

MINUTES
ALTA TOWN COUNCIL MEETING
Wednesday, July 14, 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

WORK SESSION

[0:00:16]

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

1. PATSEY MARLEY/SHRONTZ ESTATE

[00:2:17]

Doug Ogilvy introduced this item. He noted that the property in question was a 20 acre site. He provided his understanding of a historical overview of the site. The new proposal for the property would include 40 townhomes, 40 hotel rooms, and a parking structure. Mr. Ogilvy explained that this plan was an alternative to a prior proposal of developing 10 single-family homes on the same property. A 3D rendering was then shown to depict the layout of the development.

Mayor Sondak stated that the Estate had approached the Town of Alta about developing a project that was more aligned with the community's best interests than the current 10 home plan. In order to move forward with the plan, a rezone would be needed. He stated that a more concentrated development with open space would be better for the Town than 10 houses spread across the hillside. Mayor Sondak stated that the original plan for this land was a hotel.

Mayor Sondak asked Mr. Ogilvy to clarify where road access would be located. He answered that a few options had been explored; one option showed the road access could avoid the Summer Road, thereby avoiding interference with current recreational use.

John Guldner, Town Administrator, stated that we talk about a parking structure but the only thing the development settlement agreement laid out was 20 parking spots basically in that location, which may be covered. The United States Forest Service would not approve a parking structure on USFS ground; the Estate would need USFS approval to plowed and paved access to parking on the Summer Road. The condo/hotel plan would eliminate the proposed parking structure which would be four stories and 45,000

square feet, because all of the parking would be onsite. He stated that anything they could do to get access from down below—which would be in working with the Forest Service and the Ski Area—would be ideal. He further explained that per the development settlement agreement, whatever was done with access could not interfere with existing uses such as parking at the end of the paved road, osv’s at the beginning of the summer road just beyond the gate and people skiing, hiking pulling kids on sleds and so on.

Mayor Sondak explained that a hotel would be eligible for tax-increment funding and generate sales tax revenue. There was continued discussion on changes to the commercial core zone, as well as water use. He explained that this structure would require more water than a development of 10 single-family homes.

Council Member Morgan stated that she was open to this idea but would like to hear more from the U.S. Forest Service, Alta Ski Area, and Salt Lake City Water. Mayor Sondak concurred. Wade Budge stated that Alta Ski Area indicated its support for the project.

In response to a question from Council Member Bourke, Zach Hartman explained that public bathrooms would be included in the project plan.

2. BUSINESS LICENSE ORDINANCE AND PERUVIAN ESTATES PARKING PROVISION

[00:27:59]

Mr. Guldner introduced this item and explained that at one point the Town had rezoned the area from single family use to allow rentals and small, separate caretaker units; Later, owners wanted to be caretakers with larger sized units. This was allowed, however, the parking provision was not amended with that change. He provided a brief historical overview of the issue, and explained that there was not as much access on the west side as on the east side of the Peruvian Estates neighborhood. Therefore, there was not enough room for winter parking on the west. Mr. Guldner explained that at one point the Town Marshal assigned specific parking spots for each individual unit. This worked well up until recently.

Polly McLean, Town Attorney, noted that the parking requirements in the Peruvian Estates neighborhood were unique to Alta, and that no other neighborhoods in the Town had these same requirements.

3. TOWN PARKING

[00:36:49]

Mike Morey, Town Marshal, stated that staff had hired a contractor to help the Town in the winter North Side Permitted Parking Plan Development. Staff was anticipating the Town would manage parking on the areas of the north side of State Road 210 from the Shallow Shaft restaurant continuing east to the easternmost edge of the Grizzly Gulch overnight parking area. The area in question was in the Alta Ski Area’s special use permit area. Mr. Morey stated that the Alta Ski Area was willing to allow the Town control over that area, provided the Town transition to a permitted system. Meetings with UDOT and the USFS were scheduled for later that week to discuss details further. Mr. Morey stated there would be 250 parking spaces to manage—information which was provided by Alta Ski Area through its various surveys. He stated that staff was seriously considering having a third party assist in initiating the program of an automated permitting system. It was important that this system be user-friendly and easy to understand.

Chris Cawley, Assistant Town Administrator, presented a graphic that identified the area where the program would be implemented. He explained the importance of community engagement, and stated that Wasatch Front Regional Council (WFRC) agreed to help the Town engage the public in submitting

comments and identifying needs of the entire community. Mr. Cawley also noted that the Town had received grant funds from the WFRC to pay for consultants to help develop this parking plan. Staff was anticipating having a plan ready to implement by mid-November.

Mr. Morey discussed several goals to consider with the program, including the many people and uses of parking, and the accommodation of historical uses. Mayor Sondak agreed with him; however, he also pointed out that it might not be possible to accommodate all historical use patterns. Mr. Morey added that ride shares and carpooling would also likely be encouraged.

Council Member Bourke mentioned reaching out to all concerned people who would be affected by this plan. Staff assured her the plan would be to publicly invite comments. Marshal Morey said the Town's goal was to preserve historical parking for home owners, caretakers, resident employees and commercial work force. He did not want to be exclusionary. However, all historical uses and patterns would likely not continue. Council Member Davis also asked about Snowbird's parking plan and how that would affect Alta's plan. There was a brief discussion on the matter.

The Work Session ended at 4:00 pm and Mayor Sondak called for a short break.

REGULAR MEETING

1. CALL THE MEETING TO ORDER AND DECLARATION

[01:01:03]

Mayor Sondak called the meeting to order and noted that all Council Members were present.

2. CITIZEN INPUT

[01:01:30]

Piper Lever, Town Clerk, read Randhir Jhamb's email into the record as follows:

Alta Mayor and Town Council Members:

For the upcoming Alta Town Meeting, I would also like to weigh in the discussion and vote on the re-worked business license for our neighborhood: Peruvian Estates. Since a parking plan was originally required for each of our homes in order to get a building permit, an additional requirement added to the business license seems to be unnecessary and onerous. If a parking requirement is not requirement of all Alta business licenses, it should not be a requirement for just the western end of Peruvian Estates or all of Peruvian Estates. Therefore, I would suggest and support a business license application with no parking requirements for our neighborhood. Please consider what we as the residents who affected by this ordinance want when it comes to time to vote on Wednesday, July 14th.

Regards,

Rhandir Jhamb

Roger Bourke spoke favorably about the treatments made to the Summer Road, stating they had improved the Grizzly Gulch area significantly. He also noted having attended a UDOT meeting regarding the EIS the night prior, and he was impressed with how the citizens had united themselves together to address the issue. He suggested that the Town of Alta rally together similarly to speak with one voice.

Karen Travis noted she had submitted the following comment via email:

Alta Mayor and Town Council Members:

For the upcoming Alta town meeting, I would like to weigh in on the discussion and vote on the reworked business license for our neighborhood, Peruvian Estates.

Since a parking plan was required for each of our homes in order to get a building permit, a new requirement added to the business license seems to be overkill. If a parking requirement is not a part of ALL Alta business licenses, it should not be a requirement for just the western end of Peruvian Estates (or all of Peruvian Estates).

Therefore, I would suggest and support a business license application with NO PARKING REQUIREMENTS for our neighborhood. Please consider what we as the residents who are affected by this ordinance want when it comes time to vote on Wednesday (July 14).

*Sincerely,
Karen Travis*

Mac Brighton addressed the Peruvian Estates parking issue. He said that eliminating any requirement for parking would seriously denigrate the neighborhood and cause even greater parking problems. He explained that if the Ski Area moved to paid parking, there would be even more pressure on the neighborhood's parking. He was in favor of reducing the business license requirement to two spots.

Ginny Marie Leines was invited to comment; she stated she was present to listen and had no comments to add.

Penny Heatley was invited to comment; she stated she had no comments to add.

Del Draper asked the Town of Alta to consider extending its remote access to Town Council meetings. He stated that Zoom provided a lot of flexibility to listen to portions of meetings that were of special interest. It also saved time spent traveling to and from meetings. He also stated that he was in favor of the Shrontz Estate hotel plan.

Mayor Sondak stated that he had asked the staff to investigate the possibility of continuing to allow for electronic participation even if/when an anchor location becomes a possibility again.

Mark Levin stated that he was a new homeowner in the Peruvian Estates neighborhood. He was in favor of having no requirement for parking spots in the neighborhood.

3. BUSINESS LICENSE STUDY –AARON MONTGOMERY

[01:13:56]

Jen Clancy, Deputy Town Clerk, introduced Zions Bank representative Aaron Montgomery to present the Business License Study. Mr. Montgomery stated that he was with Zions Public Finance which specialized in municipal studies. The purpose of the Business License Study was to ensure the Town complied with Utah Code 10-1-203:

Fees charged reflect the amount necessary to reasonably regulate business activity, including the costs of disproportionate or enhanced levels of municipal services required by some business classes, geographic locations, etc.

Mr. Montgomery explained that the total business licensing cost included base administrative costs, disproportionate service costs, and enhanced service costs. Factors to consider included:

- Percentage change to current fees
- Dollar amount of change in fees
- Correlation between proposed fees and the actual cost of services
- Recognition of revenues generated by some business types (such as sales tax)
- The comparative/competitive fees in neighboring cities

Base administrative costs included employee labor, indirect/direct overhead, training, supply, and study costs. Mr. Montgomery noted that the total base administrative fee was calculated as \$62.27.

Mr. Montgomery presented the disproportionate service costs which were calculated based on need for City services (such as police, fire, EMS). The total 2021-2022 Police Budget was \$1,004,050. The estimated percentage of time spent on responding to police calls was 2.08%. The amount of annual police calls was 175.5, and the cost per police call was \$119.00.

Mr. Montgomery presented the disproportionate service costs which were calculated based on need per business category. He showed a chart that included 10 different categories which included hotels >20 rooms, hotels 10-20 rooms, hotels <10 rooms, property management, transportation, business and personal services, retail and general services, restaurant, cafeterias and bars, day cares, ski lifts, temporary, and non-profits.

Mr. Montgomery presented enhanced service costs for business categories and explained that municipalities were allowed under Utah Code to collect a fee reasonably related to the cost of the following municipal services: police, fire/EMS, storm water runoff, traffic control, parking, transportation, beautification, and snow removal. The annual cost of police parking patrol for the Alta Ski Area was approximately \$6,457.53 and \$1,291.51 for the lodges with 20 or more rooms. A one-time fee was assessed annually though was labeled as a “one-time” fee because it only applied to the first business license issued to entities with more than one business license in the same category.

Mr. Montgomery presented a graph depicting the maximum business license fee calculation (first application). The graph listed the aforementioned business categories and calculated the following fees: base administrative, disproportionate service, enhanced service, and first application – maximum. Businesses would only be charged this fee for their first application. All additional business licenses would only be charged the base and disproportionate service costs. Mr. Montgomery then presented the maximum business license fees for additional applications. Alternate fees would be assessed to business licenses when the licensee had already applied for a previous license under the same license name. The fees calculated in the study were then compared to the Town’s current fees.

Lastly, Mr. Montgomery presented a chart depicting business license fee comparisons between Alta and five other Utah municipalities: Springdale, Huntsville, Heber, Cottonwood Heights, and Sandy.

Council Member Davis asked if Park City was considered as a comparable municipality to Alta. Additionally, she asked about the Town's method for documenting its calls based on current software usage and improvements underway. Mr. Morey stated that it was somewhat difficult to extrapolate data. He stated that on average they documented 1,100 to 1,200 case numbers issued per year by the police department. Therefore, to assist in the survey staff looked at dispatch calls. He stated that with the Records Management system recently purchased, staff would be better able to provide more usable data.

4. ALTA SKI AREA UPDATE – MIKE MAUGHAN

[01:48:21]

Mike Maughan, Alta Ski Area, gave a report. He thanked the Town Marshal's office for their support in making this past ski year a calmer one than the year before. He stated they were moving along as expected. The Ski Area continued to work on an improved parking system for next year, stating they were on target for a parking reservation system to be up by October 1.

Last week, Alta Ski Area met with the Forest Management Team to discuss the management plan, diseased trees, and other hazards. Alta Ski Area may try to plant some blue spruce, as it was more resistant. Mr. Maughan stated he had attended the UDOT open house. Some alternatives that were suggested were that busses could have more than two lanes in the canyon, and that there could be snow sheds; however, the Alta Ski Area would be more supportive of a gondola. Mayor Sondak said his only real aversion would be to a train. Mr. Maughan acknowledged the challenge of managing the area in such a way that they could continue offering high quality skiing to all the people who want it.

Mayor Sondak recalled a recent trip to Glacier National Park in Montana at which time they were unable to reserve parking in the park due to its reservation system, and were only able to enter before 6 a.m. or after 5 p.m. He was concerned about that possibility for Alta Ski Area.

Mr. Maughan stated they had no plans for expansion or to actively get more folks to Alta, just plans to manage those who come. There were plenty of people who wanted to come to Alta, but they would prefer to manage that number rather than to expand. He stated support for transportation improvements such as traction laws, and putting a traffic light and an extra lane at a key intersection which would better separate the traffic that was going to Alta rather than to Snowbird.

Mayor Sondak asked that the next meeting Mr. Morey give an update on his office's involvement at Alta Ski Area. Mr. Morey agreed.

5. UNIFIED FIRE AUTHORITY – SCOTT GARFIELD, CAPTAIN

[02:00:40]

Scott Garfield, UFA Captain, joined the meeting via Zoom from Station 113, stated that Chief Jay Torgerson was on vacation, and had given him several bullet points to share in the meeting.

Mr. Garfield discussed drought conditions. He outlined the plan for the chippers and wild land guides that were due to be in the area July 26-29 to remove fuels from defensible space. Citizens could go to the UFA website, prevention tab, to schedule that for their properties.

Next, Mr. Garfield talked about fireworks restrictions, stating they were still in place, and that hopefully there wouldn't be any incidents associated with Pioneer Day on July 24. Citizens could go to the website to learn of the exact restrictions.

Next on his list was announcement of a free pancake breakfast being planned for August 4, sometime in the morning, at a place yet to be determined. Mr. Garfield noted they hoped to keep this breakfast for local citizens, staff, employees, and ski people—so advertising had to be carefully approached. He noted that Chief Torgerson would confirm all those details when he returned from his vacation,

Mayor Sondak asked if they had crews fighting fires elsewhere. The answer was yes, but they also had a crew locally.

6. UTAH DEPARTMENT OF TRANSPORTATION (UDOT) WITH ECONOMIC IMPACT STATEMENT (EIS) UPDATE

[02:07:00]

Josh Van Jura, Vincent Izzo, and Bri Binnebose, each of UDOT, presented the EIS update for transportation options being considered for Little Cottonwood Canyon.

Mr. Van Jura stated that the purpose and need of this EIS was to substantially improve safety, mobility, and reliability on the tract from the mouth of Big Cottonwood on through the Town of Alta. If something wasn't done there, it was projected that the expected travel time up the canyon would rise to 80 minutes at least 50 days a year. As UDOT had studied this inevitability, they had determined that there were two almost equally desirable alternatives: 1) Enhanced bus system; and 2) Gondola B from La Caille.

The reason UDOT's research team chose two rather than one was because the bus met the mobility goal better, but the gondola met the reliability goal better. Therefore, they proposed getting public input whereupon the draft EIS would change based on the comments submitted; but noted it was not a democratic process with citizens deciding. Next, he gave additional details to the Council.

Time Spent to Utilize Service

Bus: Total time from parking a car to arriving at the ski resort would be 36 minutes. (This included 24 minutes actually in the bus.)

Gondola: Total time from parking a car to arriving at the ski resort would be 57 minutes. (This includes 34 minutes actually on the 35 passenger gondola.)

Another consideration was that buses with dedicated lanes could potentially pass cars in the other lanes, which may affect both the travel time and the behavior of those in the cars. Also, the study was done in dry weather, whereas actual conditions were usually snowy with adverse situations possible, thus slowing down the travel times.

Capital Cost

Bus: \$510 million start up, plus a winter operation cost of \$11 million annually. The widened road would be used for cycling and foot traffic in the summer.

Gondola: \$592 million start up, plus a winter operation and maintenance cost of \$7.6 million. The gondola cabins would be removed and stored during the summer.

Mr. Van Jura estimated that for a 30-year span, the costs come pretty close to being identical for either system.

Visual Impact

Bus: Cuts and fills along the road would be visible.

Gondola: Towers were anywhere from 50-70 meters tall, [approximately 164-229 feet].

Mr. Van Jura stated the EIS comment period was to gather public input. Council Member Bourke asked for an open house in Alta, to which Mr. Van Jura briefly discussed both the benefits and constraints of holding open houses. The comment period extended to September 3, 2021, which would be the Friday before Labor Day.

Mayor Sondak asked for clarification to determine if the costs were presuming winter operations only, and the answer was yes, though they were being cleared for summer operations, too. The problem would be the cost of the service in the summer. Each trip would cost \$25-\$28, but they would be subsidized in the winter for affordability.

Mr. Van Jura commented on the type of public input they were hoping for. After the 2021-2022 skiing season, a final decision would be made.

Council Member Davis asked if comments were part of the public record. Mr. Van Jura explained that it depended on if they were made as part of a public process, and then they became public record. He noted that voicemail phone messages were considered public comments.

7. APPROVAL OF CONSENT AGENDA

- **May 12, 2021 Minutes**
- **June 16, 2021 Minutes**
- **Treasurer's Report**
- **Staff Reports**
- **Budget Committee Reports**

[02:25:24]

Mayor Sondak noted changes to be made to the June 16, 2021 minutes.

MOTION: Council Member Davis moved to APPROVE the Consent Agenda as modified. Council Member Curry seconded the motion. The motion passed unanimously.

8. QUESTIONS REGARDING DEPARTMENTAL REPORTS

[02:37:54]

Council Member Bourke commended the person who had raised the Lower Albion Basin signs. She also asked if the time was right to ask Rocky Mountain Power to put a line up the canyon as a back-up.

Mayor Sondak said yes, explaining that their franchise agreement will expire in February 2022. With the current five-year franchise agreement, they had an opportunity to work back and forth more frequently than when it was on a 10-year cycle. Rocky Mountain Power, though it was the only supplier, had pledged its commitment to good faith engagement. Administrator Guldner suggested Alta make a list of "wants," to work through with RMP, the only service in town.

9. MAYOR'S REPORT

[02:43:33]

Mayor Sondak expressed gratitude to staff that had been working hard on several complicated issues such as the budget, the water rate study, the business license fee study, and permitted parking.

Mayor Sondak expressed concern that COVID was not over. The case rate had recently gone up to 173/100,000. Eighty percent of those cases were the Delta variant. He mentioned that wearing masks indoors in areas of high density and low rates of vaccination was advised.

Mayor Sondak announced that Pathways Associates would be conducting the community center fundraising feasibility study, and that he would be meeting with them the next day.

Mayor Sondak mentioned briefly the parking, business license, and the UDOT EIS studies that had been previously discussed. He then stated he wanted to raise an additional concern about the UDOT study. He felt they hadn't taken climate change into full account, as they were relying on a decades-old analysis technique. He referenced information that had come from Robert Gillies of Utah State University. He urged those who would make comments to give this some thought.

Mayor Sondak referenced his own property tax statement on which the UFSA was the fourth most expensive item, at \$400. The UFSA had notified the public of the new tax rate. He also mentioned that the Town could expect about \$40,000 from the Rescue Act Fund, down from the \$70,000 they thought they would receive. The budget would need to be adjusted for that.

Mayor Sondak then reported on several meetings he had attended recently, and he outlined the meetings coming up. From the meetings he had attended, he commented on the importance of a visitor capacity study prior to UDOT's EIS analysis. However he noted the large cost of a visitor capacity study being done by the CWC, and his belief that it would produce little useful data as he had concerns about techniques for gathering "social experience" data. He also discussed fireworks; homelessness in Utah; and the problem of scooters. He stated that Utah was not doing as well as they used to do on the homelessness issue. He also acknowledged that Alta doesn't seem to have a scooter problem, but that if anyone noticed abandoned scooters in Alta, to please let him know.

He then ended his report with a listing of temporary dog licenses issued with a start date between 6/15/21 and 7/8/21.

1. George Fett 10 days 6/17
2. Penny Heatley 12 days 6/19
3. Tanner Bowman 1 day wedding 6/26
4. Sarah Goodson 30 days 7/1
5. Talley Goodson 30 days 7/1
6. Kevin Dennis 8 days 7/1
7. Noelle Byrne 19 days 7/6

10. DISCUSSION AND POSSIBLE ACTION ON 2021-O-5 BUSINESS LICENSE ORDINANCE AND PERUVIAN ESTATES PARKING PROVISION

[02:57:15]

Mayor Sondak introduced this agenda item by stating that he had Polly McLean, Town Attorney, draw up two versions of this. In talking to Council Member Curry, he suggested he make a motion on the one they had talked about.

MOTION: Council Member Curry moved to pass version 5.1 of the business license ordinance, which completely strikes the old section that indicated a business must provide a certain number of spots for parking before a license could be issued. Council Member Morgan seconded the motion.

Councilwoman Davis framed her comments in terms of privilege and fairness, pointing out that renting a home zoned as a single family dwelling is a privilege that comes with expectations which the parking requirements of the current Peruvian Estates business license ordinance makes clear. If consistency is the goal, then change the ordinance to require two year round parking spaces rather than three. But why should the Town change or strike an ordinance that has been in place for over two decades? Because it is receiving some pushback from full enforcement now? As parking becomes even more coveted within the Town of Alta this does not seem the time to weaken private property owner’s rights or loosen expectations around parking if operating a business here.

Several key points emerged during this discussion:

- Private land and parking issues must be worked out among private landowners and their tenants
- The Council needed to find out what worked for the whole community
- The business license was not the appropriate place to have wording regarding parking
- Zoning documents should have wording regarding parking
- Planning Commission made a recommendation for zoning, then the Town Council determined whether to adopt, amend, or reject
- There were glitches in what was dictated in zoning documents, and what actually happened—especially in the winter when snow covered access to parking spaces.
- 2 parking spots is a zoning requirement, but year round parking is not specified.

Mayor Sondak stated that the Town of Alta was about to consider parking in a more general way. When people’s private parking was unavailable or exceeded by numbers of cars, they parked elsewhere. Alta had a parking problem they had to address anyway. These issues would be coming up, and parking for rented homes may be one of those things they will have to address.

As Council members discussed this, it was suggested that the Town Council should wait to make changes until they knew where the more general parking question was going to go.

Mayor Sondak CALLED the Question.

Ayes

Sondak
Curry
Morgan

Nays

Davis
Bourke

The motion passed.

11. NEW BUSINESS

[03:18:00]

This time was used to discuss how to best funnel to UDOT comments about the EIS. The idea of having a town hall meeting to gather Alta citizens and hear their comments, was discussed. Mayor Sondak stated that such a method would not produce a consensus and could potentially be used simply as an emoting session. As the group discussed the options, Mayor Sondak stated that a town hall meeting could be valuable if the word got out for people to study all the angles first and to come prepared to make meaningful comments on what would work better, or to offer support for the plans as written. He said he was willing to facilitate such a meeting with help, and would potentially invite representatives from UDOT and the Forest Service—but he did not want it to turn into a comment writing workshop. It would be critical for citizens to send their comments directly to UDOT.

The Mayor and Council discussed the agenda for the August meeting. One suggestion was to address the TOA ethics pledge language. Further discussion regarding the public hearing process for the EIS ensued.

12. MOTION TO ADJOURN

[03:34:57]

MOTION: Mayor Sondak moved to adjourn. Council Member Morgan seconded the motion. The motion passed unanimously.

APPROVED by the Town Council on Sept 8, 2021

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

Piper Lever, Town Clerk