

**MINUTES**  
**ALTA TOWN COUNCIL MEETING**  
**Thursday, April 11, 2019, 10:00 AM**  
Alta Community Center, 10351 E. Highway 210, Alta, Utah

**PRESENT:** Mayor Harris Sondak  
Council Member Margaret Bourke  
Council Member Cliff Curry  
Council Member Elise Morgan  
Council Member Sheridan Davis

**STAFF PRESENT:** John Guldner, Town Administrator  
Chris Cawley, Assistant Town Administrator  
Piper Lever, Town Clerk  
Jen Clancy, Deputy Town Clerk  
Mike Morey, Town Marshal  
Jay Torgersen, Unified Fire Authority  
Nora Pincus, Town Attorney

**OTHERS:** Mike Maughan, Roger Bourke, Kyle Maynard, Del Draper, Eleanor Page, Charlotte Pratt, Linda Nebeker, Erickson, Karen Travis, Jesse Dean, Kathy Knowlton, Clark Knowlton, Vince Izzo, John Thomas, Walter Krebsbach, Mark Haik, Blake Thomas, UFA Station 113, Tom Bolen, Dominic Burchett

**PUBLIC HEARING TO RECEIVE INPUT ON THE PUBLISHED PROPOSED AMENDMENTS TO TITLE 8: UTILITIES, CHAPTER 3: SEWER SERVICE REGULATIONS, AND SECTIONS OF TITLE 10: LAND USE REGULATIONS OF THE ALTA TOWN CODE**

00:00:01

Mayor Sondak opened the public hearing and noted that the Council would also accept written comments.

00:01:30

Kyle Maynard, with Friends of Alta, said that he was excited about the potential Albion Basin Protection Overlay Zone, but they had two main concerns. The overlay was proposed to apply to the upper portion of the basin, so the name of the overlay should reflect that factor. Changing the name would open it up to eventually protecting the rest of the basin in other ways. The second concern was that the Albion Meadows was not currently included in the Overlay. The Meadows were wetlands that needed to be preserved. The Council should be able to justify why some properties are included in the overlay and why others are not.

00:04:52

Mark Haik, property owner in the Albion Basin, had given his written comments to the Council previously, but he wanted to touch on a few concerns. He agreed that the zoning ordinances needed to be amended and simplified, but some of the amendments were overly broad. His primary concern was that there were a number of water diversions in the Basin for which they had no documentation. The Council and staff should take time to better understand what was really going on in the Basin before adopting the proposed overlay. The definition of "waterways" was too broad. He argued that improvements could be made all over town without harming the natural and/or man-made water ways. Development has essentially improved water quality over the last 50 years. Mr. Haik believed that the minimum qualifications for the building official should be defined in the ordinance, and those should include a civil engineering degree, and they must be a licensed general contractor in the State of Utah. He also commented on getting the sewer line up to the basin for the cabin owners to connect to.

00:10:56

Del Draper, with the Cecret Lake Cabin Owner's Association, said that there were nine cabins in the association, the first one being built in 1956. Only two of the cabins had changed hands since the cabins were constructed. The owners care very deeply about environmental protection and maintaining their cabins. The ordinance should allow more flexibility in allowing owners to enlarge, update, and/or rebuild their cabins. Mr. Draper was also concerned about the extended setbacks from waterways in the Basin. Staff had implied that only two cabins would be affected by the increased setback, but he was sure that there would be more than that. He questioned why the setback was increased just in the Basin, and not the entire Town. He encouraged the Council to move forward with the rest of the ordinance, but to take a more careful look at the proposed Overlay.

00:21:14

Charlotte Nebeker, the Secretary/Treasurer of the Cecret Lake Cabin Owner's Association, said that her father built the very first cabin in the Basin in 1956. Most of the cabins in the Basin were old and in desperate need of repair. However, the proposed Overlay would not allow the owners to properly update their cabins. The ordinance was confusing and too restrictive.

00:25:50

Cathy Knowlton, a cabin owner, said that her cabin was built in 1969, and it was the last one built in the Basin. She echoed Mr. Haik's comments about the waterways. If the intention of the Council was to preserve the watershed, they should be looking to restrict the visitors to Alta rather than the property owners. Most of the owners had been in Town for decades, and they cared deeply about preserving Basin. Mrs. Knowlton commented on the lack of a sewer line.

00:28:25

Clark Knowlton, a cabin owner, said that the proposed overlay was discriminative to property owners in the Basin. It was important to protect the entire area. He understood that no one wanted this to become another Deer Valley, but the owners should be able to keep their properties updated. He didn't understand the proposed requirement of putting alarms on the septic tanks, because the owners took good care of their tanks. No one wanted their tanks to back up.

00:31:38

Mike Maughan, General Manager of the Alta Ski Area, had given some written comments to the Council. He said that there were some regulations in the proposed Albion Basin Protection Overlay Zone that would unintentionally affect the ski area, including the vague definition of "structures". He asked that the ordinance be clarified before it was adopted.

00:34:33

Karen Travis, a resident, said that the cabin owners ought to be able to maintain their cabins rather than letting them fall into disrepair. She suggested that the Council go out and visit the cabins and see their condition first-hand.

00:37:13

Council Member Curry expressed appreciation for the comments that were shared. He said he would be happy to accept the invitation to visit the cabins in the Albion Basin and speak with the owners personally.

1. **CALL THE MEETING TO ORDER**

00:39:10

Mayor Sondak called the meeting to order 10:39 a.m.

2. **CITIZEN INPUT**

00:39:40

Mark Haik said that he had attended the UDOT open house regarding the Environmental Impact Study (EIS) and upcoming road plans. Having participated heavily in the Mountain Accord process, he thought that the EIS basically highlighted all of the same things that had already been studied. He urged the Council to communicate with the Planning Commission about the Council's vision for the future. They should have some long-term plans for Alta's infrastructure and development.

00:43:16

Mike Maughan reported on the successful ski season and said that ski visitors would end up about 12% higher than last season. Congestion and traffic was the biggest complaint they received from visitors this year. He encouraged the Town Council to write a letter to UDOT and the forecaster to thank them for their work keeping the roads open this year. Alta Ski Area would be sending a thank-you letter as well.

00:45:45

Kyle Maynard stated that the Alta Gala, an annual nonprofit event, would be taking place the following evening. He thanked Council Member Davis for her help with fundraising and congratulated Roger and Margaret Bourke for receiving the Stellar Award this year.

### **3. BLAKE THOMAS, SL COUNTY ECONOMIC REDEVELOPMENT – CRA**

00:46:35

Blake Thomas, the Salt Lake County Economic Development Director, said that last year they put together a Community Development and Conservation Plan that looked at financing options for a community center in the Commercial Core Area. He presented a near-final draft of that plan to the Council and asked for feedback. Mr. Thomas noted that an interlocal agreement had been signed by the Town Council at the previous meeting, and he would be taking that document back to the County Redevelopment Agency (CRA) for their signature. That document allowed the CRA to explore creating a project area in the Commercial Core, but every action they take would be predicated upon a request from the Town Council. He had also put together a tax increment manual that he would share with the Council digitally. Regarding the property owners, he explained that the owners could opt into the CRA, and they did not need 100% participation to move forward. If an owner did not opt in, their property would be removed from the project area boundary.

There was some discussion regarding the tax increment base value, and negotiating with tax entities. In response to a question about the school district, Mr. Thomas said that they would ask the school district to participate in the CRA. If they saw value in it, they could opt in, but it wasn't mandatory. Mayor Sondak noted that the school district or other entity would not be losing money that they were already receiving. The tax increment would be additional funds generated because of future growth and investment within the CRA. Mr. Thomas added that Alta would only be asking for a percentage of that growth.

The Council discussed housing centric projects, and Mr. Thomas gave examples of these kinds of projects from other cities. In these cases, 10% of the tax increment would go toward moderate income housing

### **4. UDOT EIS PRESENTATION – JOHN THOMAS & JESSE DEAN / UDOT AND CWC**

01:09:30

John Thomas, UDOT Project Manager for the Little Cottonwood Canyon EIS, reported on the open house that they hosted earlier that week. It was well-attended, and he felt there was a lot of positive involvement. The public comment period would continue now through the end of May.

Jesse Dean, with CWC, was also present to answer any questions about the Transportation Master Plan.

Mayor Sondak asked how the long-term EIS and the Cottonwood Canyons Transportation Action Plan fit together. Mr. Dean explained that their approach extended to 2050 so that they could anticipate future growth as they work on the infrastructure in the next few years.

There was a brief discussion regarding the findings and actions for avalanche prevention.

Council Member Curry asked if the EIS and Transportation Action Plan were taking into account the upcoming revolution of networked and autonomous vehicles. Mr. Thomas said that there was a trending curve in that direction, but they didn't include anything in the plans. However, the plans did not include anything that would prohibit this in the future.

Mr. Dean said that there were so many different uses in the canyon that they were trying to accommodate. They were aware of the potential capacity issues with increased summer activities, but they didn't have any solutions for it yet. They were making efforts to provide more off-street parking to help reduce congestion on the roadways. The CWC would also be coordinating with Salt Lake City Public Utilities and other watershed authorities to consider impacts to watershed and water quality in the EIS and the Transportation Action Plan.

Council Member Davis asked if they had considered closing the canyon to cars. She was concerned that even with increased parking, they could continue to reach capacity today. Mr. Dean said that they had heard similar comments during the open house. There were some options to incentivize people to use public transit and carpool, and closing the canyon could be a conversation for the future. Mr. Thomas said that from a UDOT perspective, it would be challenging to close a State route.

#### 7. COMMUNITY WILDFIRE PROTECTION PLAN – CHRIS CAWLEY

01:45:10

Assistant Town Administrator Chris Cawley introduced Dominic Burchett with UFA. Mr. Cawley stated that part of the 2014 Hazard Mitigation Plan was to either obtain certification as a Firewise community, or to develop a Community Wildfire Protection Plan (CWPP). The State adopted a new Catastrophic Wildfire Mitigation Policy that allows the State to provide financial support to local communities in their mitigation efforts. To receive this financial support, and Town must sign a participation commitment agreement that specifies a dollar value. Based on the calculations, the Town of Alta would have a commitment of around \$1,400 annually. He noted that the CWPP would be a living document that would be updated when needed.

Del Draper commented on the water lines in the Albion Basin and said that it might be helpful to connect into that line in the case of a fire.

Mike Maughan said that their snow making equipment had the capability to assist in a wildfire situation. Mark Haik added that the Council should urge its jurisdictional partners to contribute to the expansion of snow making and put in infrastructure to deliver both snow making water and fire protection water.

Dominic Burchett noted that having the CWPP in place would open the doors to future grant money for the Town.

02:00:00

Mayor Sondak proposed that the UFA representative provide their departmental report out of order so that they could be excused from the meeting.

Jay Torgerson, UFA, said that they were halfway through their annual recruit camp, and they had 26 participants this year. They would start hiring individuals once a year instead of twice a year. Mr. Torgerson briefly addressed the gas meter fires and said they were continuing to work with the gas company on this issue. The UFA's safety message for the month was to be aware that the snow would be melting soon, so there could be voids under the snow, plus flooding and swift water in the spring.

**12. DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2019-R-4 AND 2019-R-5 THAT AUTHORIZES TOA APPLICATION TO BOR FOR MATCHING GRANT FUNDS FOR WATER EFFICIENCY AND SEWER EXPANSION PROJECTS**

02:04:38

Town Administrator John Guldner explained the resolutions before the Council which would be included in the TOA application. He presented a draft of the application and said the final packet would be lengthy. Although these were drafts, the projects and associated costs would be clearly defined when submitted.

The Council and staff discussed the wording of the document resolutions, and expressing concerns that the documents referenced the Town Council as making all of the decisions. They requested that these references be changed to "the Town of Alta".

02:36:54

**MOTION:** Council Member Curry moved that the Town Council ADOPT Resolution 2019-R-4, as amended. Council Member Bourke seconded the motion. The motion carried with unanimous consent of the Council.

**MOTION:** Council Member Bourke moved that the Town Council ADOPT Resolution 2019-R-5, as amended. Council Member Curry seconded the motion. The motion carried with unanimous consent of the Council.

**5. MAYOR'S REPORT**

02:21:00

Mayor Sondak reported on the various meetings he attended in the past month, including a meeting with the UFA, and the CWC budget committee. He reported the temporary dog licenses that were granted since the last meeting as follows: Richard Sackler for 30 days beginning on March 25<sup>th</sup>; Dawn Page for 30 days starting on March 15<sup>th</sup>. He noted that the ski area would be open until April 21<sup>st</sup>, and then it would be open again that next weekend. The next Town Council meeting would be May 9<sup>th</sup>.

02:28:23

Town Administrator John Guldner quickly presented his departmental report and discussed the dealings of the Planning Commission. He had attended a water conference a few weeks ago, and he reported that Texas now had a 100-year water plan in which they were looking for additional water sources and ways to reduce waste. There were plans for recycling water as well. Mr.

Guldner anticipated another busy year with building in the Town of Alta, and staff was continuing to work with the gas company to address the relationship between gas meters and a recent structure fire.

8. **DISCUSS THE USFS 1997 CLOSURE ORDER AND POSSIBLE REQUEST FOR ALTERNATIVE CLOSURE ORDER**

02:39:09

Mayor Sondak updated the Council on his communication with the United States Forest Service (USFS) District Ranger. The USFS believes that their closure for dogs in Little Cottonwood Canyon on Forest Service ground is valid. The Town requested an exemption from the closure order for the entire Town of Alta, but the USFS rejected that proposal. Mayor Sondak spoke with District Ranger Bekee Hotze about limiting the dog restriction to the area in the proposed Albion Basin Protection Overlay, and she said she was willing to consider that. He asked the Council if they should make another request to the US Forest Service along these lines.

Council Member Curry thought that was a promising compromise. He cautioned against agreeing to language under which the Town of Alta somehow acknowledged the validity of the closure order.

Council Member Davis expressed her frustration with the way this process had unfolded.

Council Member Morgan said that this had been a very emotional issue for the Town Council members, and it was taking a toll on her. She said that everyone on the Council needed to compromise or the residents would lose. She asked that the Council have a work session and invite Bekee Hotze or another representative from the US Forest Service to come and speak with them about the issue. They could also create a committee to explore the alternatives.

Council Member Curry agreed. He wanted to be sure that they addressed the residents' concerns about leashes.

Council Member Bourke wondered if there was any way they could partner with the lifts and use their special use permit privileges to allow dogs. She was in favor of putting together a committee to explore the options and communicate with the US Forest Service.

Council Member Davis said that the residents needed to be part of this process, because she wanted to ensure that the Council was representing them properly.

After further discussion, the Council decided to invite the US Forest Service to a work session, and then they could determine whether they needed to create a committee or not.

6. **STAFF REPORTS**

03:12:22

Town Clerk Piper Lever gave an update on the accounting software and accounts receivable. Deputy Town Clerk Jen Clancy reported that they were currently open for a dog lottery for six

Class A licenses and one Class B license. Information could be found on the Town's website. Applications were due by April 30<sup>th</sup>, and the drawing would take place on May 1<sup>st</sup>.

03:18:48

Town Marshal Mike Morey reported on the road meeting he had attended the previous Tuesday.

**8. APPROVAL OF APRIL 11, 2019 TREASURER'S REPORT**

03:23:17

Town Administrator John Guldner presented the Treasurer's Report for the period of March 9 to April 5, 2019 and highlighted a few items.

Staff recommended changing the time period of the Treasurer's Report to be monthly, rather than from Council meeting to Council meeting. The new software allowed them to easily pull the information this way. The Council agreed.

**MOTION:** Council Member Bourke moved that the Town Council APPROVE the Treasurer's Report for the period of March 9 to April 5, 2019. Council Member Morgan seconded the motion. The motion passed with unanimous consent of the Council.

**9. APPROVAL OF THE TOWN COUNCIL MARCH 14, 2019 MEETING MINUTES**

**MOTION:** Council Member Curry moved that the Town Council APPROVE the minutes for the March 14, 2019 Town Council Meeting. Council Member Morgan seconded the motion. The motion passed with unanimous consent of the Council.

**10. APPROVAL OF THE TOWN COUNCIL MARCH 18, 2019 MEETING MINUTES**

**MOTION:** Council Member Bourke moved that the Town Council APPROVE the minutes for the March 18, 2019 Town Council Meeting. Council Member Davis seconded the motion. The motion passed with unanimous consent of the Council.

**11. NEW BUSINESS**

Council Member Morgan requested that the Council consider approving the ordinance amendments separate from the Albion Basin Protection Overlay Zone, as suggested by the property owners. It was decided that the Council would have a work session to discuss the Overlay and the budget on May 9<sup>th</sup> at 9:00 a.m.

**12. MOTION TO ADJOURN**

**MOTION:** Council Member Morgan moved to ADJOURN at 1:35 p.m. Council Member Davis seconded the motion. The motion carried with unanimous consent of the Council.

Passed and approved this 9th day of May, 2019.

Piper Lever, Town Clerk

