

MINUTES
ALTA TOWN COUNCIL VIRTUAL MEETING
Wednesday, July 13, 2022, 4:00 PM
Alta Community Center (virtual), 10351 E. Highway 210, Alta, Utah

PRESENT: Mayor Roger Bourke
Council Member Carolyn Anctil
Council Member John Byrne
Council Member Sheridan Davis
Council Member Elise Morgan

STAFF PRESENT: John Guldner, Town Administrator
Mike Morey, Town Marshal
Chris Cawley, Assistant Town Administrator
Jen Clancy, Town Clerk
Molly Austin, Deputy Town Clerk

ALSO PRESENT: Polly Mclean, Legal Counsel
Craig Heimark, Treasurer

1. **CALL THE REGULAR TOWN COUNCIL MEETING TO ORDER**

00:00:00

Mayor Bourke called the regular town council meeting of July 13 to order at 4:03 pm pursuant to a July 5, 2022 determination that it is in the community's best interest to hold this meeting virtually without an anchor location. He noted there had been a request by Cliff Curry to try and hold meetings in person, and until he feels everyone feels safe about that he will not advocate for that. The Mayor asked Dr. Carolyn Anctil for a run down of the epidemiology of the current situation. Dr Anctil stated that the new variants BA.4, BA.5 are on the rise and the most contagious variant to date. Having had COVID does not protect you from getting this variant of COVID, neither does the vaccine. However, having had COVID and/or a vaccine does help protect you from hospitalization and the ICU. There is a plan from Moderna and Pfizer to have another round of vaccines in the October.

2. **CITIZEN INPUT**

00:04:55

Jen Clancy reported that four written comments were received and had been sent to the council and were posted online. She summarized the comments at the meeting:

In regard to proposed ordinance 2022-O-5, Cliff Curry, President of the Alta Lodge said he agrees with defined times and places. Weddings, including outdoor dancing are essential to the summer operations of the Alta Lodge. Bigger weddings are typically going until 11pm and if given the option these weddings would go later. Cliff was advocating for at least 11pm.

Sara Gibbs of Alta Community Enrichment said she appreciates the effort to have set guidelines, and suggested something later than 10pm due to the summer wedding business in Alta.

Barbara Jordan, a resident in Alta said she supports a noise ordinance. She pointed out that eight (8) hours of quiet time was something she wanted to advocate for with a noise curfew from 10pm to 7am. She noted that noise travels and echoes in the canyon so she can hear Oktoberfest at Snowbird and Peruvian weddings at her house. She commented that many homes in Alta don't have air conditioning, so they open windows. If loud music is blaring, it's hard to sleep and not peaceful.

The last written comment was from Margaret Bourke, who agrees the Town should not be arbitrarily enforcing the noise ordinance. She pointed out that we are becoming more aware of noise and light pollution in the community and that she feels noise pollution is harmful to both the animals and people. She favors a 10pm to 7am restriction.

Mayor Bourke mentioned that Ken Libre and Mike Maughan had also made comments on the noise ordinance matter. Jen asked that they be sent to her so they could be included in the record.

Matt White, the new director of sales and marketing at The Snowpine Lodge introduced himself and thanked the council for all their work. He said the draft ordinance as written would negatively impact their wedding business and operating plan in the summer months. He requested that the practice of 11pm be kept.

Molly Austin stated Todd Collins and Cliff Curry had made requests to speak but were not in the meeting. The Mayor suggested the council move ahead with the agenda but that once they join the meeting they be given the opportunity to comment.

3. ALTA SKI AREA UPDATE MIKE MAUGHAN

00:13:50

Mike Maughan said there was a lot going on between what going on with the ski area and with UDOT in town, and the paving behind the Goldminer's. He reported that the Sunnyside lift had been completely removed and was sold to Red Lodge. They have started excavation for the new footings for the new Sunnyside lift. The top and bottom terminals have been poured and they are now starting to work on the actual tower locations. They will be doing some rock blasting for some of the tower locations and will have some temporary trail closures in the next few weeks. They don't have specific dates yet, but those details will be communicated to Alta Central when they know. They are also moving material from the phone lot up to Supreme using big trucks. They have made significant progress on the Wyssen tower project, most of the sites are ready for the drill work and then the towers will need to be installed. They have received a building permit from the Town and will probably be installing the Sprung structure at the Albion Base in September. The campground is open for first come first serve and will switch to a reservation system on July 15; it is booked out for most of the summer. This weekend will be the Wildflower Festival here in Alta, they have the Cirque Running Series on August 20, and they have the Wasatch Trail Running Series on July 20. In regard to winter parking, the ski area will continue with the reservation system and are adding Fridays. They are proposing no changes to the rates at this time. They are working with the town staff regarding management of northside parking.

Citizen Input Continued...

00:18:24

Cliff Curry with the Alta Lodge pointed out that Zoom is not as good as in person meetings. He said he was here to say the proposed ordinance 2022-O-5 as currently drafted with a 10pm cutoff could likely destroy the summer business of the Alta Lodge and put 30 or more Alta Lodge staff out of work; 10pm is not a reasonable end time for outdoor wedding music at Alta Lodge. He said a 10pm cutoff would likely push wedding couples elsewhere and not in Alta. In his judgement, if they lost half their normal wedding business then summer operations would not be viable and they would be forced to end all summer business including Sunday brunch leaving staff unemployed. He does agree with and support Marshal Morey's briefing memo with respect to the need for definition of times and places in the ordinance and about the constitutional issue. He said he is always available to talk with the Town in advance about how new rules and regulations would affect the viability of their business.

Todd Collins said that in the absence of a rule in the Town of Alta that he had been telling his wedding people that 11pm is when they would like loud music to end, and their wedding clientele find that reasonable. Additionally, the Peruvian's music is typically indoors, not outside. He added that what he has told the neighbors is that if music is being played outside that up until 11pm, the speakers will be pointed towards the east. He agrees that 11pm is more reasonable than 10pm because it's more viable with what people are expecting.

Alta Ski Area Update Continued...

00:24:07

Sheridan Davis asked if Wyseen towers make noise and if so, how much? Mike Maughan replied that Wyssen towers will make noise, they drop a 13 pound explosive and that it will be the same noise heard from the Wyssen towers above the Town of Alta.

4. APPROVAL OF CONSENT AGENDA

00:25:00

Mayor Bourke said on behalf of the Treasurer that a survey had been sent to the staff and town council and not everyone had responded, the survey is anonymous and so Craig Heimark doesn't know who has replied or not. The Mayor requested everyone respond.

The Mayor asked if there were any questions regarding the department reports.

MOTION: Sheridan Davis moved to accept the minutes from the June 15, 2022 meeting and John Byrne seconded the motion. No discussion.

VOTE: All were in favor. The minutes from June 15, 2022 were approved.

5. QUESTIONS REGARDING DEPARTMENTAL REPORTS

00:27:08

John Byrne made a comment thanking Jen and her office for the improvements made to the financial reporting.

Mayor Bourke invited the representative from Unified Fire Authority to say something about wildfire exposure. Captain Adam Webb said the great thing about being in the mountains is that the vegetation in the mountains is still all green and relative humidity is fine so he wasn't too fearful of wildfire. He said to expect lightning but that if anything happened it would likely be an isolated situation. The snow did just enough for us this year.

6. MAYORS REPORT

00:29:40

Mayor Bourke said there was a meeting at the base of the canyon on June 22 organized by Mayors Wilson and Zoltanski and some people from Salt Lake County with about 100 spectators to talk about alternatives to the Gondola. Mayor Zoltanski has also organized a meeting with the Governor that Mayor Bourke and the Mayors of Millcreek and Brighton have been invited to attend. There was a press release recently and series of videos trying to slow traffic in town that a bunch of Mayors participated in. Mayor Bourke reported on a meeting with the Patsey Marley Estate to discuss the potential for locating a hotel near the cat shop in lieu of the 10 lot subdivision. He said he thought many of us felt that would be more in the community's best interest as opposed to 10 homes. Mayor Bourke felt the discussion was productive. The Mayor also stated they have a proposal before the Estate to complete a water line to the Grizzly Gulch tank, but they haven't gotten any response. They would like to get that water line finished next summer. The next town council meeting is August 10th at 4pm unless there is a work session before. Mayor Bourke will be at sea, and so Elise Morgan as Mayor pro tempore has kindly accepted the responsibility of conducting that meeting.

7. DISCUSSION AND POSSIBLE ACTION TO ADOPT 2022-O-5

00:34:50

Mayor Bourke started the discussion by putting up some principles he thought applied. The first being that ideally each of us should act in such a way that doesn't unduly affect the lives of others and that's why society construct rules. The second being that any public policy must balance the interest of a wide variety of parties. The third is that the physics of sound transmission and acoustics are such that creating a quantitative, defensible, and enforceable set of rules for a noise ordinance is impractical. The fourth item is that the main attraction in Alta is its natural environment, that's why people come here. One element of that environment is that it's quiet. Mayor Bourke suggested they don't assume some buildings are vacant, that could lead to bad policy, they should all be considered potentially occupied. ACE has been able to deliver outdoor events without disturbing neighbors, and he was pleased with the response from Todd Collins regarding the turning of speakers away from neighbors. He mentioned several other ordinances that regulate and/or refer to noise. With that, he opened the discussion to hear other's thoughts on the potential noise ordinance.

Sheridan Davis said she appreciate the Mayor's comments and noted this was an intense issue for some. She suggested we hear the issue out and don't make any changes to the ordinance today, so that the council can have an opportunity to talk with the residence and businesses about potential solutions.

John Byrne said the thing that struck him was the comment from Snowpine regarding taking responsibility for an event and work to minimize impacts to neighbors. He feels that most of the negativity he is hearing is related to the setup of the event and there is opportunity there for the businesses to make improvements. He feels for Cliff's comments and feels it's a hugely positive thing to see all of the summer activity in

Alta. He's happy to see more employees on a year-round basis, and all if not most of businesses being open fosters a greater sense of community.

Carolyn Anctil said she supported Sheridan's suggestion of a work session and would like to get more input from residence and businesses. She pointed out that due to location, the projection of noise could be different and have different impacts in different areas of town. Carolyn added that she disagreed with Cliff's comments that people would go elsewhere for a wedding if the music had to stop at 10pm. She said she felt that if a person wanted to get married at Alta, then they wanted to get married in Alta, and wouldn't be swayed simply if the music had to stop at 10pm. She thought 10pm was reasonable since neighboring resorts and the bars had a 10pm curfew.

Elise Morgan said she read the draft and while there are some exemptions for ski area activity, she advised the council to be thoughtful and think beyond just summer. She mentioned things like snow guns making noise and a desire to not halt snow making and other ski area operations. Also, make sure we address search and rescue operations so our ordinance doesn't get in the way of public safety. She also asked legal counsel how our ordinance would affect helicopters landing on federal property as well as operating in the air space around Alta.

Carolyn Anctil and John Byrne thanked Mike Morey for bringing this forward to the council.

Mike Morey offered up that the historic practice has been 11pm but that he didn't feel it was right for the Marshal Department to be making public policy and that they wanted to get out of the business of subjective regulation and enforcement. The police department doesn't feel the existing ordinance is very defensible and is looking for guidance from the council.

The council discussed an option of adopting the draft ordinance today to give the Marshal Department some teeth for enforcement while continuing to engage with the public, but it was decided it was best to wait for more public dialogue.

8. ALTA CHAMBER VISITOR BUREAU UPDATE

1:03:30

Chris Cawley said he would provide an introduction and then Rosie O'Grady would talk about some of the marketing and programming highlights. He reflected on the recently updated mission statement for the chamber, establishing that it was a partnership between the public entity of the Town and the private business community. The chamber now has a streamlined program structure and still does some destination marketing. Chris informed the council who was in each officer role for the chamber.

Rosie O'Grady recapped last year's activities and provided updates on key areas of the chamber's programming. Membership focused on opportunities for community building and networking with pre and post ski season member events. These events are especially well attended by their members stating that they appreciate the opportunity to connect and learn from other businesses. They also hosted a mid-winter pre-public ski around followed by a coffee social. At this point they have 21 active business members and local non-profits, and remain committed to attracting new members. This past year a \$15,000 marketing campaign called "Time Well Spent" was funded in part with \$7,500 from a Utah Office of Tourism grant. She noted the focus of consumers has changed from material goods to memories, making and creating experiences. There has been a shift from a traditional destination marketing program to an experiential type of program. There is a dedicated landing page under the umbrella of Alta Community

Enrichment (ACE) and “Time Well Spent” with a curated events calendar. Additionally, they created custom content and used some paid advertising to generate online activity. They felt it was a great campaign and will continue to use the concept of a “Time Well Spent”. Rosie shared some images of the campaign materials. Rosie highlighted the social media campaign “Humans of Alta” was one of the most successful partnerships with ACE and how it has helped create traction for other campaigns. As a reminder when the mission changed a couple years ago they dismantled the discoveralta.com site and some of that content is now part of altacommunity.org. The partnership offers support to ACE and the artist in residence program with over 1,000 applicants each year. There were a number of popular community events with ACE such as the Save the Dark, art show, drive in movie nights, and music events. Lastly, in support of creative place making they teamed up with ACE for the creation of the Alta Community Flag and had Andrew Pollard create a mural in the Goldminers.

Looking forward, Chris said they would continue in 2022/23 with the “Time Well Spent” campaign, and more forward with experiential focused destination marketing efforts. A major effort ongoing is a \$70,000 grant from the Utah Office of Tourism co-op program that they are proposing to use towards the shortfall in the Alta Resort Shuttle for this upcoming season. There is a range of public art initiatives with ACE on the horizon, as well as planter boxes, using the flag artwork to dress up the UTA bus stops, and other new installations of the Alta flag.

Chris reviewed the financial numbers included in the presentation. This year the chamber realized they didn’t need the entire \$42,000 award from the Town to break even and so they reduced their second installment request, and received a total of \$29,000. Chris summarized other revenue, expenses and initiatives. They adopted a budget in June with a \$31,500 contribution from the Town and expenses broken out into four key programming areas. Rosie thanked the Town for its support.

Sheridan Davis commended ACVB for their creative campaigns and helping to build community.

9. CAPITAL PROJECTS REPORT UPDATE

01:25:30

Chris Cawley said they had talked a lot about capital projects in the past few months. There had been reports on what was completed in 2022 and a 2023 plan had been presented and approved by the council. In June, some council members expressed a desire to discuss some of the projects on the list and talk more about how the Town approaches capital projects planning. Chris said that the purpose of capital projects plan is two fold: to track the building, infrastructure, and maintenance needs of the Town and also to serve as a mechanism for the Town Council to appropriate funding to projects. Funds in the capital project fund arrive by either the council directing those funds be transferred from the general fund or they can choose to place funds that exceed expenditures into the capital projects plan fund. There is a committee that oversees the capital projects plan, they typically meet a few times a year. The committee generally takes recommendations from staff for projects the need implementing as well as the public, town council, and partnering agencies.

Chris is currently working to re-pave the property the Town owns on the north side of highway 210 in the north Flagstaff lot. We have been successful in partnering with UDOT to replace all the asphalt on the north side of the highway from Our Lady of the Snows through the recycling bins. Chris is also working through estimates to replace several windows at the Town office because the seals have failed. Chris reported that the rockfall mitigation at the community center building had reached its lifespan and material was coming down and piling up behind the building. He has been meeting with rockfall experts and is

working with a contractor to potentially repair the system to buy us some time while we sort through the fate of that building. We are shooting to have something completed by the middle of the fall. He also mentioned there was a vent on the back of the building that corroded that needs replacing because it lets water into the building near an electrical panel and is a significant safety issue. They have a bid but are awaiting more information about the rockfall mitigation to hopefully sequence the timing of both projects.

Sheridan Davis asked if anyone had reached out with request for new sand at the volleyball court. Chris said he had heard from someone and it was something staff had discussed. He wasn't sure this was a project for the capital project plan and that it might be able to be funded out of the summer program budget.

John Byrne stated it was exciting to see Chris get these projects done.

Mayor Bourke said his real issue was a question of how much money does the council want to spend shoring up the existing community center. He equated it to how much money do you want to put into your used car, at some point you say you want a new car. The Mayor added in this case the difference in funding for a new building is really huge and he's not sure how to treat that problem. Craig Heimark, Treasurer suggested the topic be raised at a future budget committee meeting. Sheridan asked about town property and it's use including square footage. John Guldner offered some square footage could be worked up based on previous studies. John Byrne offered that even if the Town went full steam ahead with planning and building a new community center, that we would be lucky to be breaking ground in 2024 and then have another a couple years to build it. Thus, there is a minimum 2-3 year horizon if we said "go" so we need to continue maintenance of the facility for another couple years. Carolyn Anctil expressed a desire to keep anyone in or near the building safe, and noted sometimes safety is expensive. Lastly, Chris offered there had been some questions about if the projects on the list were right. In his option, they were. In most cases the projects are short-term essential maintenance on existing facilities or place holders for essential technology needs for the Marshal's department.

10. NEW BUSINESS

01:47:05

Sheridan Davis requested a work session with the community regarding the noise ordinance.

Carolyn Anctil asked how she could communicate so she understands other people's points of view. Polly McLean provided an overview of the open public meetings act and there was discussion about its implementation with the council. Mayor Bourke reminded the council that there was annual training on this and that he asked Jen Clancy to put together a schedule to track the council completion. John Byrne suggested that Polly and Cameron develop a new draft of the ordinance for review before the next council meeting. Mayor Bourke said the ground-rules for a work session could be worked out before the September meeting.

11. MOTION TO ADJOURN

02:04:00

MOTION: Sheridan Davis motioned to adjourn and Carolyn Anciales seconded.

VOTE: All in favor. The meeting was adjourned at 6:05pm.

Passed this 10th day of August, 2022

A handwritten signature in black ink, appearing to read 'Jen Clancy', written in a cursive style.

Jen Clancy, Town Clerk