

**MINUTES**  
**ALTA TOWN COUNCIL WORK SESSION,**  
**ALTA TOWN COUNCIL MEETING,**  
**AND TRUTH IN TAXATION PUBLIC HEARING**  
**Wednesday, August 14, 2019, 4:00 PM**  
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  
Polly Samuels, Town Attorney

**OTHERS:** Karen Travis, Roger Bourke, Del Draper, Pat Shea, Kyle Maynard, Mike Maughan, Mark Haik, Maura Olivos, Stacey Mahan

**WORK SESSION**

**1. DISCUSSION REGARDING ZONING ORDINANCE CHANGES**

00:00:01

Mayor Sondak called the work session to order at 4:00 PM. He stated that he hadn't had time to review all of the materials that were sent. The documents they were sent had several redline incorporations that were contributed by a number of people, and it was hard to tell who contributed what. He suggested that if they continue working on a single document, they find a better process. He asked staff to briefly address the proposed changes.

Town Administrator John Guldner said they had already discussed the major zoning changes, but they hadn't had the chance to address the smaller amendments. He wanted to quickly touch on each change and get their feedback. There were 33 points they needed to discuss and come to a consensus on. After review of all of the changes, staff would put the whole document back together and bring it to the Town Council for final review and approval.

Mayor Sondak asked if there were any legal concerns with the document as it stands today, and Town Attorney Polly Samuels responded that the legal department had reviewed the proposed changes and found no issues. The Town Council could adopt the proposed amendments, as

recommended by the Planning Commission, or they could make their own changes before adoption.

Council Member Curry requested that Mr. Guldner lead them through the discussion by only addressing the more substantive changes. Council Member Bourke was fine with focusing their attention on particular items because of the time constraint, but they should revisit all of the items at a later date. Mr. Guldner commented that the Council had discussed everything substantial, but it was a question of whether they had come to a consensus on those issues. He wanted to go through the entire document and then go back and address those items of concern.

Mr. Guldner identified the changes to the Definitions section of the code, including minor changes to rooftops, footprint, guest room, land use, nameplates and/or signs, developable acreage, non-conforming structures and non-conforming uses. It was noted that the State Code uses the term “non-complying structures” as opposed to “non-conforming.” They requested that this be changed to match State Code. Mr. Guldner continued by addressing the changes to intensity of use, principal use, and waterways.

The Council discussed the definition of footprint. Council Member Bourke stated that there were some structures in the town on cantilevers, but the footprint on the ground is different from what is cantilevered. She asked if a rebuild is restricted to the current footprint, would there be any harm in allowing that footprint to move on the property. She gave the example of someone moving their cabin footprint out of a waterway setback.

Mayor Sondak asked about the changes made to the definition on “intensity of use.” Mr. Guldner said that the Planning Commission was concerned that the current definition was heavily aimed at residential uses, so they added language that would address commercial uses as well. The Council discussed the residential portion of the definition, and what elements would increase the intensity of use. The Council requested that the language consider the health and safety of the residents.

Mr. Guldner continued his presentation by addressing the language regarding a building official. He asked the Council if it was appropriate to have this position be appointed by the Mayor, or if they wanted something more. Council Member Curry said that one of the Mayor’s duties was to manage Town employees. Council Member Davis agreed, but she was concerned about the weight that the building official carries. She asked what a building official could do without additional oversight. There was no term limit for this position. Mr. Guldner noted that building official has State Standards and ethical rules they have to follow. If the building official oversteps, they would go before the Building Code Committee.

Mr. Guldner next addressed the addition of the FR-20 zoning, which was a zoning used by the US Forest Service. Regarding height requirements, he proposed removing the “averaging ability” in the language. After some discussion, the Council agreed. They also briefly addressed the changes to coverage, stream regulation, and habitable vs. non-habitable structures.

01:02:18

**MOTION:** Council Member Curry moved to adjourn the work session at 5:04 PM. Council Member Davis seconded the motion. The motion passed with unanimous consent of the Council.

## **REGULAR MEETING**

### **1. CALL THE MEETING TO ORDER**

01:02:32

Mayor Sondak called the meeting to order at 5:05 PM and expressed appreciation for those in attendance.

### **2. INTRODUCTION OF SALT LAKE COUNTY MEMBER JIM BRADLEY**

01:02:50

Mayor Sondak stated that Jim Bradley expressed a desire to be introduced to the Town Council, but he wasn't present. If he came later during the meeting, they would take a moment to introduce him.

### **3. CITIZEN INPUT**

01:03:25

Roger Bourke, a resident, distributed a handout to the Town Council regarding a potential sewer connection through the Albion Parking Lot that the Alta Ski Area was currently working on. If the Town were to lay an empty pipe under the parking lot, that would help facilitate a sewer connection to the properties in West Grizzly.

01:07:00

Del Draper, a resident, commented on the Upper Albion Basin Protection Overlay Zone. He was concerned about the requirement for a 100-foot setback from waterways, because that would be interpreted in different ways depending on what someone considers a waterway. He encouraged them to clarify the language and make sure that the map included in the code was accurate. He also questioned the reason for the new setback requirement, and why it was specific to this area and not the entire Town. Mr. Draper also expressed his concern about the inability to tear down and rebuild structures in that overlay zone. There were several cabins there that couldn't possibly be remodeled without a complete tear down. It would be safer to simply rebuild.

01:12:23

Mark Haik encouraged the Mayor and Council to familiarize themselves with several items of interest, as they would help them adequately prepare for the future. Those items included a change application that was submitted in June of this year by Salt Lake City Corporation in response to the enforcement action from 2015 regarding the diversion of water. He also listed a Water User Claim that was put in place in 1987, a pending case that would go before the State Appellate Court in October regarding a septic system permit, and a hearing that would go before the Utah Supreme Court regarding Article 11 Section 6.

01:18:30

Stacey Mahan said that she was a new resident of Alta. She asked whether there was language in the pending ordinance about the natural changing of water ways and how that impacted homeowners.

01:19:18

Kyle Maynard apologized if the email he sent yesterday had caused any confusion. The purpose of the email was to send on information he had found regarding visitor capacity studies. He emphasized the importance of the Town having a voice in a study like that. He then reported on upcoming events with Friends of Alta.

01:20: 56

Mike Maughan thanked the Town for their quick response to the recent mud and rockslides in the area. He reported that the proposed land exchange between the Alta Ski Area and the US Forest Service would not be moving forward. He also reported on the status of the Albion Basin Parking Lot project and Alf's expansion. The Ski Area and UDOT had discussed setting a strict regulation requiring only four-wheel drive vehicles or snow tires in the canyon between November and April, but they were still considering how to best enforce such a regulation.

01:28:15

Pat Shea requested that the Town consider doing a feasibility study for rockslide prevention, and a fire exit feasibility study for the canyon.

#### **4. CONSENT AGENDA**

- Treasurers Report
- Town Council Meeting minutes for July 10, 2019.

01:29:42

**MOTION:** Council Member Davis moved that the Town Council APPROVE the Consent Agenda. Council Member Morgan seconded the motion. The motion passed with unanimous consent of the Council.

#### **5. MAYOR'S REPORT**

01:30:15

Mayor Sondak noted that they would be finishing the regular session before opening the Truth in Taxation Public Hearing, even if the meeting went beyond 6:00 PM.

Mayor Sondak reported on his meetings with UFA, the CWC, UDOT and Salt Lake County. He thanked public safety personnel for their quick response to the recent mudslides. There would be a Utah League of Cities and Towns Conference from September 11 – 13, and staff had information on that event for anyone that wanted to attend. There would also be a Conference of Mayors meeting hosted by the Town of Alta on Thursday, September 26<sup>th</sup> at the Snowpine.

#### **6. QUESTIONS REGARDING DEPARTMENTAL REPORTS**

01:41:50

Mayor Sondak asked if the Council had any questions for staff regarding their departmental reports.

Council Member Bourke asked why the Town had budgeted in the Capital Projects Plan to pay for paving the parking area from the UDOT garage through the Town's parcel. Assistant Town Administrator Chris Cawley said that UDOT has indicated they are not planning to pave the area nor contribute to the project at this point.

Town Marshal Mike Morey briefly reported on the recent mud and rockslides and upcoming road closures.

Mayor Sondak asked the Deputy Town Clerk to relay information regarding dog licenses. She reported that Hanna Cowan received a license for July 20th; Stacey Mahan received a license for July 21st to August 19th; Emily Gayson received a license for July 27th; Kevin Colan received a license for August 2– 4; and Dave Valenti received a license for August 7 – 11.

**7. ACVB PRESENTATION – COORDINATOR SASHA PATENE AND BOARD PRESIDENT EZRALEA ROBBINS**

01:53:50 Assistant Town Administrator Chris Cawley introduced ACVB President Ezralea Robbins, who would be giving the ACVB Presentation. He excused Coordinator Sasha Patane who had a conflict tonight.

Ezralea Robbins started her presentation by explaining the purpose and goals of ACVB. She listed some of their successes from last year, plans for future summer activity, the use of new technology, and statistics for website traffic. They had applied for a grant to help them redesign the website and increase advertising.

Mr. Cawley reported that they had a great meeting with Visit Salt Lake, which was a larger organization than ACVB, but they had a similar purpose. Ms. Robbins added that Visit Salt Lake was willing to help ACVB with best practices, and they would be sending two members to the ACVB meetings. The Council expressed their excitement about the partnership.

**8. RESOLUTION 2019-R-13 – A RESOLUTION ADOPTING THE FINAL GENERAL FUND BUDGETS AND CERTIFIED TAX RATE FOR THE TOWN OF ALTA FOR FISCAL YEAR 2019-2020**

This item was postponed until the Truth in Taxation Public Hearing,,scheduled to begin at 6:00pm.

**9. NEW BUSINESS**

02:26:30

Council Member Bourke said that she was looking at her property tax bill and noticed that the Town received roughly 11% of the total tax. The Central Utah Water Conservancy District received about 3.5% of the property tax. She asked if there was a way for the Town to keep that percentage, since the Town was paying the District to take water from the Town boundaries. Mayor Sondak asked staff to research and prepare a presentation about the purpose and actions of the Conservancy District.

Mr. Guldner said that there would be another work session in September where they would address the rest of the proposed zoning changes. Council Member Bourke requested that all documents be sent to the Mayor and Council sooner. They agreed that two weeks before the meeting was preferable.

## **10. MOTION TO ADJOURN**

02:43:50

**MOTION:** Council Member Bourke moved to ADJOURN at 6:47 PM. Council Member Morgan seconded the motion. The motion carried with unanimous consent of the Council.

## **PUBLIC HEARING**

### **1. CALL THE MEETING TO ORDER**

02:44:05

Mayor Sondak called the meeting to order. He then opened the public hearing.

### **2. TRUTH IN TAXATION PUBLIC HEARING** – To receive comments and questions regarding the proposed Certified Tax Rate and General Fund Budget for the Town of Alta fiscal year 2019-2020.

02:46:47

Roger Bourke commented that most of the property tax increase he saw this year was from the school district. There was only a 0.4% increase from the Town.

02:48:32

Mike Maughan stated the reason behind the tax increase was from the school district. Mayor Sondak said that the Town didn't have much say in what the school district chose to do.

02:49:24

Mark Haik said that he had frequently advocated that the Town pursue water through the Utah Water Project. Regarding the Town budget, he said that things had basically improved, but they could do better in budgeting for long-term infrastructure to service the community.

02:53:50

Mayor Sondak left the public hearing open, closing the public comment period and invited the Council to continue the discussion or make a motion.

**MOTION:** Council Member Morgan moved that the Town Council ADOPT Resolution 2019-R-13, adopting the final General Fund Budget and Certified Tax Rate for the Town of Alta for Fiscal Year 2019-2020. Council Member Bourke seconded the motion.

Town Clerk Piper Lever stated that a few minor changes had been made to the budget, but they were not substantial. She identified those small changes.

Mayor Sondak called for a vote on the motion. The motion passed with unanimous consent of the Council.

### **3. MOTION TO ADJOURN**

Council Member Davis moved to adjourn at 7:05 pm. Council Member Curry seconded the motion. The motion passed with unanimous consent of the Council.

APPROVED by Alta Town Council on September 11, 2019

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Piper Lever, Town Clerk / S