

**MINUTES
SPECIAL TOWN COUNCIL MEETING
FRIDAY, FEBRUARY 22, 2013
2:00 AM
ALTA COMMUNITY CENTER
ALTA, UTAH**

1. The Mayor called the special meeting of the Town Council to order. Those present at the meeting were Mayor Tom Pollard, Council members Paul Moxley and Harris Sondak. Steve Gilman and Cliff Curry were absent.
2. Closed door meeting to discuss litigation matters

There was a motion by Tom Pollard to go into a closed door meeting to discuss litigation matters. There was a second by Paul Moxley. A roll call vote was taken,

**Paul Moxley – aye
Tom Pollard – aye
Harris Sondak – aye
Cliff Curry – Absent
Steve Gilman – Absent**

The vote was unanimous with three members of the Council voting in the affirmative and two members absent. The motion as carried.

A closed door meeting was called to order at 2:12 PM. Those present at this meeting were Mayor Tom Pollard, Council members Paul Moxley and Harris Sondak; John Guldner, Kate Black and Piper Lever, Town staff; Katie Lewis, Town Counsel and Bill Maeders by phone, legal counsel for MSI. Litigation matters were discussed and no actions were taken. The meeting was adjourned at 2:20 PM.

The Mayor reopened the public meeting of the Alta Town Council.

3. Discussion on the *Settlement Agreement* and dismissal of all claims with prejudice between the View Condominium Owners Association and MSICO & the Town of Alta.

There was a motion by Paul Moxley to approve the *Settlement Agreement*. There was a second by Harris Sondak. The Mayor opened the floor to discussion.

Paul Moxley asked if the Town had any control over what the parking spaces in question will look like. John felt that we probably not have control over parking spaces beyond what the Agreement states. John did say they would probably not be covered and would be 9x18. Paul asked if they would be doing anything to the side cut of the slope near these parking spaces. Paul went on to opine that they could potentially be an eye sore and wanted to know what the Town's regulatory authority was over parking spaces. John went on to explain that the owners of the remaining lots in this area had to agree that the parking spaces would be on their lots.

Tom asked if the Town had some requirements on slope and cuts etc. John explained that they will have to obtain an excavation permit and depending on which spot they chose, they might have to build a

retaining wall which requires a building permit. MSI will be following through with establishing these spaces which are in front of what could be MSI's families' lots/houses.

Harris brought up the question as to whether these spaces would be heated. No one had an answer to that question.

Tom asked if the Town had any information on the status of those empty lots and the timeframe for building homes on those lots. John did not know.

John explained that there are currently five homeowners association's in this area of the Town and they are working on creating one Master Association.

Hearing no further discussion, the Mayor called for a roll call vote on the motion to approve and authorize the Mayor to sign the *Settlement Agreement*.

**Paul Moxley – aye
Tom Pollard – aye
Harris Sondak – aye
Cliff Curry – absent
Steve Gilman – absent**

The motion was carried with all those present voting in the affirmative.

4. Motion to adjourn.

There was a motion by Harris Sondak to adjourn the special meeting of the Town Council. There was a second by Paul Moxley and the motion was carried.

Approved this 14 day of March 2013.

Katherine S.W. Black/s
Town Clerk