

**MINUTES
ALTA TOWN COUNCIL MEETING
THURSDAY, FEBRUARY 8, 2018
10:00 AM
ALTA COMMUNITY CENTER
ALTA, UTAH**

1. The Mayor called the meeting to order at 10:00 am. All members of the Town Council were present.

2. Citizens Input – 00:00:09

Susie Mills spoke to the review of the dog ordinance.

Kenneth Libre touched on the review of the dog ordinance.

Roger Bourke brought up projects that have been addressed by the town in the past but never discharged or fully dealt with such as a new community center, trash collection service, glass recycling, bringing a sewer to the three houses in west Grizzly, the long term plan for dealing with the summer road and Albion Basin and the commercial core traffic calming devices. Roger recommended laying out a two year plan to address these projects.

Judith Danforth addressed the review of the dog ordinance.

Pam Buselli addressed the review of the dog ordinance.

Carolyn Anctil reviewed her email of her comments on the review of the dog ordinance.

Cliff Curry mentioned that he received emails from Frank Buselli, Carolyn Anctil, Karen Travis and Jim Collison that provided comments and recommendations on the review of the dog ordinance. Cliff asked that they become part of the public record.

3. Mayor's Report – 00:21:50

Harris Sondak updated the council and the public on the following matters:

- The monthly UFA meeting.
- Legislative issues affecting the town.
- Issues that came out of the January 24th work session to address the review of the dog ordinance.
- The Council of Governments (COG) meeting.
- The 2020 Census.
- The meeting with Sim Gill, the District Attorney for Salt Lake County.
- U-210 is metered and the cost is shared by the town and ASL. Snowbird will renew its contributions.
- The two Little Cottonwood Canyon Road Committee meetings.
- The progress on the GazEx in the Blackjack area of the town.
- The "time" indexing of the sound cloud recording of the council meetings.
- The timely updates on current events on the news section of the town's website.
- The meeting with the town's IT consultants on the live streaming of the council meetings and remote attendance by members of the council.
- High speed internet to single family homes in the town.
- The Central Wasatch Commission (CWC).
- The first meeting of the budget committee - Wednesday, Feb. 14th.
- The Alta Planning Commission meeting to be held on Friday, Feb. 16th.
- Discussion with UTA, Jerry Benson, regarding buses in summer or seasonally needed.
- The great progress being made by Chris Cawley on his recovery from his injury.

3. Treasurer's Report – 00:38:07

Marc Dippo provided summarized the monthly treasurer's report.

Hearing no comments or questions, there was a motion by Cliff Curry to approve the report as submitted. There was a second by Elise Morgan and the motion was carried.

4. Departmental Reports – 00:39:38

Sheridan Davis mentioned the passing of Ted Johnson, one of the founders of Snowbird and he recent passing of Ian Cumming.

Town Administrator's Report – John updated the council on the following matters:

- The upcoming Planning Commission meeting and the items that will be addressed.
- The Snowpine construction project.
- The review of the construction site ordinance and regulations.
- Syringa's effort to extend fiber to the Grizzly area of town.

Assistant Town Administrator's report – Chris Cawley updated the council on the following matters:

- The newsletter updates on the towns' website.
- Discussed consent agendas for non-controversial items and ceremonial resolutions
- The Active Transportation project and traffic calming

Rand Andrus gave a brief update on UFA business and provided the town with the UFA quarterly call volume report quarterly report is attached

Town Marshal's Report – Mike Morey reported and updated the Council on the following matters:

- The purchase of the new radio equipment using the funds set aside in the Capital Project Fund.
- The superb efforts by two members of the town staff in addressing a medical situation in the canyon.

Harris updated the council on a meeting he had with Jerry Benson from the UTA where they discussed ridership in the canyon and what the town's priorities related to public transportation. Also discussed were the regulations that govern the operation of UTA.

6. Town Council Minutes – January 11, 2018 – 01:12:36

The Town Council minutes were sent out and returned to the Town Clerk with edits and corrections.

There was a motion by Sheridan Davis to approve the minutes of the January 11, 2018 Town Council minutes with edits and corrections. There was a second by Elise Morgan and the motion was carried.

7. Town Council Minutes – Work Session – January 24, 2018 – 01:13:25

The Town Council minutes for the January 24, 2018 work session were sent out and returned to the Town Clerk with edits and corrections.

There was a motion by Sheridan Davis to approve the minutes of the January 24, 2018 work session with edits and corrections. There was a second by Cliff Curry. The motion was carried

with Mayor Sondak and Council members Cliff Curry, Elise Morgan and Sheridan Davis voting in the affirmative. Council members Margaret Bourke abstained.

8. Update from Alta Chamber & Visitors Bureau (ACVB) – Connie Marshall & Chris Cawley – 01:14:00

Connie Marshall gave a brief history of the various Alta Chambers starting with the late 1970's through the present. Connie also reviewed the goals and mission statements of the chamber organizations since the approval of the additional ½% sales tax in 2004. Handouts were provided to the Council and are incorporated with the minutes.

Connie went on to opine on why this community needs a chamber and a destination marketing organization.

Chris Cawley updated the council on the hiring process for a new executive director for ACVB – Maggie has been working part time during this transition. Chris announced that ACVB has hired a new executive director – Sasha Patane.

Chris and Connie reviewed the current marketing budget and programs/campaigns that are being funded by ACVB.

Connie reviewed the current structure and membership of the ACVB board.

Harris inquired about ACVB budget item for summer programs – Connie spoke to that question.

9. Update and possible action on establishing a credit card convenience fee/electronic payment fee – 01:41:45

Staff had prepared a handout for the council on the credit card fees which was reviewed. The town accepts payments using credit cards for Justice Court fines, business and liquor licenses, sewer and water usage fees and other miscellaneous charges. There are other public entities and Justice Courts that charge a “convenience fee”. For those that pass on a fee to the consumers some calculated as a percentage of the total and some charge based on a straight dollar fee per transaction.

The Mayor suggested that a member of the council make a motion on this matter so discussion could take place on this matter.

Sheridan Davis made a motion to charge a fee for using a credit or credit cards. Margaret Bourke seconded this motion and the Mayor opened the floor to discussion on this matter.

The cost to the town for accepting credit/debit cards is approximately \$1500.00 per year.

Elise recommended that if the council agrees to charge a fee, that the fee be evaluated each year, as the fees from credit card companies change each year.

Sheridan recommended a flat fee.

Cliff recommended that the town make a distinction between payments by constituents for town services and court fines and costs owed by people who have committed a crime or infraction and are paying a debt to society.

Related to Cliff's comment, Margaret mentioned that if the town was going to charge for the use of the summer shuttle how we are going to address that consumer.

After some discussion, the question was asked if the town could charge fees for some transactions and not charge for others – is this a form of discrimination?. Rich Mrazik suggested the council coalesce on something they would prefer – he would provide guidance on that preference.

Margaret commented on this aspect of the discussion and opined that the town should be uniform in how it proceeds and not treat different people differently.

Piper reported the town handles about 32 credit card transactions a month, 20 of which are court fines- most fines are paid by credit cards. For reasons outlined by Piper, there is a fair amount of staff time involved with processing credit card payments.

Elise suggested that this issue be tabled for now because the convenience to the consumer to pay with a credit card outweighs the cost to the town – it is in the interest of the town to accept credit cards. Elise also felt that most consumers do not have cash so in the case of payments for the summer shuttle; most will be paid using a credit card.

Sheridan opined that the benefits are purely because of convenience and most people are willing to pay something for convenience. We can still serve our constituents by allowing them the convenience that ideally is not taking from the coffers of what is needed to provide good governance.

Cliff, as a point or order, asked for the motion to be made more specific before the council took action on the motion.

Elise would not vote in the affirmative until she had more details.

Sheridan Davis amended her motion by recommending that the town charge a \$2.00 fee per transaction for the use of credit cards. Harris Sondak seconded the amendment to the motion. The Mayor called for a vote on the amendment and it was carried.

The Mayor called for a vote on the motion to charge a \$2.00 fee for each transaction paid by credit card.

The Mayor recognized Rich Mrazik who offered an opinion on this matter as it relates to the difference between a surcharge and a convenience fee. Before the town moves forward with charging a fee, Rich recommended that the town survey the landscape to see if we are out of step with other municipalities and provoking a response that the town does not necessarily think is proportionate to what we are trying to do. Rich recommended that the council table this action and ask a few questions – is the fee going to be called a surcharge or convenience fee and is the \$2.00 charge across the board be viewed as “reasonable” regardless of the amount of the underlying transaction.

There was discussion on the process of tabling the motion vs voting the motion down.

The Mayor requested that a vote on the motion be called without prejudice.

Mayor Sondak and Council members Cliff Curry and Elise Morgan voted no on the motion. Sheridan voted in the affirmative and Margaret Bourke abstained pending the research to be completed by legal counsel on this matter. The motion did not pass.

Please note for the record that the Town Clerk received an email from Council Member Sheridan Davis following the Council meeting that indicated that she intended to support voting down the motion until the town can collect more information.

10. Update – Town of Alta Summer Program – 02:02:33

Margaret mentioned that there will be a meeting on February 9th to address the operation of the shuttle. There is also a meeting scheduled with Bekee Hotze and Mike Maughan on to the summer program.

The Mayor reviewed his understanding of the operation of the summer program for 2018 and the USFS opinion on this matter.

The following matters related to the operation of the summer program were discussed:

- The increased cost to the town to operate this program
- The Alta Ski Lifts request to the USFS to operate the summer program under their current SUP and the response from the USFS to this request.
- The Alta community's input on the future operation of the summer program.
- The town's intent to charge a fee to ride the shuttle this summer.
- Proactively closing the road during specific days this summer and the pros and cons of this action including Bekee Hotze, USFS, asking if the Town wants road closures on weekends and holidays.
- The increased hours of operation for the booth for 2018 7: am to 9:00 pm
- The need to discuss and identify the overall objectives of the summer program including identifying capacity limits of Albion Basin and a suggestion to engage a consultant this summer. The current staffing situation of the USFS and its difficulty in reviewing certain requests.
- The authority granted to the Town of Alta under its current SUP for the shuttle and the authority of the Alta Ski Lift Company to manage the land inside that area described in their SUP.
- Status of the USFS proposed parking fee sites for Cecret and Sunnyside parking lots.

The summer road committee will continue to meet and update the council on the operation of the summer road for 2018.

11. Update – Town of Alta Dog Ordinance – 02:22:23

Harris stated that one of the things he is trying to take seriously is the compliance with the town's laws. To that end, he mentioned that there is a clause in the town's ordinance that requires the Mayor to report to the council on the number of Class D license issued – temporary licenses

In the interest of time, Cliff Curry made a motion to include in the official record the list of people with temporary dog licenses. Margaret seconded this motion. For the record there are 28 long term temporary licenses and four short term temporary licenses. With that said, the Mayor called for a vote on the motion and it was carried.

Harris came up with a proposal that addressed a few aspects of the current dog ordinance. Harris felt that the town was out of compliance with the ordinance and two areas needed to be addressed by the council – the town has too many permits outstanding given what the town's ordinance states and the USFS order in effect today that prohibits dogs on USFS ground in Little Cottonwood Canyon. Harris has conferred with legal counsel on these two matters - one of them is within the town's power to address directly and the other is subject to negotiation with the USFS

The following matters related to the review of the dog ordinance were touched on:

- The current language in the town ordinance related to the maximum number of licenses that can be issued each year, change in the number of licenses, the way issued and locations where dogs can and cannot be in town
- The authority of the Mayor to issue any new temporary licenses.
- The possible ambiguity in the current language of the code related to temporary licenses versus the historic practice related to this matter.
- The current USFS order related to dogs on forest land in the Little Cottonwood Canyon.
- The need for further work sessions on this matter with USFS and SL City Public Utilities input.
- Include public comments received by the town on this matter
- Salt Lake City Public Utilities views on this matter – they are not concerned with status quo but with changes in our regulations or practices.

- The ASL's authority on land within their SUP – they must comply with USFS orders
- The USFS 1997 order mentions "permit" – this is not the same as a town permitted dog. Permit has a specific meaning in federal regulations.

12. Discussion – Moving date and time of the Town Council meeting – 02:45:22

The Mayor suggested that we table discussion on this matter.

13. New Business – 02:45:41

The Mayor put before the Town Council a request to have staff and legal counsel prepare a resolution to be introduced at the next meeting requesting membership in the Central Wasatch Commission and appointing the Mayor of Alta as the commission member.

Margaret attended a ULGT seminar on leadership and returned praising the program and distributing a copy of the book "Leadership and Self Deception" for each council member and one for staff.

14. Motion to Adjourn – 02:46:18

Hearing no further business before the council, Elise Morgan made a motion to adjourn the meeting. Cliff Curry seconded this motion and it was carried.

Passed and approve this 8th day of March, 2018.

s/Katherine S.W. Black
Town Clerk