

MINUTES
ALTA TOWN COUNCIL WORK SESSION
AND REGULAR MEETING
Wednesday, November 10, 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
Cameron Platt, Town Attorney

WORK SESSION

Mayor Sondak called the virtual work session to order at 3:00 p.m. without an anchor location per an October 27, 2021 submitted determination.

1. TOWN PERMITTED PARKING

[00:00:49]

Mayor Sondak started the work session giving some background and stated the Town's desire to develop a clear, simple and manageable plan. Chris Cawley updated the Council on the plan development, which included action items on today's meeting agenda. Details in the action documents include:

- the need for an ordinance authorizing the Town to enforce traffic and parking regulations on quasi-public roads and parking areas due to a change in state law requiring such an ordinance.
- an MOU defining the parking area that is included in ASL's special use permit, but that will be managed by the Town for a term of two years. The rest of the Town-managed parking areas will be defined in a subsequent Forest Service special use permit, held by the Town of Alta.
- The Interstate contract contains details include setting up an scanner and/or online reservation system, setting a two year term, defines ways to terminate the agreement, sets the 50/50 split of net revenue from permits, and the split of violation revenue.

Ms. Davis and Ms. Bourke raised questions about the two year term and the termination clause. Mr. Curry asked about the projection of revenue and operating expenses.

2. ROCKY MOUNTAIN POWER FRANCHISE AGREEMENT

[00:36:50]

Mayor Sondak handed the presentation over to John Guldner, who introduced the RMP representative (Brad Knowles) and summarized the history of service reliability and the past agreement. After technical difficulties hampered the discussion, Guldner described some improvements that RMP had made and scheduled and suggested extending the term to 10 years. Sheridan Davis asked if there was a downside to keeping the term at 5 years. The answer given by Brad Knowles was the agreements process is most efficient at a 10 or 20 year term, as it lessens the administrative burden. However, outside of the franchise agreement. RMP is dedicated to addressing any identified issues as they arise and open to discussing any matters of interest to the Town and the community. Margaret Bourke asked about the use of growth inhibitors in the watershed. Brad answered that RMP undergoes an EIS process for their operations, cooperates with the USFS and follows all applicable guidelines. Brad also replied to Ms. Bourke's question about sufficient notice of service interruptions.

The Work Session was closed and the Council took a short break.

PUBLIC HEARING

[01:02:58]

Polly McLean stated there is a state requirement to hear public comments regarding a proposed ordinance regarding traffic enforcement on quasi-public roads and parking areas.

Mayor Sondak and Jen Clancy reminded the public that comments should be confined only to the ordinance 2021-O-9. Other comments can be aired during the citizen input period in the regular meeting.

Del Draper opined about the 60 parking spots designated as overnight spots in the Grizzly Gulch area. Evan Tobin began to ask about details of the parking plan. Chris Cawley explained that the ordinance is about the Alta Marshal's Office operations inside the ski area's parking lots and is not related to specific new regulations. Mike Maughan spoke in favor of the ordinance that formalizes what has been done in the past. There were no other public comments.

The Mayor closed the public hearing portion of the meeting.

REGULAR MEETING

1. CALL THE MEETING TO ORDER AND DECLARATION

[01:12:40]

Mayor Sondak called the meeting to order without an anchor location per an October 27, 2021 submitted determination.

2. CITIZEN INPUT

Del Draper commented on the day-only parking east of the SnowPine Lodge and how that would affect the Albion Basin cabin owners. Also, he mentioned the transferability and temporary nature of the cabin owners' use of overnight parking permits. Evan Tobin asked how short-term evening parking would work. The Mayor answered that the Alta Shuttle would be running in the evening and also the south side of the highway west of DPH would be available for the event parking. The Town's parking permit plan on the

table right now runs from Friday at 8:00 am – 8:00 am Monday. Piper Lever read a comment submitted by Roger Bourke, (a copy of which is in the public comment folder), which praises the Alta public safety department and the exceptional service they provide to the community.

3. DISCUSSION & POSSIBLE ACTION ON 2021-O-10 ROCKY MOUNTAIN POWER FRANCHISE AGREEMENT

[01:21:50]

MOTION: Council member Morgan motioned to approve the RMP Franchise Agreement. Cliff Curry seconded the motion.

Discussion included addition of language in section 8.4 to address damages “as soon as reasonably practicable”. Brad Knowles said that this concept was implied in RMP’s business practices, but he would bring that suggestion back to his legal counsel for approval.

MOTION: Margaret Bourke moved to amend the motion to approve the agreement under the condition that the language was added. Sheridan Davis seconded. All were in favor of the amendment.

Sheridan Davis suggested changing the term to five years, instead of ten. John Guldner attested to the ease of engagement if any issues were to arise

VOTE: All members voted in favor of approving 2021-O-10, as amended.

4. ALTA SKI AREA UPDATE – MIKE MAUGHAN

[01:35:20]

Mike Maughan started by describing the plan for almost back to normal winter operations starting on Nov 20. No ghost lift lines, running lifts at full capacity, encouraging masks indoors, etc would focus on keeping employees healthy and working. The new paid parking reservation system is set to go into effect in an effort to manage the overcrowding and serve the Alta skiers. The ski area has some concerns with the Town’s permit plan; specifically with Albion Basin cabin owner needs, lodge permit allocations and time of morning restrictions but are trying to address those issues through the MOU with the Town. These problems must be remedied quickly as time is running out and as things stand, there is a potential to make things worse; the ski lift company is not comfortable with that.

Margaret Bourke asked about the terms of both IKON and Interstate Parking. Maughan answered Interstate’s contract is a one year term, with an option to renew. ASL is in discussions with IKON to extend their relationship; with criteria that they be removed from the base product and change the arrangement to a reservation-based system. Same with the Epic pass.

5. UNIFIED FIRE AUTHORITY – CHIEF JAY TORGENSEN

[1:48:48]

Chief Torgersen reported that non-structural seismic upgrades have been made to station 113 to ensure operations could continue in the case of an earthquake and staff could respond appropriately. A quarterly

report had been emailed out containing response numbers. Clinics with both Alta and Snowbird ski patrols and medical clinics were happening. COVID vaccination rates inside the UFA were about 91%; active duty staff member passed away from COVID.

6. APPROVAL OF CONSENT AGENDA

[1:53:12]

MOTION: Council Member Bourke moved to APPROVE the consent agenda. Mayor Sondak seconded the motion.

After discussion about the proposed changes, the Council voted unanimously to approve the consent agenda as presented. The motion carried.

7. QUESTIONS REGARDING DEPARTMENTAL REPORTS

[2:02:07]

Sheridan Davis asked Marshal Morey to expound on his staff activity report. Morey explained that the new reports are not as anecdotal or light-hearted as the Council has seen in the past, but the new records management system automatically populates and categorizes the marshal's office activity and generates this summary report. It is not a complete picture of non-incident related patrol time or self-initiated investigation. Due to a SISK agreement with the USFS, the AMO provides and is reimbursed in part for law enforcement and patrols, in areas of the national forest. Hunting and watershed enforcement related activities are included in the summary.

8. MAYOR'S REPORT

[02:08:20]

The Mayor reported on COVID infection rates in SLCO, above last month's numbers. Unofficial election results will be canvassed and approved on November 16. Attended UFA and UFSA board meetings; highlights include the plan to hire a new Fire Chief and discussions involving 3 or 4 member station crews and the cost of staffing those crews. A priority of the UFA is to be in the top 3 wage rates of County firefighters. UFSA member rates will likely be going up due to wage increases, as well as bonding issues coming down the pike. There is a financial impetus to have fewer tax increases due to the cost of a truth and taxation public hearing; the notice mailing costs alone are \$40K. Ralph Becker will be retiring next spring from his position as executive director of the CWC. CWC board retreat focused on where the organization is headed; there seems to be some question of the group's mission parameters. Responding to Ms. Davis' question, Mayor Sondak noted that Mayor Mendenhall's comment that CWC did not appear to be moving to implement the Mountain Accord principles of protection for Grizzly Gulch development, and establishment of a National Conservation Recreation Area and surplus water from SLC not be used for snowmaking or development.

Temporary dog licenses issued with a start date between 10/13/21 and 11/7/21.

- Frank Knapp
- Sophie Danforth

9. Discussion and possible action to authorize the Mayor to execute a Memorandum of Understanding with the Alta Ski Area regarding winter parking plans

[02:17:12]

Mayor Sondak summarized the need for the MOU and clarified numbers of parking spots and explained some perceptions of the numbers.

MOTION: Margaret Bourke moved to authorize the mayor to execute the MOU. Sheridan Davis seconded the motion.

Chris Cawley summarized the MOU content; to define the areas, assignment details of allocation of the Town-managed permits and acknowledgement that the Alta Marshal's Office will continue to patrol the ASL parking lot areas for public safety reasons. Ms. Bourke asked about the 60 permits that ASL will allocate as they see fit and about the definition of the "parking lots" that the AMO will patrol. Town Counsel Cameron Platt clarified the details of the agreement and referenced the map attached to ordinance 2021-O-9 as defining the lot areas. Mayor Sondak also stated that the initial term of the agreement was through May 2022, and could extend for another season if both parties agree.

VOTE: The Council voted unanimously to execute the MOU agreement.

10. Discussion and possible action on 2021-O-9 Traffic Enforcement on Quasi-public Roads and Parking Areas

[2:38:08]

MOTION: Council Member Morgan approve 2021-O-9. Cliff Curry seconded the motion.

VOTE: The Council voted unanimously to approve 2021-O-9.

11. Discussion and possible action to authorize the Mayor to execute a contract with Interstate Parking to administer and regulate Town of Alta's winter parking permit program

[02:43:05]

MOTION: Council member Curry motioned to authorize. Elise Morgan seconded the motion.

Ms. Davis voiced her concerns with the contract as proposed. She commented that it seemed boilerplate for parking garages and noticed numerous typos; and added that the term should not exceed one year. She believed the contract incentivized the vendor to ticket violators and keep most of the proceeds. Sheridan also asked about the definition in the contract of a "first class employee". Marshal Morey and Counsel Cameron Platt answered that in speaking with other contractees, the vendor was reported to be flexible and willing to respond to any problems. Ticketing did not seem to be a motivating factor, but rather proper use of the permitting system. The phrase of first class employees simply was meant to describe employees that were qualified in competency and customer service and trained to be non-confrontational.

Margaret Bourke brought up the fact that after receiving this document on Friday and submitting questions and not getting answers CP: her questions did not change material terms and Interstate would be open to changing

MOTION: Cliff Curry suggested Ms. Bourke could discuss non-material terms and make changes thereto, but said the material terms in the proposed contract were the price, subject matter and length of term of the contract. He motioned to amend the original motion “to authorize the mayor to execute an agreement, according to the material terms of the document before us”. Mayor Sondak seconded.

VOTE on accepting the amendment: Council members Sondak, Curry and Morgan voted aye. Council members Davis and Bourke voted against. The motion passed 3-2.

VOTE on amended motion: Council members Sondak, Morgan, Curry and Davis voted aye. Margaret Bourke opposed. The motion carried 4-1.

12. Discussion and possible action to authorize an increase in wages for the Town Marshal Department

[3:00:20]

Mayor Sondak shared a document onscreen that showed comparable pay scales of police and dispatch salaries. He noted the rating of Alta’s wages and indicated a concern of ability to replace departing officers without wage increases. He then showed the Town budgetary implications of the proposed \$5/hr staff wage increases in the Marshal’s department and pointed to revenue sources that would cover the cost. The majority of which would be the new parking permit system and the rest of which could be made up of an expected assumption of sales tax revenue.

Ms Davis asked about the driving force behind the two officers departures. Mike Morey spoke of increasing stresses of policing, quality of life, and wage/benefit packages. Council member Bourke suggested the mayor look at compensation/benefit packages for the entirety of the town staff in his next proposed budget amendment.

MOTION: Council member Curry moved to authorize an increase a \$5 across the board increase in the Marshal’s Office department wages. Council member Davis seconded the motion.

Ms. Davis asked for more lead time to contemplate a comprehensive examination of salaries. Mayor Sondak replied that future meetings would provide an opportunity to amend the budget and the Council could dig in deeper at that time.

VOTE: The Council members voted unanimously in support of the authorization of Marshal’s Office wage increases. All in favor. The motion passed 5-0.

13. Discussion and possible action on a Planning Commission Appointment

[3:17:55]

Mayor Sondak appointed Maren Askins to the Alta Planning Commission.

MOTION: Council member Curry moved to confirm the appointment. Council member Morgan seconded the motion.

Council member Davis stated her perception that this appointment does not fall under the mayor's purview, as backed by a legal opinion. Ms. Morgan countered that our ordinance is ambiguous in its language and should be amended next year to be more clear as to the legal process of appointments, but at this time it is her opinion that the mayor has a right to appoint a commissioner. Ms. Davis contended that Roger Bourke could not be replaced or forced to concede his seat while he was occupying a 5 year term. Mayor Sondak asserted that the planning commission seat was in essence vacant and he was asking the Council for their consent and approval to fill the seat with an appointment now, given that the incumbent will become mayor and should not hold two positions. He also stated that the Planning Commission seat was owned by the Town Council and not the individual. He also pointed out that our own attorney agrees that an appointment can be made at this time. Mr. Curry encouraged the Council to address the substance of the matter. Margaret Bourke noted that she tried repeatedly to contact the legal counsel of the ULCT, but received no reply. But her opinion is that there is not a vacancy and lacking a vacancy, it is not appropriate to set a precedent by moving forward with an appointment. Council members spoke in support of the qualifications and integrity of Maren Askins for appointment to the Planning Commission. The Council members in opposition to the appointment mentioned that their opposition to the appointment was not in any way related to the qualifications or integrity of the appointee

VOTE: Council members Sondak, Curry and Morgan voted aye. Council members Davis and Bourke voted nay. The motion carried 3-2.

14. NEW BUSINESS

[3:30:53]

No new business was raised.

15. MOTION TO ADJOURN

[3:31:05]

MOTION: Mayor Sondak moved to adjourn. Cliff Curry seconded and the motion passed with the unanimous consent of the Council.

The meeting was adjourned at 6:34 pm

Passed this 8th day of December, 2021

A handwritten signature in black ink, appearing to read "Piper Lever". The signature is stylized with a large initial "P" and a long horizontal stroke at the end.

Piper Lever, Town Clerk