

The Regular Meeting of the
 Brian Head Town Council
 Acting as the Governing Boards for the
 Redevelopment Agency & Special Service District &
 Municipal Building Authority
 Brian Head Town Hall - 56 North Highway 143
 Brian Head, UT 84719
MONDAY, JUNE 25, 2018 @ 1:00 PM

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Roll Call

Members Present: Mayor Clayton Calloway, Council Member Larry Freeberg, Council Member Lynn Mulder, Council Member Shad Hunter, Council Member Kelly Marshall

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Chief Dan Benson, Public Safety Director; Cecilia Johnson, Town Treasurer

A. CALL TO ORDER

Mayor Calloway called the regular meeting of the Brian Head Town Council acting as the governing body of the Brian Head Redevelopment Agency, Special Service District and Municipal Building Authority to order at 1:00 pm for June 25, 2018.

B. PLEDGE OF ALLEGIANCE

Mayor Calloway led the Council and others in the Pledge of Allegiance.

C. DISCLOSURES

There were not conflicts of interest with today's agenda items. Mayor Calloway stated that the disclosure statements are on file at the Town Clerk's office and are available for public inspection during normal business hours.

D. PUBLIC REPORTS / INPUT (Limited to three (3) minutes) Non-Agenda Items

Council Member Mulder

1. During the annual town cleanup day, the Fire Council had some representative out cleaning up the trails in town.
2. The volunteer firefighters will be holding their annual t-shirt sales in which Cecile Wallis is assisting in the sales of the shirts.

Mayor Calloway thanked everyone who participated in the annual town cleanup day. Mayor Calloway reported it was a good turnout for the event.

Bret Howser, Town Manager, reported the town was awarded a grant from Utah Outdoor Recreation in the amount of \$104,000 for the mountain biking trail reconstruction of the Bunker Creek and Dark Hollow trails.

Tom Gurr, Public Works, reported a youth group came up this last weekend to clean up the town hall sidewalks and area. Sixteen people participated in the clean up efforts.

Shaun Kelly, resident, reported he had a chance to visit the Bunker Creek right fork mountain bike trail where construction is continuing. Shaun reported another volunteer crew went to Bunker Creek last Saturday, Robbie Hartlamier and Jeff Maschinero along with a youth group to work on the trail. The next step will be moving onto the left fork of Bunker Creek in which it will be several weeks before that area is ready to open.



Approved July 9, 2018

1 Council Member Mulder inquired if the town has any type of official acknowledgment or thank you
 2 that is sent to the volunteers. Tom Gurr responded with the youth group that cleaned the town
 3 hall area, he took their picture and thanked them for their efforts.
 4
 5

6 E. APPROVAL OF THE MINUTES:

8 1. May 29, 2018 Town Council Closed Session Minutes

10 **Motion:** Council Member Marshall moved to approve the May 29, 2018 Town
 11 Council Closed Session minutes. Council Member Mulder seconded the
 12 motion.

13 **Action:** **Motion carried 3-0-2 (summary: Yes = 3, No = 0, Abstain = 2 Vote:**
 14 **Yes:** Council Member Marshall, Council Member Mulder, Mayor
 15 Calloway. **Abstain:** Council Member Freeberg, Council Member Hunter
 16 who explained they were not present for the meeting).
 17

18 2. June 11, 2018 Town Council Minutes

19 Council Member Mulder requested clarification for the agenda item addressing the
 20 wayfinding signage in which she would like the minutes to reflect the Council's decision in
 21 changing the proposed signs from having the adjustable feature to a stationary sign. Bret
 22 explained the direction to staff is that the signs will be stationary. The minutes will reflect
 23 the clarification.
 24

25 **Motion:** Council Member Freeberg moved to approve the June 11, 2018 Town
 26 Council minutes. Council Member Hunter seconded the motion.

27 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member
 28 Freeberg, Council Member Hunter, Council Member Mulder, Council
 29 Member Marshall, Mayor Calloway).
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33 G. AGENDA ITEMS:

34 1. FIREWORKS DISCUSSION. A discussion on the upcoming 4th of July holiday fireworks.

35 Chief Dan Benson, Public Safety Director, explained he received information regarding the
 36 current fire conditions in the region and recommended the town cancel the June 30th and July
 37 4th fireworks display. Chief Benson presented a graph of the extreme fire conditions in which
 38 the area is reaching record low of 3% moisture in the tree and a record high in the burning
 39 index (see attached).
 40
 41
 42

43 The Council held discussion on the following:

- 44 1. Mayor Calloway inquired if the Council would be interested in splitting the cost for a
 45 digital billboard that would be located along Holyoak Lane in Parowan identifying "No
 46 Fireworks" to inform the public. Staff will contact Parowan on this item.
- 47 2. Council Member Freeberg commented the town's concerns are the citizens that shoot off
 48 personal fireworks that could easily start a wildland fire.
- 49 3. Chief Benson explained Cedar City has the same concerns in which their fire department
 50 responded to 16 fires immediately before and after the 2017 fireworks show and
 51 explained that Brian Head does not have that kind of manpower to handle numerous
 52 responses.
- 53 4. Council inquired as to how the town can communicate the cancelation of the fireworks
 54 show. Bret explained the town could communicate through social media, press releases
 55 along with posting it on the town's websites. Mayor Calloway suggested staff use the
 56 email list to distribute the information. Bret suggested that Cherry Creek Radio could
 57 also do public service announcement to let the public know.



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- 1 5. Shaun Kelly suggested the town also have an information sheet distributed to the
2 businesses in town, so they could also inform the guests coming into town. The Best
3 Western Premier General Manager, Jose, responded he could put the information on his
4 website and inform his staff to let the guests know.
- 5 6. Council Member Freeberg inquired if the town has already received the fireworks for this
6 year's shows. Chief Benson explained the town has both sets of fireworks stored at the
7 Public Safety building. The company who sold the fireworks are willing to pick them up for
8 a no-stocking fee, but it could be some time before they can have them picked up. There
9 are enough fireworks for two shows.
- 10 7. Council discussed whether to use one show of fireworks for New Year's Eve fireworks
11 display or possibly another event when the fire hazard isn't so high such as the Rock and
12 Ride or Rocktoberfest or possibly split up one set of fireworks for both events.

13
14 **Consensus of the Council:** The town will cancel the June 30 and July 4, 2018 fireworks
15 display for the town due to the extreme fire hazard.

16
17
18 **2. PAROWAN CANYON TRAIL DISCUSSION.** A discussion on a multi-use trail from Parowan
19 to Brian Head.

20
21 Mayor Calloway explained there is a multi-use trail, which is a OHV trail going down Parowan
22 Canyon running from Second Left Hand Canyon to Brian Head and he would like to approach
23 Parowan City to incorporate the trail from Parowan to Second Left Hand making it a complete
24 trail for multi-users; OHV's and mountain bikes. Mayor Calloway explained he would like to
25 encourage Parowan to maintain the trail from Parowan to Dry Canyon area and Brian Head
26 could maintain the trail from Dry Canyon to Brian Head since the public works crew are
27 working in Dry Canyon in the spring time and could easily maintain the trail to the chain up
28 area. It would not be a large cost to the town and would give Parowan City the incentive to
29 finish the trail. Mayor Calloway inquired if the Council is interested in directing staff to pursue
30 this project.

31
32 Bret Howser, Town Manager, explained the costs would include renting the equipment and
33 labor which is approximately \$500 to \$1000 which is not all incremental cost since the labor
34 costs are for the employees.

35
36 The Council held discussion on the following:

- 37 1. Council Member Marshall inquired if the maintenance of the trail is for a limited
38 time or ongoing? Mayor Calloway responded the town would continue to
39 maintain the trail as long as the town maintains Dry Canyon spring which is an
40 ongoing project, but he would encourage the town to enter into an agreement
41 with Parowan City for the maintenance of the trail.
- 42 2. Council Member Freeberg inquired as to the number of people who use the trail
43 since he has noticed many OHV's use the highway instead to get to Second Left
44 Hand. Mayor Calloway responded he has seen numerous people using the trail
45 and would encourage more solutions to get the public to use the trail instead of
46 the highway.
- 47 3. Rick Valentine, resident, responded more people would use the trail if Second
48 Left Hand trail to the #1 trail was opened all the way through. Currently the trail
49 is closed on the upper portion of Second Left due to the 2017 Brianhead Fire.
- 50 4. Council Member Freeberg inquired if OHV's can use the Yankee Meadow road to
51 access the OHV trail to Sydney Valley trail area. Chief Benson responded he
52 would need to verify it.
- 53 5. Bob Whitelaw, business owner, suggested the town could utilize the Patchwork
54 Parkway committee since their focus was on trail and Nancy Dalton who was in
55 charge the committee was working on grants for trails. This could be a resource
56 for the town to maintain and rehab the trails using grant funding.
- 57 6. Signage on the Parowan Canyon ATV is an issue and needs to be improved.



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- 1 7. Bret explained Iron County is doing a lot of work for the OHV trails and the town
2 is currently working with the County. There will be a kiosk in Brian Head that will
3 show the new trails.
- 4 8. Council Member Freeberg explained there have been various groups over the
5 years trying to get an OHV trail from Brian Head south to the #1 OHV trail. Bret
6 responded the town is still looking at that trail and it is included in the Sustainable
7 Recreation and Tourism Master Plan. The first step is for all agencies to be
8 involved and to sit down and determine a route followed the NEPA process which
9 would require funding resource. Bret explained the town is focusing on the
10 mountain biking trails first.
- 11 9. Bret explained Cedar Breaks National Monument does not want any OHV traffic
12 within their boundaries and agreed to sign on to the Master Plan as long as the
13 OHV's were not allowed in their boundaries which has resulted in complicated
14 routes for OHV's.
- 15 10. Council Member Freeberg commented he was unaware that even street legal
16 OHV's are not allowed within the monument boundaries. Those wishing to get to
17 Pangutich Lake area it is illegal to go through the monument on an OHV. Chief
18 Benson explained in order for an OHV to be street legal, the road has to have a
19 speed limit of 50 mph or lower.

20
21 **Consensus of the Council:** Direct staff to pursue this project in encouraging Parowan
22 City to participate in completing the Parowan Canyon trail in which the town will maintain
23 the trail from Dry Canyon to Brian Head and to reach an agreement with Parowan City for
24 the maintenance of the trail.

25
26
27 **3. POP UP VENDORS AND MOBILE FOOD VENDOR DISCUSSION.** A discussion
28 on potential changes to the business license code as it relates to mobile food vendors and temporary
29 businesses.

30
31 Bret Howser, Town Manager, explained during a conversation with Maria Twitchell from the
32 Iron County Tourism Bureau, the concept of pop-up vendors and mobile food vendors that
33 could lend towards economic development in Brian Head. Bret explained this concept would
34 support the economic strategies of the town in which it would allow a mobile food or pop-up
35 vendor business to try out Brian Head by allowing a temporary business to set up and by
36 doing so could entice them to make a permanent step in opening up a brick and mortar
37 business in Brian Head. Bret explained one of the biggest complaints the town hears is that
38 there is not enough dining and shopping and the town is having trouble with attracting those
39 businesses to Brian Head. Bret explained he invited Maria Twitchell to today's meeting for
40 her input on the mobile food and pop-up businesses that she is seeing.

41
42 Bret went on to explain there are currently restrictions in the town code as it pertains to
43 mobile food vendors in which they can only stay at a construction site for no more than two
44 hours. They must also have the permission of the property owner and cannot be located
45 within the right-of-way without a franchise agreement, but they can operate under a special
46 event. Pop-up businesses are not currently addressed in the town code, but it could be a
47 temporary business similar to a mobile food vendor and they would be required to be
48 licensed.

49
50 The Council held discussion on the following:

- 51 1. Bret explained if the Council were interested in this concept, the town code would
52 need to be amended to be more convenient towards temporary structures. Bret
53 explained if a mobile food vender is licensed and registered as a vehicle, the
54 Design Standards of the Land Management Code would not apply. If they are
55 not licensed and registered, it would be considered a structure in which the
56 Design Standards of the Land Management Code would apply.



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- 1 2. Bret recommended the Council also consider amending the mobile food vendor
2 code to entail temporary structures for pop-up businesses and treat them
3 similarly.
- 4 3. Bret explained the Council could use a franchise agreement for the businesses
5 and determine whether they would be allowed to operate within a time period,
6 such as a month or seasonally and the town could have a scaled back set of
7 design regulations for these businesses.
- 8 4. Bret explained the mobile food vendor code was created about ten years ago
9 and other communities are now relooking at them and tailoring their codes for the
10 mobile food vending businesses. Bret explained the town could have a subset of
11 design standards for the mobile food vendors.
- 12 5. Bret explained he would look at keeping the franchise agreement in which a
13 mobile food vendor would be allowed to operate in the town's right of way and
14 would allow the town to determine the number of vendors that could operate and
15 identify a set of criteria that would meet the town's standards.
- 16 6. Maria Twitchell explained the pop-up businesses can provide the retail or an
17 activity that can come in on a temporary basis and provides the service the
18 guests are looking for. It also provides an opportunity for property owners to
19 allow a business on their property.
- 20 7. Mayor Calloway inquired as to the number of mobile food or pop-up businesses
21 that have become a permanent business in Cedar City. Maria responded the
22 Pizza Cart is now a permanent business and is one of the more successful
23 mobile food vendors. Another business located at Southern Utah University.
24 They were hoping to find a permanent location but wasn't able to do so. This
25 would be an opportunity for someone who would like to try for a temporary period
26 to see if their business would work out. Maria explained that developers won't
27 come if the sales tax numbers are not there.
- 28 8. Mayor Calloway reported he invited some of the local businesses in town to
29 attend today's meeting and to give their input to this idea.
- 30 9. Maria explained they brought in Roger Brooks to review Brian Head and the
31 other cities and as part of that review, a survey was sent out to residents of Brian
32 Head and those within a 30-mile radius and 54% the response that came back
33 identified the biggest obstacle for developing Brian Head as a destination resort
34 was the lack of retail, restaurants and activities. Maria explained her husband
35 also has a food business and understands the challenges, but the goal is to
36 provide service to the guests, so they will return or possibly relocate to the area.
- 37 10. Council Member Marshall stated she may have a potential conflict of interest with
38 this agenda item in which she is opening a coffee and doughnut shop in Brian
39 Head. Council Member Marshall commented she believes the more businesses
40 in town providing different types of food would bring more people into town.
- 41 11. Council Member Freeberg inquired if there is a pop-up business and how the
42 water and sewer connections are identified, and the town would need to consider
43 how they would pay for the utility connections and how it would impact the
44 current providers for food, especially if there is a direct competition with the brick
45 and mortar businesses.
- 46 12. Bret explained the town could regulate those that operate within the right of way
47 by way of a franchise agreement.
- 48 13. Council Member Mulder inquired if the town has something in place for a mobile
49 food business to operate within the town's right of way. Bret explained the town
50 has a requirement for those operating on town's property to submit an insurance
51 certificate to the town.
- 52 14. Bob Whitelaw, business owner, explained if the town wanted to do a mobile food
53 round up, the town could create a special event and allow it to happen under the
54 special event code.
- 55 15. Tony Cocchia, Pizano's Pizzeria, explained there are only 122 days a year in
56 which a business makes money and he doesn't see the point of allowing the
57 mobile food vendors to come in and make money while the brick and mortar
58 businesses struggle to keep business going during slow periods. Tony explained



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- 1 the town is taking from his business along with business from the resort and by
 2 doing so the town is losing the trust of the businesses.
- 3 16. Bret explained the town is only exploring the idea.
- 4 17. Council Member Freeberg explained there was a mobile food truck who came up
 5 several years ago to service the construction area and struggled so they
 6 discontinued their business in Brian Head.
- 7 18. Mayor Calloway stated he disagrees with allowing businesses to operate within
 8 the right of way and if they were to be allowed they would need to find another
 9 location which would require permission and would need to address restrooms
 10 and would need to work out a deal. Mayor Calloway commented he understands
 11 the concerns of the existing businesses and keeping the doors open when it is
 12 the slow time of the year. To have a business roll in and take the icing off the
 13 cake then it becomes more distressful to the existing businesses.
- 14 19. Tony Cocchia explained he would agree with having mobile food businesses
 15 during the busiest time of the year when the existing businesses are too busy to
 16 handle the large number of people.
- 17 20. Burke Wilkerson, Brian Head Resort, stated the impact on the resort is more
 18 indirect than Pizano's. but the goal is to get more people on the mountain. Burke
 19 explained that during an event weekend it could work, otherwise it would be a
 20 negative on the existing businesses. Burke stated he doesn't believe the town
 21 should open public lands for the use of private businesses. The town needs to
 22 consider utilities for the pop-up businesses and decide if the town wants
 23 generators going all night which would be in conflict with the town's general plan
 24 in maintaining the look and feel of a mountain resort town. Burke commented
 25 there are currently commercial locations available in town and questions if there
 26 is a demand for that type of business. Burke explained that it could possibly
 27 detract a developer from establishing in Brian Head if there are a lot of mobile
 28 food vendors in town along with impacting the future development of a business
 29 owner.
- 30 21. Council Member Freeberg explained this is a discussion item only and would
 31 suggest the Council review this item at a later time in the future and suggested
 32 the resort have a food truck round up to see how it would work. Burke explained
 33 the resort has contacted several mobile food vendors and they would have to
 34 come out of Vegas and there wasn't a lot of support for it.
- 35 22. Bob Whitelaw explained Parowan City has hosted a food truck roundup in which
 36 they were allowed to operate at the city park without a cost. It was noted the
 37 local mobile food vendors did not participate in the event.
- 38 23. Mayor Calloway commented the staff needs to review the special event code and
 39 the business license to ensure they are up to date. Nancy explained the
 40 business license code was updated in August 2017.
- 41 24. Council Member Freeberg commented that a natural fit in restaurant would be a
 42 Mexican restaurant which would not be in direct competition with the existing
 43 pizza and Thai restaurants.
- 44 25. Council Member Hunter inquired as to the difference between the summer and
 45 winter visitation in Brian Head. Council Member Hunter explained that more
 46 people want different places to eat in the winter season and suggested the town
 47 table this agenda item until a future date.
- 48 26. Council Member Mulder inquired as to the two-hour rule and if not observing that
 49 and want them to stay for a special event, the code would need to be changed.
 50 Bret explained staff will review the special event code.
- 51 27. Mayor Calloway inquired as to the regulations of special events. Bret explained
 52 the special event doesn't specify specific types of businesses and identifies it
 53 shall be restricted to the sale of food. Bret explained that staff will review the
 54 code to ensure that special events are not limited to a two-hour restriction. Bret
 55 went on to explain he also has notes on items in the code that needs to be
 56 clarified.

57
 58 **Consensus of the Council:** Will review this item at a later date.



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2
3 **4. RESOLUTION ADOPTING THE CONSOLIDATED FEE SCHEDULE.** A resolution
4 amending the Consolidated Fee Schedule.
5

6 Bret Howser, Town Manager, presented a draft resolution adopting the Consolidated Fee
7 Schedule (see attached). Bret explained the proposed fee schedule shows a utility increase
8 of 3% in which solid waste increased \$2.00 and sewer fees have increased \$2.00 for a total
9 increase of \$4.00 and will become effective July 1, 2018.

10
11 Bret gave a brief explanation of the history for the reasoning the town was spending down the
12 fund balance in the solid waste and sewer funds in order to ease the increase in the water
13 fund that was upside down. Bret went on to explain the town started to bring back the
14 increase in the solid and sewer funds as of last year in order to get from operating out of the
15 red and has kept the annual increase fairly minimal and was the long-term plan.

16
17 The Council discussed the following:

- 18 1. The Plat amendment fee is being proposed to be reduced in order to be in line
19 with the town's actual costs. The fee is not set for revenue but to ensure the
20 actual costs are covered. The proposed fee for the plat amendment is going from
21 \$1,250 to \$750 for a typical plat amendment.
- 22 2. Staff has also proposed to split the plat amendment fees into three types of fees,
23 such as a lot line vacation, lot line adjustment and a plat amendment.
- 24 3. Council Member Freeberg inquired as to the cost for copies in which the fee
25 schedule identifies \$0.05 for black and white and \$0.10 for color and if the town
26 should consider increasing the cost. Bret explained the current rate covers the
27 town's costs for color and black and white. The fee will remain the same.
- 28 4. Mayor Calloway inquired if the Council should consider reducing the impact fee
29 for residents. Bret explained a impact fee study is typically completed if they are
30 trying to collect 100% of the impact. Most cities will set their impact fees at 80%
31 of the calculated fee in case there is a legal challenge. The town currently sets
32 the impact fee at 50% for residential and has waived the commercial impact fee.
33 Bret explained the town could reduce the impact fee without having to complete
34 the impact fee study. Mayor Calloway commented he would like the town to look
35 at reducing the impact fees.
- 36 5. Council Member Freeberg commented there have been six to eight new cabins
37 and it doesn't appear that it is inhibiting them from building and those
38 homeowners who paid the \$20,000 impact fee previously are now complaining
39 about the current reduced rates.
- 40 6. Bret gave a brief explanation of the impact fee requirements in which the fees
41 must be spent on new growth within six years, otherwise, the fee must be
42 refunded back to the individual. In the town's financial models for capital
43 projects for the next ten years, the town does not know whether it will be
44 receiving impact fees or not and the user rates are set based on the number of
45 connections instead of anticipating impact fee revenue. Bret commented the
46 impact fees could reduce the burden on the user fees, but it comes down to a
47 policy discussion on who is paying for what and what is fair and whether impact
48 fees discourage development.
- 49 7. Bret commented from a financial planning perspective he doesn't think the
50 numbers add up for an impact fee for water or sewer at all but would encourage
51 the Council to continue to assess the public safety fee which will go towards the
52 bond payments.
- 53 8. Burke Willkerson, Brian Head Resort, inquired as to what the breakdown is?
54 Mayor Calloway responded the impact fees is approximately \$6,000 but along
55 with the impact fees there are connection fees which total approximately \$10,000
56 and he would like to propose to eliminate or reduce the \$6,000 in impact fees.
- 57 9. Council Member Hunter commented the town should not be eliminating the
58 impact fees, but he would be agreeable to reducing the current impact fees.



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- 1 10. Council Member Freeberg suggested the Council hear from Wendy Dowland,
2 Public Works Assistant, on her experience in working with people who are
3 building and whether the impact fees are a deterring factor from building a home
4 in Brian Head.
5 11. Mayor Calloway commented the town will be seeing more tiny homes in Brian
6 Head since people are looking for way to minimize the cost of building a home.
7 12. Burke Wilkerson, Brian Head Resort, explained there is a 1993 water
8 development agreement between the town and resort in which the connections
9 were identified as water fixture unit and if the town is considering reducing the
10 impact fees for water, this would affect the agreement and the town would need
11 to have a discussion with the resort first and if the town decides to reduce or
12 diminish the impact fees, it would reduce the value of the water fixture units the
13 resort has. Burke explained this item was a subject of litigation in 2000.
14 13. Bret gave a brief history of the 1993 water agreement with the Resort in which
15 when a home is built in the Trails at Navajo, the resort receives the impact fee
16 and if those fees were remitted to the town, the town would the remit the value of
17 the water fixture units at the time back to the resort. Burke explained the town
18 would need to convert into acre feet or residential units. Mayor Calloway
19 responded that if it goes to acre feet it would get the resort back to where the
20 original purchase was.
21

22 **Consensus of the Council:** Direct staff to research the water fixture units with the
23 resort and revisit the impact fees at a later date.
24

25 **Motion:** Council Member Mulder oved to adopt resolution No. 475, a resolution
26 adopting the Consolidated Fee Schedule with an effective date of July 1,
27 2018. Council Member Freeberg seconded the motion

28 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member
29 Freeberg, Council Member Hunter, Council Member Mulder, Council
30 Member Marshall, Mayor Calloway).
31
32

33 **5. ORDINANCE & RESOLUTIONS AMENDING THE FISCAL YEAR 2018 BUDGETS**
34 **FOR THE TOWN, RDA, SSD, MBA.** Amendment of the fiscal year 2018 budgets for the Town,
35 Redevelopment Agency, Municipal Building Authority and Special Service District.
36

37 Cecilia Johnson, Town Treasurer, presented the amended fiscal year 2018 budgets for the
38 town, Special Service District, Redevelopment Agency and the Municipal Building Authority
39 (see attached). Cecilia reported staff has adjusted the following budgets:
40

- 41 1. **Wildland Fire Fund:** An increase in the expenditure line in the amount of \$5,000 for
42 repairs to vehicles along with \$10,000 that was for a grant they are expecting to get
43 before July 1, 2018. There will be revenue that will offset the expense of the grant.
44 2. **RDA fund:** staff has added to the expenditure line for engineering for the Chair #1
45 project. Bret explained the Chair #1 project is identified in the FY2019 budget, but there
46 are some engineering costs that are taking place in the FY2018 budget.
47 3. **MBA Fund:** the public safety building has funds identified from the CIB loan that are
48 currently being used for the building. There is an adjustment of \$10,000 to the MBA
49 expenditure line.
50 4. **Debt Service Fund:** There is a transfer from the debt service fund to the water fund in
51 the amount of \$185,000 for the fiscal year payment to 2016 GO Refunding bond. Mayor
52 Calloway inquired if the numbers identified as GL#4410 or 4111 in the line item. Cecilia
53 responded she will change the water fund line to reflect the same number 4410.
54

55 Council Member Freeberg inquired as to the \$185,000 transfer from the debt service fund to
56 the water fund. Bret explained that funds in the debt service fund can only be used for debt
57 service only and there is a lot of overage in that fund that can only be used for GO debt. Bret
58 explained the water fund has GO debt that could be paid with the overage of funds in the



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1 debt service fund. This would keep the water fund stable and still be able to keep the water
 2 rates stable. The town is limited on what the town can do with the funds and it helps the
 3 businesses and residents in keeping the water rate low. Bret explained this particular water
 4 debt was voted upon as GO bonds which qualifies for the funds and staff has verified it with
 5 the Auditor.

6
 7 Mayor Calloway inquired as to page 5 of the report in which the total expenditures and
 8 revenue and there is a minus 558% and inquired if the numbers are overlapping. Cecilia
 9 explained it is due to the lines not fitting completely on the page. Cecilia also explained there
 10 are more expenditures that will be coming in over the next two months.

11
 12 Council Member Freeberg inquired as to page 3 of the budget document on the General
 13 Fund of the operational budget and the total for general government and the budget is
 14 685,000 and the expenditures so far are \$605,000. Bret explained that there are still revenue
 15 and expenditures coming in and the figures show as of today.

16
 17 **Motion:** Mayor Calloway moved to adopt ordinance No. 18-007, an ordinance
 18 amending the fiscal year 2018 town budget as presented. Council Member
 19 Hunter seconded the motion.

20 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member**
 21 **Freeberg, Council Member Hunter, Council Member Mulder, Council Member**
 22 **Marshall, Mayor Calloway).**

23
 24 **Motion:** Mayor Calloway moved to adopt resolution No. RDA-031, a resolution
 25 amending the fiscal year 2018 Redevelopment Agency budget as presented.
 26 Council Member Marshall seconded the motion

27 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member**
 28 **Freeberg, Council Member Hunter, Council Member Mulder, Council Member**
 29 **Marshall, Mayor Calloway).**

30
 31 **Motion:** Mayor Calloway moved to adopt resolution No. SSD-024, a resolution
 32 amending the fiscal year 2018 Special Service District budget as presented.
 33 Council Member Marshall seconded the motion.

34 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member**
 35 **Freeberg, Council Member Hunter, Council Member Mulder, Council Member**
 36 **Marshall, Mayor Calloway).**

37
 38 **Motion:** Mayor Calloway moved to adopt resolution No. MBA-008, a resolution
 39 amending the fiscal year 2018 Municipal Building Authority budget as
 40 presented. Council Member Mulder seconded the motion.

41 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes: Council Member**
 42 **Freeberg, Council Member Hunter, Council Member Mulder, Council Member**
 43 **Marshall, Mayor Calloway).**

44
 45
 46 **6. POTENTIAL FUTURE AGENDA ITEMS.** The Council will discuss potential future agenda
 47 items

48
 49 Mayor Calloway explained this agenda item is for the Council or the public to request
 50 something for a future agenda item. Mayor Calloway explained the Council would need to
 51 have a consensus on the item for it to be identified for a future agenda.

52
 53 **Bristlecone Pond**

54 Mayor Calloway explained there are vehicles that are parking along Bristlecone Pond area on
 55 the west side of the pond area where there is grass on both sides and inquired if the town
 56 wants vehicles to park in that area. The area is directly across from the Mi Pueblo restaurant.
 57 If the area is to be used for parking, then it should be improved. Bret reported he had a
 58 conversation with Utah Department of Transportation (UDOT) who did not want an official
 59 parking lot by the dam area, so the town paved the west side of Vasels Road by the pond



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1 area instead. The town hasn't discouraged vehicles from parking on the west side of the
2 pond. Mayor Calloway suggested the Council review an updated landscaping and finishing
3 the features around the pond for the next phase of the pond area.

4
5 **Consensus of the Council:** The next landscaping phase of Bristlecone Pond will be
6 reviewed by the Council and identified for a future agenda item.

7
8 **Chair #1 Parking Project**

9 Bret reported staff is having difficulties with the architect who is finishing up on the chair #1
10 parking project. The parking lot portion of the project is a time sensitive project due to the
11 asphalt and the town received a quote from Western Rock Product for the pavement portion
12 of the project. The quote is based on a per unit cost which is the same as the engineer's
13 estimate. The town is considering doing the paved parking lot for Chair #1 as part of the
14 2018 streets project with Western Rock instead of going to bid on a pavement project in July.
15 Staff will come back for the bidding on the restrooms for the Chair #1 project. The
16 amendment to the 2018 streets project will be on the next Council agenda for approval.

17
18 **OHV Noise**

19 Council Member Freeberg explained he has spoken with Chief Benson about the noise from
20 the OHV's that run a modified muffler which in his opinion is getting worse. Council Member
21 Freeberg explained he has had residents complaining about the noise and Chief Benson
22 explained the code requires the OHV to have stock muffler on the machine. Council Member
23 Freeberg stated he would like the Council to address this item since it could be an issue with
24 the 4th of July coming up. Mayor Calloway reported on an incident in which a couple of boys
25 riding two stroke dirt bikes were tearing things up and riding out towards the 1,600 acres
26 which is private property.

27
28 **Consensus of the Council:** OHV noise will be a future agenda item for discussion.
29

30
31
32 **H. ADJOURNMENT**

33
34 **Motion:** Council Member Freeberg moved to adjourn the regular meeting of the Brian
35 Head Town Council acting as the governing body of the Brian Head
36 Redevelopment Agency, Special Service District and Municipal Building Authority
37 for June 25, 2018. Mayor Calloway seconded the motion.

38 **Action:** **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Council Member Freeberg,
39 Council Member Hunter, Council Member Mulder, Council Member Marshall,
40 Mayor Calloway).

41
42 The regular meeting of the Brian Head Town Council acting as the governing body of the Brian Head
43 Redevelopment Agency, Special Service District and Municipal Building Authority was adjourned at 3:10
44 pm for June 25, 2018.

45
46
47 _____
48 Date Approved

49
50
51 _____
52 Nancy Leigh, Town Clerk

