the dryer exhaust was coming back in the home.

## **SKI RESORTS**

### **Brighton**

Mike Doyle notated that the season is still going strong when historically it tends to drop off by now. Most of their big events are done. They hosted the VANS Hi-Standard and Wasatch Powderkeg, which went smoothly despite the conditions. April 1<sup>st</sup> will be the last event, The Bomb Hole Cup. With daylight savings they'll keep Milly running on Sundays until 5pm, except for April 30<sup>th</sup>. Night skiing will close April 8<sup>th</sup>. They are working to schedule a single night skiing opportunity for April 14<sup>th</sup>.

They're already looking at summer projects.

### **Solitude**

Not present.

## **BUSINESS**

### **a. Capital Improvement Project Processes.**

Steven Kuhlmeier is the Public Works Engineer assigned to the Town of Brighton. The MSD and Public Works Engineering Department are working to put together a new capital improvement

planning process so that the metros can give input during the planning and prioritization process. The MSD sets aside funds for projects and the amounts are allocated to the member communities based on need. In 2021, project totals were \$1.4M. The new process involves a smart sheet form that will be made available to a selected person from each council. There is an avenue for the designee to make requests to be considered for the following year. Projects are evaluated by Public Works engineering and then routed to the appropriate department for further evaluation. Requests need to be submitted by March 31<sup>st</sup>. In June, Engineering will present a list to Council for approval. The MSD Board then approves projects for the following year. To evaluate projects, they use criteria such as infrastructure improvements to prevent property damage, remove hazards and improve safety, or improves effectiveness. They consider the maintenance costs, and whether there is grant money to support funding. Dan asked about flooding this summer and if there is a proactive plan to clear deadfall in the streams where the bridges are to prevent bridges from washing out. Steven answered that this is a county service through the Flood Control department. Steven will have someone get in touch with Dan on this concern. He mentioned the Town of Brighton has \$200,000 in bond funds to be spent by 2024. There is a new structural engineer on the team who can look at the bridges to see if they recommend any work.

**b. Discussion regarding additional funding for the Town including Additional Resort Community Sales and Use Tax and a Municipal Energy Sales and Use Tax. Pages 20-39.**

Dan Knopp referenced the packet material. When we became a town, Dan understood that we would join two service areas, UFSA and SLVLESA. Costs are shared equally among members. Now, the county is pulling funding and it is related to us having our own land use authority. Keith Zuspan explained the county representatives have been meeting with UFA to discuss the impacts of the town and the costs attributed to events in the town. The conversation evolved around the cost of the fire station and how it is spread out. The tax dollars that UFSA collects from the town is a fair amount. The County Council changed their contributions to UFSA for recreation areas, which indicates a \$1M shortfall for Brighton. One suggestion was for the town to implement a .5% resort tax. The county representatives acknowledged that the UFA service is primarily for SL county residents, but they are attributing the cost to the residents of Brighton. The county *may* provide the contribution for safety funding for visitors. If we add the tax to the ballot, it could generate roughly \$500,000. It may not be the right thing to do since we are in a service area and amounts paid should be equal. We'll need a better estimate of the numbers to know how to make it up. We also need to consider the additional money needed for UPD. We are still meeting with the county this month on this matter, but considering putting this on the ballot is a starting point. UFA wants to maintain the status quo and the quality of service we've received. This is a county recreation area that benefits everyone in the county. They county is also collecting money in taxes from the canyon properties. Dan mentioned that 98% of calls are visitors with only 2% being resident calls. Carolyn corrected a comment that the SLVLESA director explained they are reaching their tax cap. If they continue to exist, they will be insolvent in two years. They've asked members to

consider implementing a franchise tax since the townships don't have taxing authority for property tax.

Nate Rockwood provided an explanation on the UFA budget. The costs of the Alta and Brighton stations are for 3 person stations, and they are considering moving to 4 person stations. The shared services are for ambulances, capital improvements, and administration. The tax base in the canyons is lower than other service areas and doesn't cover the costs of the Brighton station, but it is part of the shared services. The county contribution has been the thing to cover the cost gap. The only option is to limit service or figure out revenue sources to make up the difference. Sales tax could be put in place. Additional property tax wouldn't work since the UFSA tax rate is already paid in Brighton, Alta, and unincorporated canyon areas. This would be double taxation for the same service. The additional cost could be spread to the other service members. It seems an unfair burden for the county to place on the UFSA members when it could be covered by the whole county, who are the users of the canyon. The county came up with amounts that are allocated to Brighton, Alta, the unincorporated areas, and Millcreek, but it's hard to know how those numbers make sense or where they came from. It needs to be worked out by the county because they are putting the burden on the wrong people, and their solutions are unfair.

Dan doesn't think call volume is the way to assess cost because it costs the same amount to run this station whether they are out on calls or not. The charges should be determined on the cost of staffing this station. Dan preferred to stay on a 3-man station with the same services so that we can afford our costs.

Jeff Bossard commented on this from a financial, budget perspective. If you cut your income, the immediate solution is to cut the expenses, in this case services. If the county is punishing us for becoming a town and removing our funding, then subsequently, we could close the firestation from April 15<sup>th</sup> to June 1<sup>st</sup> and then close it again from October 15<sup>th</sup> to Thanksgiving. This would be about a quarter of the service and could make up for the budget shortage. However, it hurts the county visitors and is not a practical solution. If we tried this model, the county visitors waiting 45 minutes for service from a valley station would start to complain and put pressure on the county and possibly change some perspectives. It's unfair to put the cost burden on the residents or resorts.

Carolyn Keigley agreed with Jeff. She shared a document from the feasibility study from the county mayor. It shows the numbers from 2019. At that point, UFA total cost was \$1,630,000. The Salt Lake County subsidy was \$952,714. Locals pay 42% of the total cost. For UPD, the total cost was \$1,600,000. The SLCO subsidy was \$900,000 and the local tax was \$702,000 which is 44% of the UPD cost. Carolyn took the numbers from feasibility study and calculated the total amount of property tax for UPD and UFA at \$1,853,614. The county mayor says our short fall is \$1,604,238. There is nothing from the county to UPD that is earmarked for the Town of Brighton for Canyon Patrol. Carolyn has spent two years trying to find the amount that is designated to the town from the county. The UPD CFO confirmed there are no direct public safety funds. The money has been going to UFA, not UPD.

Jenna Malone is concerned that the county is providing less funding. She doesn't want to see us implement double taxation. She agrees with Jeff that she would rather decrease services before charging residents more. The resorts are drawing more customers, so could potentially be taxed.

Dan Knopp reminded that the UFSA model is to not charge one entity more than another. Chief Burchett explained that Salt Lake County has provided this money since 2008. The recreation areas are Millcreek Canyon, Big Cottonwood, and Little Cottonwood Canyons because of the high use and demand for service for the 2 million visitors in each canyon per year. If it were just residents, we wouldn't need a fire station. When Brighton incorporated, state statute didn't allow for a municipality to receive this funding, but it changed in 2019 for a county general fund to provide funding for service. It can be changed to allow this funding to be accepted. When we incorporated it was set that we'd be charged the same amount as everyone else in the service area. This is when it was decided that Brighton residents would pay the same as the other service area residents. At this time, alternate funding ideas were discussed in case funding every stopped. The ideas were: if funding is reduced then service could be reduced, the service members could come up with the additional cost, or the town will come up with the cost. The state statute wording was that the county "may" provide funding. Service is disproportionately used by county residents. Cutting service would be an impact to the county residents, Brighton residents, and tourists visiting the canyon. Cities within the county promote the canyon to tourists as a county asset. Chief Burchett is primarily an advocate for the service they provide and doesn't find it fair for Brighton to make up the difference.

Jenna Malone wondered if this has been in the media and expects that county residents would want to continue the same level of service. There will be a meeting with the county, and board meeting with UFA for further discussion. Dan would like a discussion and possible action at the next meeting for a .5% sales tax increase.

**c. Consideration of an ILA with the Salt Lake County Clerk's Office to administer municipal elections. For discussion and action. Pages 32-44.**

Kara John shared the contract for the county to administer our municipal elections in the amount of \$2,500. The cost is not much more than the Ranked Choice Voting method. We have two Council at Large positions. Jeff Bossard and Jenna Malone are up for reelection. Dan Knopp reminded that last year we voted against RCV and asked if any of the council wanted to consider it. Keith explained that we would need three other candidates for RCV to be possible, and the last election only had one other candidate. This amount is already budgeted. No one was in favor of Ranked Choice Voting.

Jeff Bossard moved to approve the \$2,500 for the interlocal agreement with Salt Lake County Clerk's Office for them to administer election services for the Town of Brighton. Jenna Malone seconded the motion and the motion carried unanimously.

**PUBLIC INPUT**

**This section was moved to after the reports.**

**REPORTS**

**Mayor's Report**

Dan Knopp reported on the presentation for the BCC-MAP solutions at the CWC meeting. They don't have a bus shelter option at Solitude entry 1, but they may have other ideas. The

legislature approved \$150M for both Cottonwood Canyons for transportation. A lot of it will go to LCC dedicated toward a high-capacity mode, and we will also be able to use some of it. We received a \$121,000 grant from SLC Regional Council for transportation and land use connection. Tom Ward helped with the application. We'll provide a matching amount of \$9,000. Dan heard from the governor to make sure we have everything we need for flood control, and he'll be the contact if we run into trouble. It will depend how the snow melts. If it starts to warm and quit snowing we will ok, but if it stays cold into May and then melts quickly we could have problems. We have had near roof failures. There is a place with cracked beams, so snow was removed to alleviate the stress. We can issue a state of emergency if it worsens and this will free up funds to help. Keep an eye out on neighbors and get a hold of Dan to see what mechanism we can use to help them. He is concerned about flooding this year. In 1983, Willow Lake failed. It took out Storm Mountain Bridge. If it comes out right, then we just get a lot of water in the Great Salt Lake.

### **Council Members' Reports**

Carolyn Keigley reported that house bill 374 passed. Rosie Rivera supported this reluctantly because it was an improvement to the first bill. She wanted to protect the officers and have stability. The consequences are huge and unfair. Carolyn was disappointed in the democratic process that allowed this to push through. This means the Sherriff's office will be separated by UPD in the summer of 2025. We have time to sort this out. The biggest impact to us is the state mandate for the Sherriff's office to oversee canyon patrol and the unincorporated areas. This includes Kennecott who provides 40% of the SLVLESA budget to fund service in Brighton, Kearns, Magna, Emigration Canyon, White City, Copperton, and the unincorporated areas of the county. If the unincorporated areas go with the Sherriff, this will pull out 40% of the budget. The townships will struggle and SLVRESA may be insolvent. There aren't substantial solutions yet. We have funding revenue sources and taxing authority. The Town of Brighton options are to stay with the new district that may be formed. If that doesn't happen, we'd be under the Sherriff who will have the authority to run the office, but it puts us under the budget authority of the County Council and Mayor's office to decide what we owe. The three remaining cities are Millcreek, Midvale, and Holiday. They could create a unified agency and we could join them. If we do that, we wouldn't be under canyon patrol which is state mandated to be under the sheriff's office. Canyon Patrol Officers are trained with different skill sets than officers in the valley so that would be a disadvantage to us. We could also create our own police force. And stay with UFA. It will take a lot of work and there are many unanswered questions. A Salt Lake County Council member suggested implementing a statewide transient room tax to fund public safety, but unfortunately, it would be distributed statewide, and we wouldn't take in enough because we don't have enough rooms to make it work. It will take a lot of work to solve this. She added a concern about high snow walls and encouraged everyone to drive slowly in the neighborhoods. Another concern is that a lot of skiers are dropping into the neighborhoods at Brighton right in front of the snow plows.

Jeff Bossard reported that he's been working with Erika Kazi on the sustainability project. They took a while to get started while waiting for the funding to kick in. There is a series of monthly meetings with the Mountain Towns organization where mountain towns all over the west get

together to discuss environmental challenges. The next STR meeting is March 27<sup>th</sup>. They will tighten up the things still out there. He was unable to attend the in-person mosquito abatement meeting due to illness.

Jenna Malone reported on the sustainability meetings. She attended the BCCA meeting last night where UDOT presented on the I-80 and I-215 project. It's progressing slower than expected due to the awesome winter.

Keith Zuspan reported on the MSD's assistance on the grant for the broadband infrastructure study for \$25,000 to work with Horox Engineering. Once the work is completed, we could apply for federal funding. The kick of meeting is tomorrow morning. The MSD meeting had a presentation by Animal Servicers on their budget. They provide support to individuals with animals who can't afford to feed them anymore. Their program provides food for animals. They also have a training program to assist people after adopting an animal, so they don't have to return the animal to the shelter. The SL County Public Works office is providing sandbags at 604 West 6960 South. You can pick up sandbags up until 9PM daily. The PTIF account has \$1.91M. Last month we earned nearly \$7,000 in interest, which is approximately 4.2% annually. There is approximately \$525,000 in the cash account.

#### **PUBLIC INPUT**

Mark Brinton reported that he appreciates the opportunity to participate in the STR subcommittee. Once they subcommittee finishes their work, he is encouraging them to dissolve. The discussion will be brought to the town council. He was working with Gay Lynn Bennion to get funds from the state for water metering but that was not approved. He learned the department of national resources has funding at 0% interest for things like water metering. It is more a water company issue but wanted to share his finding. He's notified Dave Carlson and Steve McIntosh about these opportunities.

#### **Emergency Management Report**

Jane Martain provided a written report because she had to leave early to handle a leak. She's been monitoring road conditions and closure of downhill traffic for plowing, working on the Newsletter with Barbara and Kara, placed phone calls about roof problems; had conversations with Dan and Jim Woodward; sent a text out about an avalanche mitigation road closure planned for 3/9/23. She attended the UTVOAD - Utah State VOAD general meeting on 3/9/23. She worked with Kara to make last minute changes to the March Newsletter and add info about roofs, plow drivers, and driving cautiously in neighborhoods.

#### **BCCA Report**

Not Present

#### **CHAT BOX COMMENS**

00:33:22 Amber Morse's iPhone: Sorry was late, one of my kiddos broke her arm - been a day. Solitude updates include lift hours change now 9AM daily opening with 5 PM closures FRI-SUN. Saturday outdoor music series at Last Chance - great lineup. Last Roundup of

season where we keep Roundhouse Lodge open late is coming up. Looking at extending season further into May. International students are leaving we are still hiring some positions. I can't stay on but if you have anything for me, please let me know. Thanks all!

## **PROPOSALS FOR FUTURE AGENDA ITEMS**

### **April**

- a. Resolution to authorize the Greater Salt Lake Municipal Services District (MSD) to obtain DMV records to assist in contacting vehicle owners of unpaid parking tickets. For discussion and possible action.
- b. Map showing community boundaries.
- c. Allowing no restriction on numbers if the home is owner occupied – and maybe less restrictions since many of the concerns will be alleviated if the owner is present with the renter.
- d. 300' notice to neighbors
- e. Other STR committee recommendations.
- f. Polly to investigate if we can legally incentivize tow truck drivers to service the canyon.

## **ADJOURN**

Keith Zuspan moved to adjourn the meeting and Carolyn Keigley seconded the motion. The meeting was adjourned at 8:18pm.

  
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Submitted by Kara John, Town Clerk



# UNIFIED FIRE AUTHORITY

## Talking Points for March

**Legislative update:** The UFA Legislative Committee had a busy February tracking several bills that have implications for the fire service. HB183 allows for EMS-only employees to be in the firefighter retirement system, HB261 addresses funding for wildland fire mitigation work, HB59 & 278 address the continuing needs of behavioral health in public safety. We also watched several bills related to codes, ordinances, and district operations. We are looking forward to engaging on several other bills during the interim session. The session will close on the evening of Friday, March 3rd.

### **Construction update:**

Station 102 Magna: Steel erection has been completed.

- Sewer line has been tied into the main on Buccaneer Drive with the other components (sand/ oil separator, sampling manhole) being installed on the property.
- Rough-in of plumbing, electrical, and mechanical, as well as interior metal framing, is nearing completion.
- Roof installation is about 80% complete.
- The contractor has reported that they are on schedule to be substantially complete by May 31, 2022.

Station 251 Eagle Mountain: All site concrete has been poured.

- Aluminum window frames are beginning to be installed.
- Overhead doors for the storage and fitness area are being installed this week.
- Mechanical, electrical, and plumbing is continuing in the apparatus bay and mezzanine level.
- Drywall mud and tape is occurring throughout the station and drywall ceilings are being installed.
- The contractor was notified that three electrical panels have been delayed from the manufacturer and currently expected to arrive in May 2023. The panels were ordered in the end of August 2022, soon after the contract was issued. The contractor is working on alternative solutions to provide temporary power to specific HVAC units to condition the building for millwork and other finishes.
- The project substantial completion date is now projecting to be delayed until late March, however this doesn't account for the delayed electrical panels.

Station 253 Eagle Mountain: There some structural steel components in the apparatus bay are that are pending installation due to waiting for available personnel and weather to improve.

- Fire sprinkler installation should be complete.
- Site concrete work has been impacted by the weather and deep frost in the ground. The contractor is assessing methods to begin this work.
- The permanent gas meter has been installed.
- Interior concrete for the mezzanine and stairs is complete.
- Interior components of three electrical panels are delayed until April 15, 2023. Keir, their electrical subcontractor, and electrical consultant are working together to find solutions to provide temporary power to HVAC units in the living area.
- Completion is expected in late May.

**Recruit Camp:** UFA Camp 56 is ongoing, and the new recruits have just completed Fire Dynamics and Air Management this week. We are approaching the fourth week of camp. The recruits are engaging their new challenges with the first being this week of saw safety. They are learning how to effectively work together as a team in performing their essential firefighting duties.

**Captains Academy:** In preparation for the next Captain promotional process in 2024, UFA is holding a Captains Academy. This academy helps prepare candidates for taking on the leadership role of Captain within our organization. Topics include leadership training, budgeting process, government and community relationships, fire prevention and captain strategy, tactics, and incident management. There will be six sessions held over the next 18 months.

**Budget Process Continues.** UFA Divisions are hard at work finalizing their individual budgets to be included in the overall UFA budget proposal. Meetings with the Budget Committee and Fire Chief will be happening over the next two months, with a presentation to the Board Finance Committee on April 10. The full UFA Board will review the budget on May 16, with final review and approval set for June 20.

**March Safety Message:** With the significant snow fall we have been experiencing this winter, UFA is asking residents to ensure that appliance vents in homes have a clear area around them to avoid the dangers of Carbon Monoxide poisoning. When vents for gas-powered appliances such as furnaces, water heaters, or stoves get covered by snow, it can cause the dangerous gas, carbon monoxide, to build up in the home. Carbon monoxide is a colorless, odorless gas that can cause headaches, nausea, and in severe cases, can be fatal. Vents that do not have adequate clearance can also be a fire hazard due to bad airflow. Some of the signs and symptoms of CO poisoning can include:

1. Headache
2. Dizziness or lightheadedness
3. Nausea or vomiting
4. Shortness of breath or difficulty breathing
5. Confusion or disorientation
6. Blurred vision
7. Loss of consciousness
8. Chest pain
9. Seizures or convulsions
10. Weakness or fatigue

If you suspect CO poisoning, you should immediately move to a well-ventilated area and call 911 or your local emergency services. It's also important to have working CO detectors in your home, as they can alert you to the presence of the gas and give you time to evacuate the area.

**Retirement:** Battalion Chief Duane Woolsey retired after 28 years of dedicated service to the department and the people of Salt Lake County and UFA. He was promoted to a paramedic specialist in 1996, a captain in 2004 and a battalion chief in 2006. Chief Woolsey is looking forward to more time with family and spending time on his new sailboat.

## **Other information**

· **City's call volume: 59 Incidents, 9 emergent, 17 traumatic injuries**

· **Interesting/significant call or event that occurred:**

**None**