

MINUTES
ALTA TOWN COUNCIL VIRTUAL MEETING
Wednesday, May 12, 2021, 3:00 PM
Alta Community Center, 10351 E. Highway 210, Alta, Utah

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

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 McLean, Town Attorney
Jay Torgersen, UFA

WORK SESSION

[00:00:01]

Mayor Sondak called the virtual work session to order at 3:00 PM per a submitted declaration.

1. DISCUSSION OF FISCAL YEAR 2021 AMENDED BUDGET AND FISCAL YEAR 2022 PROPOSED TENTATIVE BUDGET

[00:01:39]

Piper Lever, Town Clerk, presented the Town's current 2021 budgets. To date, the Town had received \$865,000 in sales tax. The Town could expect additional \$330,000, which far exceeded projections. Additionally, she reviewed upcoming expenses which included the replacement of two police vehicles. The reason to spend this excess revenue in FY2021 was to comply with State mandates to keep the Town's fund balance equal to or less than the Town's actual revenue.

Mayor Sondak discussed the Town's revenue stream, which was complex due to Alta being a resort town. He explained that the reason why they were over budget on the revenue stream was because of the uncertainty of the ski season during the pandemic. Therefore, they were conservative with the expense budget to avoid personnel lay-offs. The Mayor expressed his appreciation to the ski area and lodges for their fine work addressing public health and keeping the ski season viable. Ms. Lever reported that the Town was expecting \$70,000 from the American Recovery Act to be received in mid- to late-June of 2021.

Ms. Lever commented on licenses and permits and said they had exceeded their budgeted amounts in every category, which added up to around \$15,000 more than was approved in January. Council Member Curry stated that March and April were better months for the Alta Lodge because people were getting vaccinated and returning to the lodge and the slopes.

Mayor Sondak said that impact fees were different than originally anticipated because of additional building. Ms. Lever clarified that the amount was significantly higher than the Town had budgeted for because of an error in a building permit wherein they collected an extra \$14,000 in impact fees. She further explained that the Town always put an amount into the use of unreserved fund balance line in order to balance the budget, but it was rarely if ever used.

Ms. Lever discussed transfers into the General Fund from impact fees. She noted that \$15,000 could be used to hire a consultant for fundraising the next phase of the community center. Mayor Sondak added that \$75,000 was used for the feasibility study and \$40,000 for the land survey and title transfer work. There was still a remaining balance of \$36,000 in that fund which had to be spent on qualified activities related to development. The funds from impact fees will expire in 2022; otherwise, the funds would be returned to the entity that initially paid them.

Mayor Sondak said a budgeted transfer was made from the sewer fund to the General Fund to retire its long term debt. It was proposed that the American Rescue money go directly into the sewer fund for infrastructure development projects.

Council Member Davis asked why legal counsel didn't show up as a cost under the legislative budget. Ms. Lever replied that legal costs were spread across different departments; however, the bulk of those expenses were represented in the administrative department. The year-to-date costs for legal counsel was around \$25,000.

Council Member Bourke stated that employees deserved an increase after the pandemic year and that they were looking to give a 2.5% increase. There was subsequent discussion as to when the increase would take effect. Council Member Bourke also stated that if there were additional revenues available, the Town should begin funding the employees' post retirement account again. Ms. Lever replied that currently that fund was almost fully funded and these funds did count in the Town's fund balance because the Council could at any time bring that money back into the General Fund.

Mayor Sondak commented that there was a negative amount of \$10,000 in planning and zoning because the Planning Commission had not met in several months. Ms. Lever explained that a \$15,000 amount shown in the budget qualified as a capital investment for the software license for the RMS system. Mayor Sondak replied the Town was required to update that system one way or another. Ms. Lever said that in the original budget, staff thought that it was going to be around \$10,000 in the subscriptions category. She also noted an additional budget line item that accounted for the purchase of two new Tacoma trucks.

[00:30:04]

The group transitioned to discussing the proposed 21-22 budget. Mayor Sondak stated that the UFA costs had been historically paid out of the General Fund until last year, when half of those

costs were essentially forgiven. In fiscal year 2022 the UFSA amount will no longer be a part of the Town's budget. The proposed tentative budget reflected a decrease of around 25% in property tax collection. The proposed tentative budget reflected the lowering of the local tax rate from .001260 down to .000939, making it one of the lowest in the County. Mayor Sondak explained that there was \$150,000 in the older budget for fire services. The 21-22 budget showed 80% of the Town's revenue coming from sales tax. He explained that as a Town, they had to be careful not to rely too heavily on sales tax because of the volatility of that revenue stream as compared to property tax. Property tax adjustments took place in January.

Council Member Curry said the Town should give the full break to the property taxpayers for the \$152,000 that the Town was saving, plus inflation. He stated that the projections for sales tax were overly conservative and that the Town had the cushion to smooth out that amount regardless of what happened with sales tax. Ms. Lever said that she and Mayor Sondak had talked about increasing the sales tax number from what was shown, to \$50,000, so that it was closer to the FY2020 actual number.

Council Member Morgan asked if the property tax rate would have to be approved in January. Mayor Sondak replied that no, it was in effect for the calendar year. She said it was a hard decision to go to the UFSA and they could give back as much as they could to the property owners, but she also didn't want to be too heavily reliant on sales tax.

Council Member Curry commented that they were heavily reliant on sales tax as a resort community and that wasn't going to change. He said he was open to re-evaluating the mix of property and sales taxes, but reiterated his stance that the savings of the UFA contract needed to go back to the property taxpayers. Council Member Davis agreed with Council Member Curry.

Ms. Lever reviewed the different capital projects, which included police radio and telephone system projects, parking lot paving, and window replacements. This year, the Town was putting over \$300,000 into the capital projects fund.

2. BUSINESS LICENSE ORDINANCE & PERUVIAN ESTATES PARKING PROVISION

[00:44:03]

Jen Clancy, Deputy Town Clerk, noted a request from Council Member Bourke to review past Planning Commission meeting minutes. John Guldner, Town Administrator, explained that land use wise, single-family units, even with caretaker units, were required to have two parking spots. He stated that the Planning Commission had decided at one point that it made sense to have three spots, if there was a caretaker unit. While this was never formally adopted into the land use ordinances, in 1997, the requirement to have three parking spaces for rental properties within the Peruvian Estates Zone ggot adopted as part of the business license ordinance.

Council Member Curry suggested changing the requirement to two parking spaces, so as to remain consistent with the zoning. Mayor Sondak said that it was a question of whether or not it was a business license. He then noted that this item could go on the June agenda.

Council Member Davis explained another element of the business license, wherein it was required that with the three parking spaces, if the property owners didn't personally provide it on their own land, they must provide documentation showing that they had permission to share space on others' properties; otherwise, the business license might not be issued. She stated that this was established in 1997 but had been inconsistently applied. She asked if the research had shown why the zoning ordinance was specifically drafted this way. She said this was essential to the conflict in the neighborhood as to where parking was happening and who was renting property.

Mr. Guldner provided additional historical overview of the ordinance for this neighborhood. Mayor Sondak stated that the Council needed to consider whether or not the Town wanted to prohibit nightly rentals in that area. Generally, parking was going to become a bigger issue because of changes in the parking policies in the ski area.

Staff and elected officials then briefly described conflicts of interest, both generally, and how this may or may not be applied specifically to the Peruvian Estates neighborhood. Polly McLean, Town Attorney, explained that conflicts of interest existed when an elected official closely benefitted from the project monetarily or had a direct familial interest with a project. After subsequent discussion, it was stated by Alta's elected officials they had no conflicts of interest with this item.

REGULAR SESSION

1. CALL THE MEETING TO ORDER AND DECLARATION

[0:59:07]

Mayor Sondak called the meeting to order at 4:03 pm. Consistent with his published finding, this was an electronic meeting without an anchor location.

2. CITIZEN INPUT

[1:00:51]

Piper Lever, Town Clerk, reported that she received a citizen comment from Scott Briggs. Mr. Briggs's comment clarified a statement that he had made at the last Town Council Meeting regarding the Peruvian Estates parking issue.

Mac Brighton stated that he hoped the Council would keep the parking requirement in the business license in some form in the Peruvian Estates neighborhood, and that the land use requirement alone would not suffice. After a building permit was issued there would be no mechanism to review it again, later. Winter parking was not specifically considered in the land use requirement, and four of the properties did not have winter parking available. The rentals created more need for parking, thereby further stressing the situation. Some of the houses had arranged for parking. However, he stated that eliminating parking from the business license requirement was not a viable solution.

Mayor Sondak said he had received emails about the issue and had encouraged citizens to attend the meetings, make comments, and participate.

3. ALTA SKI AREA UPDATE – MIKE MAUGHAN

[1:04:09]

Mike Maughan reported on Alta Ski Area's summer projects. They were continuing to move forward with working out the details of the paid parking system during peak periods. They were in the final process of reviewing the contract with a parking system vendor and were working towards providing complimentary parking for season pass holders, and discount parking for people who bought tickets on alta.com. All other users would pay the regular parking fee of \$25. They were working with the Mayor and staff on addressing overnight parking and other uses in the Town of Alta. They were moving towards making most of the north side parking being under Town permit and the south side would be paid reserved parking.

Council Member Bourke asked if they knew how many spots there were on the north side versus the south side. Mr. Maughan replied that there were 2,000 spots in the Town of Alta including the ski area lots. The north side had 240 spots, of which 94 were in the permitted ski areas. The remaining spots on the north side were in the UDOT right-of-way, as well as public and private property. They were trying to come up with a simple way to manage within the town of Alta to make it clear where parking was allowed. Change would be difficult for everyone, but they were hoping to see increased bus ridership and public transportation use. Their primary focus was not to turn people away and to eliminate the early morning parking rush. The Alta Ski Area held an open house where they had received input from the public.

Mr. Maughan said that the Central Wasatch Commission was moving forward with a visitor use management study. The intent was to identify what an appropriate level of visitation was for the canyons. He suggested the Town conduct a survey to solicit additional feedback.

Mayor Sondak said the team selected by the CWC led out of Utah State University has in mind a stakeholder input. He stated that the stakeholders' council provided an opportunity to raise the issue. The study would be done in the summer; the timing was not great given the time of UDOT's EIS process.

[01:17:04]

Council Member Davis asked if season passholders had only two reserved spaces on the weekends. Mr. Maughan stated that passholders would have the option of two reservations in advance. Alta Ski Area would release a block of tickets in October, and five days before a date they would release the remaining parking spots.

[01:20:52]

Council Member Davis asked about the pollution caused by plowing of the Goldminers lot. Mr. Maughan replied that most of the debris didn't go on top of the stream; rather, it went over the willows area which was the best filter available. The testing of the water had not shown pollutants in the water at a level of concern for Salt Lake City Water.

[01:22:22]

Mayor Sondak asked for a review of the Corkscrew Trail widening project. Mr. Maughan stated that originally, they had planned on widening the area in question, but when they got started, the budget did not allow for the project to be done as originally designed. They had received feedback from skiers that Corkscrew Run was too narrow for the number of people that exited that route off the mountain. He explained the planned project with the Forest Service.

[01:25:49]

Council Member Bourke asked if there was a projection of when the summer road would be open to the general public for use. She also asked when summer operations would begin on the road to the campground. Mr. Maughan replied that they were planning to start their staff training on June 23. Generally, they let the snow melt out first. Looking at the current snowpack they were optimistic that it would be early July.

4. UNIFIED FIRE AUTHORITY – JAY TORGENSEN

[1:27:30]

Jay Torgersen, Unified Fire Authority (UFA), reported that the recruit school was in week 13 of the 16-week program. There were 33 recruits still in the camp, and once they finished, 10 would be going into his division for EMT training. UFA was in the middle of the budget process and had given a budget proposal to the finance committee last week. They were nearing the start of their hiring process for firefighter positions. UFA needed paramedics. Training took about a year and was extensive. Mr. Torgersen then reviewed Alta call volumes for April and part of May, as 12 medical, 1 fire and 1 service call. He compared that volume to last year during the entire 2nd quarter, of 7 calls. He said the crews were actively working on water rescue as well as wildland fires. UFA was also working with Alta's local clinic on COVID vaccinations. Lastly, Mr. Torgersen reported that UFA held a CPR training event earlier in the evening.

[01:33:31]

Council Member Bourke asked about a training in Alta to discuss making properties wildfire safe. Mr. Torgersen said he would look into the matter; events were limited due to COVID-19, but they could potentially plan a training in July. Chris Cawley was working with UFA staff to coordinate fuels reduction program again in the summer.

[01:36:54]

Mayor Sondak asked about the Forest Service's early planning process. Mr. Torgersen replied that UFA had an agreement with the State's wildland fire duty officer program. He briefly discussed the particulars of this program.

5. APPROVAL OF CONSENT AGENDA

- **March 10, 2021, City Council Minutes**
- **March 12, 2021, Budget Committee Minutes**
- **Treasurer's Reports**
- **Staff Reports**

[1:40:08]

MOTION: Council Member Margaret Bourke moved to APPROVE the Consent Agenda. Council Member Elise Morgan seconded the motion. Council Members Bourke, Morgan, Curry, and Mayor Sondak voted “Aye.” Council Member Davis abstained. The motion passed.

Council Member Davis asked if the legal recordings were the SoundCloud or the minutes. Polly McClean, Town Attorney, replied that it was both. She explained that per Utah law, minutes were the official records. Council Member Davis said that the discussion about the Peruvian Estates begged the question that they didn’t have a transcript of their minutes. Ms. McClean replied that it would be very cumbersome to read through a verbatim transcription. The requirements for minutes were to indicate who was present and the general discussion item.

Piper Lever explained that general transcription takes two to four hours times the length of the audio recording. Verbatim transcription would take six to eight times the audio recording, thereby increasing the cost. Verbatim was generally used only for purposes of lawsuit records.

6. QUESTIONS REGARDING DEPARTMENTAL REPORTS

[1:45:25]

Mike Morey, Town Marshal, said that generally speaking they had been watching Alta Ski Area’s decision to go to paid and reserved parking. He was optimistic that some of the concepts allowed the Town to maintain control of those areas albeit in some regulated manner. Alta Ski Area needed to make sure that they stayed within legal boundaries.

Council Member Morgan asked when the June Town Council meeting was going to be. Mayor Sondak replied that it was the 16th. There was discussion about when the cleanup was going to be scheduled.

Council Member Bourke commented on the business license study and said there was an indication that they were negotiating with the most qualified applicant. She asked who and what they were negotiating with and on. Ms. Clancy replied that staff had put out a request for statements of qualification in April. It was a more relaxed process than an RFP for projects less than \$50,000. The request was posted on the State’s website, and she directly emailed Richard Haskel and Zions Bank because she knew they were potentially interested. At that point there was a contract they were reviewing that she hoped would be signed tomorrow. Council Member Bourke asked if they were on track with the timeline. Ms. Clancy answered affirmatively, and noted that the confines of the study were within the budget.

[01:54:45]

Council Member Bourke asked about a dispatch position that was recently posted. Mr. Cawley replied that staff differentiated the job description based on dispatch being part-time work. They had one part-time employee who worked a lot of hours as a dispatcher. Staff wanted to compensate employees who worked full time hours with full-time status. Therefore, they were evaluating ways to shift and redistribute tasks done by part-time employees.

7. MAYOR’S REPORT

[1:58:53]

Mayor Sondak said that 42% of the State of Utah had received one shot of the COVID vaccine, which was below the US average; 28% were fully vaccinated. He stated that this was not enough for the State to achieve herd immunity. They were continuing to operate the office with one staff member, but they were transitioning into a fuller staff. Masks were required in all public offices and gatherings of more than 50 or in K-12 schools. He was continuing to attend COVID Mayors meetings. The case rate for the past 14 days was 121 cases out of every 100,000 people in Salt Lake County which was still considered a high risk.

Mayor Sondak was continuing to talk with Alta Ski Lifts and the Forest Service about parking. He, Chris Cawley, and Mike Morey met with the parking vendor to Alta Ski Lifts, and it made sense for Alta to be coordinated with UTA. Therefore, they were exploring their options.

Mayor Sondak said that staff had continued to receive information about economic assistance opportunities and they had forwarded it to local businesses. Wikipedia was reporting that the 2020 census results for Alta were lower than the 383 number in 2010. One of the proposed La Caille base station project principles had contacted him about having a top station for a gondola across from the proposed community center on the south side of the road. He met with the Canyon School District leaders to discuss the community center because they could be an important tenant in the building; additionally, Canyon School District could assist with costs.

Mayor Sondak stated that they had elections coming up, and candidates could sign up between June 1-7. There was a dog drawing for licenses: 3 class A licenses drawn from 12 applicants and 2 class B licenses drawn from 39 applicants. Temporary dog licenses issued with a start date between 4/14/21 and 5/11/21 included:

1. Brooke McMaster 2 days 4/22
2. Kevin MacDonald 3 days 4/23

On April 15, Mayor Sondak attended UFA's finance committee's presentation of the budget. The UFA member fee was proposed to increase by 3.5% that year and the main issue was personnel costs going up. A cancer program for firefighters was being setup; it would cost \$600,000 but it was an important one-time cost. Mayor Sondak also reported on meetings he attended this past month with the CWC transportation study, the Alta Planning Commission, Dan Peterson of UFA, Canyon School Board, and the Salt Lake Ranger District. He then provided an overview of upcoming meetings.

Council Member Bourke asked if there was any metric available for when they would feel comfortable resuming in-person Council meetings. Mayor Sondak replied that indoors they would need to be masked; he still felt it was risky to gather in person. Additionally, he mentioned having had a discussion with a colleague about how meetings were more efficient on Zoom without masks than in person with masks.

8. DISCUSSION AND POSSIBLE ACTION TO ADOPT FY2022 TENTATIVE BUDGET

[02:18:03]

Mayor Sondak said the tentative budget needed to be adopted before the final budget could be approved.

MOTION: Mayor Harris Sondak moved to APPROVE the adoption of the FY2022 tentative budget. Council Member Cliff Curry seconded the motion.

[02:20:13]

Council Member Curry moved to amend the motion. Mayor Sondak clarified that this proposed amendment would change line 10-31-100 to drop the property tax by \$152,000 to \$243,000. Additionally, line 10-31-300 would read from \$1,250,000 to 1,252,000 of projected sales tax.

There was further discussion on the above amended motion.

A vote on the motion was taken. Council Members Curry, Morgan, Davis, and Bourke voted "Aye." Mayor Sondak voted "Nay." The motion passed 4-to-1.

There was continued discussion on this action item. Council Member Davis asked if it was possible to evaluate the Town's contribution to the summer program. She stated that there appears to be a holdover from the days when the Town managed the summer programs. However, the Town is no longer doing that, so she questioned why the Town continued to make significant contributions to that program. Ms. Lever enumerated the various items the funds were paying for and noted that more than half of that money were grant projects. The other portion represented personnel expenses. Mr. Cawley further elaborated.

Council Member Bourke asked about ACVB contribution of \$42,000. In the past, the Town did not have an adequate metric for return on investment, and she was not sure that they have since acquired that information. She suggested reducing this amount by half to \$21,000. Mr. Cawley further explained the purpose of ACVB.

[02:52:23]

Council Member Bourke moved to APPROVE the FY2022 Tentative Budget with the amendment that the ACVB Contribution be reduced from \$42,000 to \$21,000. Council Member Davis seconded the motion.

Council Member Curry stated that the ACVB contribution was the Town of Alta's way of showing support for a thriving community. Mayor Sondak added that it was bad faith to cut the contribution. Additionally, the ACVB had since presented a more comprehensive plan for how to move forward, and the group did not utilize its full budget from last year; therefore, there were rollover funds available. Council Member Morgan said she was inclined to keep the budget as is, and distribute the funds in portions.

[03:00:00]

A vote on the amended motion was taken. Council Members Bourke and Davis voted "Aye." Council Members Morgan and Curry, and Mayor Sondak voted "Nay." The motion did not pass.

[03:05:51]

A vote to APPROVE the FY2022 Tentative Budget as proposed and amended was taken. Council Members Curry, Davis, and Morgan, and Mayor Sondak voted “Aye.” Council Member Bourke abstained. The motion passed.

9. NOTICE OF PUBLIC HEARINGS TO ACCEPT COMMENTS ON FY2022 TENTATIVE BUDGET ON JUNE 16, 2021 AT 4:00 PM

[03:06:59]

Mayor Sondak announced a public hearing to accept comments on the FY2022 Tentative Budget on June 16, 2021, at 4:00 pm.

10. NEW BUSINESS

[03:09:06]

Council Member Bourke asked about water conservation in light of Governor Cox’s press release on the matter. She asked what measures the Town was taking to demonstrate support for that effort. Mayor Sondak stated that he had a meeting scheduled the following day to review a water rate study. One way to address the concern could be to raise water rates. Assessing landscaping needs in Town were also one way of addressing this concern.

Council Member Davis stated that water conservation enforcement had become lax.

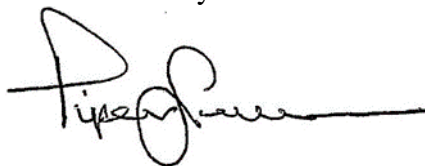
Council Member Curry stated that he will not run for another term.

11. MOTION TO ADJOURN

[3:15:32]

MOTION: Council Member Davis moved to ADJOURN at 6:27 PM. Mayor Sondak seconded the motion. The motion carried with unanimous consent of the Council.

APPROVED by the Town Council on June 16, 2021

A handwritten signature in black ink, appearing to read "Tipson", with a long horizontal line extending to the right.