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The Regular Meeting of the  
Brian Head Town Council  
Brian Head Town Hall - 56 North Highway 143  
Brian Head, UT 84719  
**MONDAY, SEPTEMBER 23, 2019 @ 1:00 PM**

9 **Roll Call:**

10 **Members Present:** Mayor Clayton Calloway, Council Member Larry Freeberg, Council Member Kelly  
11 Marshall, Council Member Shad Hunter.

12 **Members Absent:** Council Member Lynn Mulder.

13 **Staff Present:** Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Cecilia Johnson, Town  
14 Treasurer; Aldo Biasi, Public Works Director; Wendy Dowland, Public Works  
15 Assistant; Chief Dan Benson, Public Safety Director.

18 **A. CALL TO ORDER**

19 Mayor Calloway called the regular meeting of the Brian Head Town Council to order at 1:00 pm  
20 for September 23, 2019.

22 **B. PLEDGE OF ALLEGIANCE**

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

25 **C. DISCLOSURES**

26 There were no conflicts of interest with today's agenda. Mayor Calloway stated that the  
27 disclosure statements are on file at the Town Clerk's office and are available for public inspection  
28 during normal business hours.

30 **D. APPROVAL OF THE MINUTES:**

31  
32 **September 9, 2019 Town Council Meeting**

34 **Motion:** Council Member Hunter moved to approve the September 9, 2019 Town Council  
35 minutes. Council Member Marshall seconded the motion.

36 **Action:** **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes: Council Member Hunter,**  
37 **Council Member Marshall, Council Member Freeberg, Mayor Calloway. Absent:**  
38 **Council Member Mulder).**

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

42  
43 **Aldo Biasi, Public Works Director**

44 1. There is an action step in the FY2020 Strategic Plan to do a silt pond across Highway 143  
45 and, during discussions, the project changed to a diversion ditch. During a tour of the pond  
46 area, it was decided to dredge the pond out instead. Later in the summer, a crack was  
47 discovered, and the staff held off on dredging the project. It was later determined the crack  
48 formed due to settling issues and not sliding and the crack disappeared over time. Aldo  
49 reported he has gotten costs on a dredger unit for approximately \$3,000 to \$4,000 and  
50 inquired if the Council is wanting staff to follow through with the project.

51 **Consensus of the Council** is to hold off dredging the pond at this time.

52 2. The new 72"x48" "No Parking" signs designated for both entryways of town are ready to  
53 order. Aldo presented the proof of the signs to the Council. Mayor Calloway feels the signs  
54 would be too large and suggested they reduce the size to 36"x48" for the entryway signs.



1 Mayor Calloway commented he wouldn't want to clutter up Highway 143 with signage. Bret  
 2 reported they could install some signs on the collector roads and the two-hour parking sign  
 3 will be installed on Village Way in front of the Mall area. Mayor Calloway agreed with  
 4 installing the smaller signs on the collector roads: Steam Engine Drive, Hunter Ridge Drive,  
 5 and Ridge View Drive and that Vasels Road should also have a sign that says, "No Trailer  
 6 Parking".

7 Council Member Marshall commented the sign with the red and black coloring stands out  
 8 more and suggested using those instead of signs with one color on them and to use the black  
 9 on top and red on the bottom of the sign.

10 Bret inquired if the Council is comfortable with enforcing the parking code where people may  
 11 have not seen a "No Parking" sign. Council Member Freeberg commented that should be up  
 12 to the discretion of the officer. Bret suggested the collector road signs should be a regulatory  
 13 size sign and the entryway sign dimensions be reduced to 36"x48" for both ends of town.  
 14 Bret went on to report he has spoken with UDOT on the installation of each of the entryway  
 15 signs along with the three major collector roads: Hunter Ridge, Steam Engine Drive and  
 16 Ridge View.

17 3. Mayor Calloway commented on the newly installed zig-zag fence along the pond area but  
 18 stated there are signs advertising the log fence company, which is a violation of the Town's  
 19 sign code. Aldo responded that he told him he could keep the signs there until someone  
 20 complains; at which time, he would need to remove them. Mayor Calloway inquired about  
 21 doing another section of the zig-zag fencing between Vasels Road and the Resort's Giant  
 22 Steps parking lot. Aldo explained the cost could increase since it was quoted by the foot.  
 23 Bret reported the Town may have some funding left over for the project.

24 4. Mayor Calloway inquired if there is a clear path for the snowmobile trail to go through with the  
 25 installation of the zig-zag fencing. Aldo explained the trail will go towards and adjacent to the  
 26 highway. Council Member Freeberg stated that he has a concern with the trail running  
 27 adjacent to the highway due to the snow that is thrown on the trail which ruins the trail.  
 28 Council Member Freeberg explained there are several residents who park their snowmobiles  
 29 near the pavilion area in order to quickly access the Town's snowmobile trail and suggested  
 30 that markers be installed in order to protect the fence and the snowmobilers.

31 4. Mayor Calloway commented on the improvements to Bristlecone Pond/Park where sod was  
 32 installed.

33 5. Mayor Calloway commented on the good progress the ACE crew is doing on improving the  
 34 Manzanita Trail.

35  
 36

37 **G. AGENDA ITEMS:**

38  
 39 **1. PUBLIC HEARING: TOWN WATER SYSTEM TREATMENT OPTIONS.** A public  
 40 hearing to receive public comment on options for the Town water system.

41  
 42 Bret Howser, Town Manager, gave a brief introduction regarding chlorination of the Town's  
 43 water system. Bret explained the Town experienced a boil order in June 2019 due to the high  
 44 spring runoff. Staff then evaluated the possibility of chlorinating the Town's water system at  
 45 that time. Bret reported he understands that this is a controversial topic since the Town has  
 46 always had a non-chlorinated water system. Bret explained the Town is currently conducting  
 47 batch chlorination (which is not legal to do) in which chlorine is added once a year, typically in  
 48 the spring. Bret reported it is not in the plan to continue with batch chlorination.

49  
 50 Bret gave the following options to the Council to consider:

- 51 1. continue as is and not treat the water at all.
- 52 2. Work with the State on a version with batch chlorination which would be legal.
- 53 3. Change to a chlorination system.
- 54 4. Change to a UV treatment system, which would still require that a residual level of chlorine
- 55 be maintained. This is a state mandate.

56



1 Mayor Calloway opened the public hearing to receive public comment on the Town's water  
2 system at 1:10 pm.  
3

4 **Shaun Kelly**, 150 W. Ridge View, Copper Chase Condo resident, commented he has  
5 listened to several conservations in the past and as much as he would like to have pure water  
6 and wouldn't want to chlorinate, he understands there isn't much that can be done about it  
7 and would vote to keep the water as pure as possible. As an individual, he would risk it, but  
8 there is the public to consider and the Town needs to go towards a chlorinated system.  
9 Shaun asked if the Town could possibly wait a year or so before it actually happens. He is  
10 familiar with the testing process and trying to provide for a safe water system.  
11

12 **Hans Schwob**, Circle Drive resident, inquired as to the cause of the contamination. Mayor  
13 Calloway responded that he will take note of his question and will answer them after the  
14 public hearing is closed. Hans commented that he believes the Town needs to chlorinate the  
15 system since the liability of the Town is a concern.  
16

17 **John Grissinger**, Eagles Roost resident, commented he remembers when the fire broke out  
18 in Brian Head and he was in Kansas City and if another boil order took place, especially  
19 during a holiday, it wouldn't be good for business or the Town's reputation. One of the  
20 Town's previous employees stated that the system could be chlorinated on an as needed  
21 basis and that he doesn't know what the process was to determine that. John commented  
22 that the Town's water tastes good, and due to the liability, believes the Town should move  
23 towards chlorinating.  
24

25 **Wayne Rogers**, Chalet Village, had a question regarding the UV lights which he has had  
26 some experience with this treatment on a residential basis. Wayne asked if the Town has  
27 any cost factors on it and since the Town is talking about a great sum of water, he is curious  
28 on the cost. He believes it is a positive treatment and very effective on a residential level  
29 even though it was costly as a resident.  
30

31 **Andre Yardbough**, Chalet Village resident, commented that there doesn't seem to be a way  
32 around it and what if a boil order happened during Christmas vacation? The problem needs  
33 to be addressed and embraced vs. not. This seems to be the direction of the Town.  
34

35 **Cecile Wallis**, Alpine Condo resident, wanted to make sure that when this happens, she  
36 wouldn't want the taste to change. She recently had friends up who commented on how  
37 good the water tastes and she wouldn't want to start tasting like California water.  
38

39 One written comment was submitted from Ron Rickwald which was read into the minutes.  
40 Mr. Rickwald commented he votes for chlorination but with added solar powered UV as well.  
41 It maintains pure water taste and quality but kills the bugs.  
42

43 There were no other comments, Mayor Calloway closed the public hearing at 1:17pm.  
44

#### 45 Discussion

46  
47 The Council and staff addressed questions that were raised during the public hearing:  
48

49 Hans Schwob's question as to how it happened: Aldo Biasi, Public Works Director, explained  
50 there was a very high spring flow runoff in the spring in which all of the Town's springs tested  
51 dirty. Aldo explained that other towns around the state also had issues due to the high spring  
52 runoffs. Bret explained that one of the concerns moving forward is that once there is a high  
53 runoff, it could possibly change the course of the water. There is still one spring that is  
54 currently testing dirty and the Town could try to fix the issue by rehabbing the springs and  
55 turning them out in the spring-time, but one thing to consider is the Resort's snowmaking  
56 which demands a lot of water along with the demand in Town, which becomes a more of  
57 quantity issue than a quality issue.



1  
2 Wayne Roger's question regarding UV treatment costs. Aldo responded the UV treatment is  
3 very costly and staff doesn't have those costs but knows it is a good treatment option. Mayor  
4 Calloway commented he has some experience with the UV treatment in which it must be  
5 exposed a certain amount of time to kill everything and the bulb is very expensive.  
6

7 The question regarding the as-needed batch chlorination in which the springs would be  
8 chlorinated during the spring and fall as needed. Bret responded that even if the State were  
9 okay with it, it still leaves the Town at risk. Aldo reported the Town is required to test once a  
10 month in which there is one sample from one site. Staff is now testing three sites every other  
11 week. Aldo explained when the Town goes to chlorination, we would have to maintain  
12 chlorine residual and staff would be continually testing it. Aldo explained this will be a  
13 learning curve during the beginning until they are able to get the right dosage.  
14

15 Mayor Calloway commented the Town is currently running on well water and he has noticed  
16 the difference in the taste. If the well water is combined with the spring water along with  
17 chlorine, he believes the taste will be fine.  
18

19 A question was asked as to how many dead-end lines are in the water system. Aldo  
20 responded there are approximately twelve dead-end lines and staff is installing fire hydrants  
21 and flushing those with chlorine in the system which will help control any contamination  
22 issues.  
23

24 The Council then discussed the following:

- 25 1. Whether the Town will chlorinate the water used for snowmaking or if the water could be  
26 sent directly to the snowmaking pond without having to be chlorinated. Aldo explained it  
27 would depend on where the water is coming from and since bacteria in the pond is dirty  
28 enough it would eat the chlorine in the water quickly before going through the  
29 snowmaking guns. Aldo reported staff will try to manage it in-house and look at possibly  
30 dumping the water before it gets to the chlorinator.
- 31 2. Whether utility rates will increase if the Town goes towards chlorination. Bret explained  
32 the chlorination is \$25,000 for set-up and most of the well houses are already designed  
33 with the ability to install the chlorination system. There will be an ongoing cost of  
34 approximately \$1,000 a year, and the Town may have enough in cost savings from other  
35 projects to fund the \$25,000. The ongoing costs will be budgeted for and rates may  
36 increase every so often, but not an increase for this project.
- 37 3. Mayor Calloway commented he was caught off guard on the idea the Town may have  
38 been cheating or not, but it has eroded the trust of the public and he wanted staff to  
39 know. Bret responded that staff tried to be forthcoming as possible, but from  
40 accountability perspective, they are fixing what was wrong and doing the right thing by  
41 moving forward.
- 42 4. Council Member Freeberg explained that batch chlorination is not legal and in looking at  
43 the paperwork Council was provided with, it states that continuous disinfection is  
44 recommended for all water sources and that it is required for all ground water sources  
45 that do not consistently meet standards of bacteriological quality. The third point in the  
46 information states "since intermediate or batch disinfection such as adding hypochlorite  
47 tablets or concentrated hypochlorite solution is not acceptable for ongoing operations if  
48 continuous disinfection is required". Council Member Freeberg commented that part of it  
49 is what the State considers "continuous disinfection" and he does not believe the Town is  
50 a continuous system since the Town has done it periodically in the spring, but that is not  
51 a continuous system and that is a conflict of what is determined what is a batch vs.  
52 disinfection. If the Town decides to continue with the current system of non-chlorination,  
53 then staff should be asking the State whether the Town can legally continue with what the  
54 Town has been doing or not.
- 55 5. Council Member Freeberg commented he has been proud of the Town's water and he  
56 hates to see the Town chlorinate the water, but it's the Town's responsibility is to provide  
57 safe water.  
58



- 1 6. Bret responded that if the Council is prepared to move towards a chlorinated system, it  
2 would be easier than to turn to the State and have a discussion on a possible batch  
3 chlorination solution. Bret explained that if it is asked of the State, the State would  
4 require the Town to have a chlorinated system, and he would like to have this  
5 conversation with the Council first and that this is a policy decision.
- 6 7. Council Member Marshall commented she is relieved to hear the public's input during the  
7 public hearing and her main concern was that most people did not want chlorination.  
8 Council Member Marshall commented on a previous discussion regarding the boil order  
9 scare and Aldo wanting to go to chlorination at that time. Council Member Marshall  
10 inquired as to the corrosion of the infrastructure from chlorine. Council Member Marshall  
11 commented she believes the Town will need to move forward towards chlorination in  
12 order to protect the visitors and residents.
- 13 8. Council Member Hunter commented that he understands it is difficult to chlorinate the  
14 water and change the taste of the water, but the Town needs to consider the safety of the  
15 guests and what the Town needs to provide.
- 16 9. Bret explained that when he started with the Town in 2013, there was a capital project list  
17 which identified a chlorination station and was re-prioritized as a lower priority, but it was  
18 something the Town would eventually need to consider.
- 19 10. Mayor Calloway commented that he believes it is the responsible thing to do and he also  
20 hates to think of chlorinating the Town's water system and inquired as to what safety  
21 systems will be put into place to prevent over chlorination. Aldo responded the staff will  
22 be testing for chorine residuals three times a week and monitoring the system. The new  
23 routine will be testing once a month for by testing. The Town will be purchasing new  
24 equipment for testing. Since gas chlorine can kill a person, there will be safety measures  
25 put into place that will include a chlorine sniffer which will have an alarm that will go off if  
26 there are issues with a tank leaking or something similar.
- 27 11. Mayor Calloway requested staff fine tune the cost for operational and equipment needed  
28 to proceed with chlorinating the system.
- 29 12. Aldo reported that the Town will chlorinate from two sites which will chlorinate the system  
30 and staff will then test for chlorine residual from Cedar Breaks Lodge, Town Hall and the  
31 Fire Station and staff will continue to work to fine tune the sites.
- 32 13. Mayor Calloway inquired as to a routine schedule for the dead-end lines. Aldo  
33 responded the staff flushes the system in the spring and fall and this will be adequate for  
34 chlorine in the system.
- 35 14. Council Member Freeberg inquired as to the chlorine injection system and is it a metered  
36 flow. Aldo responded that there isn't a meter flow available that he is aware of. The  
37 chlorine injection will be set up for two pounds a day. Council Member Freeberg  
38 commented that is a concern as in the summertime there isn't much use of the water.  
39 Aldo responded that they will be using the spring flow to feed the system.
- 40 15. Mayor Calloway inquired as to the fluctuations in the spring flows in the different seasons.  
41 Aldo responded that Mammoth Springs falls between 30 gallons p/minute to 100 gallons  
42 p/minute and Decker and Saltpile Springs flow higher around 400 gallons p/minute and  
43 the others are around 100 gallons p/minute.
- 44 16. Aldo explained that well water is not usually chlorinated, but they will be mixing  
45 everything from the Mammoth tank to the Woodbridge pump station. The chlorination  
46 stations will be at the Mammoth tank and the Million Gallon tank.
- 47 17. Council Member Freeberg stated his concern about how the Town judges how much  
48 chlorine is used. The town doesn't use a continuous 200,000 gallons a day and varies  
49 greatly and what does the Town do now? Aldo explained that the springs can be turned  
50 out and in turn it will overflow the tanks which then goes down the creek. As for the  
51 design process, we will come up with somewhat of a dosage rate and figure it out over  
52 time and it is included in the design work Aldo explained the Town is pushed for time to  
53 install the chlorinated system.

54  
55 **Consensus of the Council:** Staff has direction to pursue a chlorinated system.  
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2. **PUBLIC HEARING FOR AN AMENDMENT TO THE LAND MANAGEMENT CODE, CHAPTER 12.6 (LIGHTING), 12.7 (BUILDINGS) AND 12.7(E) ROOFS.** A public hearing on proposed changes to the LMC.

Bret Howser, Town Manager, gave a brief explanation of the proposed changes to the Land Management Code, Chapter 12, addressing lighting, building styles and roofs. Bret explained that the majority of the changes proposed addressed lighting. The Town Council identified an action step in the FY2020 Strategic Plan to investigate the International Dark Skies certification. In reviewing the standards required for certification it was determined that it would better suit the Town to identify its own set of standards that would meet the Town goals and present the Town’s version to the International Dark Skies Board for review and approval. The Planning Commission held its public hearing and submitted its recommendation to the Council for approval. Some of the proposed changes in the Land Management Code 9.12 are as follows:

1. Identified the maximum amount of light allowed per property of five (5) lux for businesses and one (1) for residential. Staff purchased a lux meter which measures the amount of light projected. Staff then measured several different locations in the residential areas and businesses that located in Town (see attached staff report).
2. Identified a stricter definition of shielding for clarification purposes.
3. Identified the color spectrum requirement to below 3,000 kelvins.
4. Suggested a curfew related to lighting (9.12.6.D) of 10:00pm, but not to interfere with reasonable business operations, safety and mobility throughout the Town.
5. Exemptions are identified for reasonable business operations, recreational uses, special events, and flagpoles.
6. Proposed amendment to buildings, 9.12.7, was adding the “mountain modern” architectural design. This is a design that is becoming popular in Town in which the particular aspect of the design is the monoslope roof.
7. Amendment to code addressing roofs is to incorporate the monoslope roof which is specifically used for the mountain modern design.

Mayor Calloway opened the public hearing to receive public comment on the proposed amendments to the Land Management Code at 1:55 pm.

Shaun Kelly, Planning Commission Member, commented he would like to emphasize the purpose of the Dark Skies and implementing changes in the code is an effort to reduce the amount of light that is wasted. Shaun reported he also participated in the field trip in measuring the lights from businesses and residential throughout town and noted that the Town does not project that much light, but there is a lot of glare from the lights. Shaun stated none of this works unless there is buy-in from the community and he would encourage the public to work towards having a dark sky community. Shaun stated one last point he would like to make is that the Town will be growing, and the Town needs to have things in place as it grows addressing the lighting and not missing out on the resources that are available. Shaun commented that he is not against the Resort or other businesses that would project light for a short period of time.

Wayne Rogers, Chalet Village Property Manager, inquired if the proposed changes is a new ordinance the Council is going to put in place and does it currently affect the lighting and also affect the businesses, residential or both?

Weston Getts, resident on Hunter Ridge Drive, commented he is in favor of the mountain modern architecture design and he is seeing things that are popping up and are going that way. He likes the proposed changes.

No other comments or written comments were submitted. Mayor Calloway closed the public hearing at 2:00 pm.



1 Bret Howser, Town Manager, commented the Land Management Code (LMC) already has  
2 some regulations on lighting and the Planning Commission proposed several changes in  
3 which the code was heavily revised pertaining to lighting requirements. The current LMC  
4 requires lighting to be shielded and the proposed language strengthens the language of what  
5 the Town means by shielded along with addressing the color spectrum which is new  
6 language. Bret went on to explain the Town allowed businesses to have up to five (5) lux for  
7 lighting, which is how much lighting is hitting off the surface and one (1) lux for residential.  
8 During their field trip in looking at different locations with the lux meter, it was found that  
9 shielding will address most of the lighting issues. The color spectrum was also discussed  
10 during the trip in which the white and blue led lights were identified as intrusive.

11  
12 The Council discussed the following:

- 13 1. Council Member Freeberg commented that he was glad to see the Town addressed  
14 the color spectrum which should help in reducing the amount of light. Council  
15 Member Freeberg commented one of the biggest light offenders is the Public Safety  
16 Building. Bret explained staff is in the process of acquiring quotes for changing out  
17 the lighting on the Public Safety Building's flagpole. Council Member Freeberg  
18 suggested the staff also research solar lighting for the flagpole in an effort to save  
19 money. Staff will do some research on solar lighting.
- 20 2. Mayor Calloway commented on the last sentence on the first paragraph "This section  
21 does not apply to indoor lighting, however, light trespass from interior lighting that  
22 negatively impacts adjacent properties is also prohibited" is too subjective and would  
23 recommend to strike the sentence beginning with "however,..."
- 24 3. Council Member Freeberg commented the number of lumens to the edge of the  
25 property and anything inside that is acceptable, just can't more be than x amount.  
26 Bret responded that it would be identified in the LMC and the nuisance code could  
27 address it also.
- 28 4. Bret explained the LMC addresses the maximum lumens for outdoor lighting but  
29 doesn't apply to indoor lighting. Bret reported he will review the LMC and check each  
30 instance pertaining to indoor lighting.
- 31 5. Mayor Calloway inquired about 9.12.6.A.2 exterior lighting on the proposed  
32 language: "Merely placing a light fixture under an eave, canopy, patio cover or other  
33 similar cover does not qualify as full shielding" If a home that overlooks the resort has  
34 a particular model of lighting, would be illegal? Bret responded that it would depend  
35 if the light bulb is recessed or exposed and would test it from the perimeter of the  
36 property. The Council was reviewing different types of shielded lighting.
- 37 6. Mayor Calloway commented he disagrees with full shielding as he feels that it is too  
38 restrictive and most exterior lights in town would be illegal. Bret responded this is a  
39 recommendation from the Planning Commission.
- 40 7. Mayor Calloway commented that a low wattage light bulb would help with what the  
41 Town is trying to achieve.
- 42 8. Wendy Dowland, Public Works Assistant, reported the recommended changes from  
43 the Planning Commission were not incorporated into the attached ordinance, but are  
44 identified in the staff report. Their recommendation on the lighting was a change in  
45 the last sentence A.2 to read "Merely placing a light fixture under an eave, canopy,  
46 patio cover or similar cover does not qualify as fully shielded unless the light source  
47 is sufficiently recessed into the building or the building itself provides full shielding"  
48 and another change was to change the total lumens of 5,000 and 25,000 in section  
49 9.12.6.C.3.
- 50 9. Bret reported that he would like to address some of the concerns that Mayor  
51 Calloway has brought up:
  - 52 a. Bret explained staff can address the shielding language with the intent to keep the  
53 light source from being visible from adjacent properties. Bret explained that what  
54 is meant by that is that the top and sides are covered and not just a light bulb that  
55 is under an eave.
  - 56 b. Limiting people's choices on what type of fixture they can choose. Bret inquired if  
57 the Council is comfortable with this language. Council Member Freeberg inquired



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if the Town is going to require everyone to change over? Bret responded that the Planning Commission was looking at the International Dark Skies requirements and one of their requirements was to have a strategy in place for compliance over time which is usually done with an incentive program. Bret explained that if the Town were to pursue the Dark Skies certification, this would be something to review, but the Town is not intending to pursue Dark Skies certification. Bret explained the Council would need to determine on whether the Town would require a retro-active compliance or not.

Mayor Calloway commented the Town supports Cedar Breaks National Monument on having the Dark Skies designation and he would like to see if the Town can achieve the intent of reducing the lighting with an architecturally attractive light that meets the lux requirements. Bret responded you could be standing on the edge of a property and it meets the lux requirement, but the glare becomes the issue which makes a difference. The shielding makes a difference for reducing glare and would accomplish two different things, in bringing the level of light down and reducing the glare.

c. Mayor Calloway commented there is a need to illuminate the community for a sense of place and not driving through dark streets and he believes the language addressing shielding is too restrictive. Council Member Freeberg agreed with Mayor Calloway on this item. Bret explained the proposed language is severely limiting people's choices, but there are several attractive lights that would meet the requirements.

10. Council Member Marshall commended the Planning Commission on their efforts in addressing lighting and putting it together.

11. Mayor Calloway commented he would like to do some more research in which he would like to take a trip through Town and measure the lux on buildings.

12. Council Member Freeberg commented on the sentence that identifies streetlights would be at every intersection of Highway 143 but believes there are already streetlights at every intersection that meets Highway 143. Bret responded he also believes there are streetlights at every intersection of Highway 143.

13. Mayor Calloway suggested that a copy of the Public Works Standards be distributed to the Council for review. Bret explained that he is not sure if there is anything in the Public Works Standards that would address those streetlights along the Highway.

14. Council Member Freeberg commented that subdivision plans will have a lighting plan for all the roads within the subdivision which could be conflicting with the reduced lighting. Bret responded staff will review it and amend subdivision plan to identify that lighting shall meet the lighting requirements in the LMC. Could add the following language for subdivisions: "consistent with subsection E.1".

**Roofs:**

16. Mayor Calloway commented that the proposed language is identified to allow a monoslope roof with the mountain modern design.

Staff will review the LMC for language and present a draft ordinance at the next Council meeting.

**3. ORDINANCE AMENDING TITLE 6.2A.5 (I) REGULATING RV PARKING.** An ordinance regulating RV parking within Brian Head.

Bret Howser, Town Manager, presented a draft ordinance amending the Parking Code for RV parking (see attached). Bret explained the Council previously reviewed the code and those changes are identified in blue and green font; changes from the Planning Commission are identified in red font. The proposed changes are as follows:

1. G. Adds a window of time that that it would apply to people that would be allowed from April 30 through November 1. RV parking would not be allowed during the winter season.
2. Changed from 60 to 90 days in a one-year span.
3. Under II.a and b are repetitive; staff will delete the repetition in b.



- 4. The property has to have an active building permit and can go until 90 days in a one-year span.

The Council discussed the following:

1. Council Member Freeberg commented during the previous discussion on this item, that parking was allowed on undeveloped property, but not allowed to clear or grade the property. This language will need to be added to the ordinance. This will be added to the last sentence in 2.1 to read as follows: *“Vehicle is not inhabited on the property for more than sixteen (16) days in a one-year span and no grading or tree removal is required to facilitate the use”*.
2. Hans Schwob, resident, inquired as to parking an RV on their property. Mayor Calloway explained an RV can be parked on a property for any length of time, but it cannot be inhabited unless the regulations are followed. Bret explained this refers to overnight camping only and not parking.
3. Council Member Marshall stated her opposition to the proposed change for RV’s. Council Member Marshall commented that if someone wants to use their property and park their RV on it, they should be able to do it and should be able to enjoy their property. Council Member Marshall went on to comment that she understands that the Town doesn’t want people to clear cut their lots without a permit in place.
4. Mayor Calloway commented he believes the RV’s devalue the neighborhood with RV’s staying on properties for a long period of time.
5. Council Member Hunter commented he is in agreement with Council Member Marshall and people should be able to use their property for recreational camping, but he is satisfied with the limitation of sixteen (16) days.
6. Council Member Freeberg commented he wouldn’t want to see the Town become a KOA, but he also understands Council Member Marshall’s position on this issue.
7. Mayor Calloway commented that there are similar regulations in place for Parowan and Cedar City.
8. Mayor Calloway commented that sanitation needs to be dealt with. Bret responded they cannot have a temporary hookup to the sewer system, and they cannot dump on their property.
9. Mayor Calloway gave an example in which one property had five RV’s on it and the lot was cleared of the trees. Bret explained there are approximately two to four RV’s that come up for the entire summer and staff has had that many inquiries.

**Motion:** Mayor Calloway moved to adopt Ordinance No. 19-012, amending the Parking Code addressing Overnight Camping with the following changes:

1. Striking 2.b which is a duplicate of 2.a.
2. Adding the following to the last sentence in 2.a: *“and no grading or tree removal is required to facilitate the use”*

Council Member Hunter seconded the motion.

**Action:** Motion carried 3-1-0 (**summary: Yes = 3, No = 1, Abstain = 0 Vote: Yes:** Mayor Calloway, Council Member Hunter, Council Member Freeberg. **No:** Council Member Marshall. Absent: Council Member Mulder).

**4. POTENTIAL FUTURE AGENDA ITEMS.** The Council will discuss potential items for future agenda items.

- Mayor Calloway commented on a previous discussion on resurfacing the Bristlecone Pond walking trail and would like to see the trail paved or a solution to improve the trail. Bret responded that the plan is to resurface the trail with asphalt millings.
- Mayor Calloway commented that the sprinklers at Bristlecone Park did not run as much this summer and would like to see them running more next year.
- Bret reported he would like to have some of the Council Members take a trip through town with the lux meter to get a better understanding of how the meter works with the lights from the businesses, residential areas and streetlights in Town.



- Council Member Hunter commented that some of the kiosk boards located at Bristlecone Pond area are starting to deteriorate and would like the Town to do something to improve their looks.

**H. CLOSED SESSION OF THE TOWN COUNCIL** to discuss the purchase, sale, lease of real property including water rights and to discuss the character, professional competence, or physical or mental health of an individual.

**Motion:** Mayor Calloway moved to recess the regular meeting of the Town Council and enter into closed session to discuss the purchase, sales or lease of real property including water rights and to discuss the character, professional competence, or physical or mental health of an individual. Council Member Marshall seconded the motion.

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

The regular meeting of the Brian Head Town Council was recessed at 3:30 pm.

**Motion:** Council Member Marshall moved to adjourn the closed session of the Town Council. Council Member Hunter seconded the motion.

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

The regular meeting of the Brian Head Town Council was reconvened at 4:35pm.

**I. ADJOURNMENT**

**Motion:** Council Member Marshall moved to adjourn the regular meeting of the Brian Head Town Council for September 23, 2019. Council Member Hunter seconded the motion.

**Action:** **Motion carried 3-1-0 (summary: Yes = 3 Yes: Mayor Calloway, Council Member Marshall, Council Member Freeberg, Council Member Hunter. No: Mayor Calloway. Absent: Council Member Mulder).**

The regular meeting of the Brian Head Town Council was adjourned at 4:36 pm for September 23, 2019.

October 28, 2019

Date Approved

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Nancy Leigh, Town Clerk

