

MINUTES
ALTA TOWN COUNCIL MEETING
MAY 9, 2013
10:00 AM
ALTA COMMUNITY CENTER
ALTA, UTAH

1. The Mayor called the meeting to order. All members of the Town Council were present.

2. Mayor's Report

The Mayor offered condolences to the family of Craig Patterson, one of our avalanche forecasters, who was killed in the line of duty in Big Cottonwood Canyon.

On April 16th the Mayor and John attended the monthly UFA meeting. One of the big issues discussed was the Valley Communications and how it affects 911 services with regard to the location of cell towers. The expansion policy of UFA was also discussed at this meeting as well as the health insurance benefits for UFA employees. UFA saw a 20% increase in their premiums this year.

The Mayor, John and Claire attended a stakeholders meeting on April 29th for the Access Wasatch Project and the Mayor updated the Council on the time table for the RFP and the NEPA process.

On Wednesday, May 8th there was a second meeting on the summer program. The booth will be located in the same place and we will be utilizing the lower Albion lot for parking and the summer shuttle. The Ski Lifts will be opening the public bathrooms in the Albion Ticket Office but there will be no store opening this year. The Town will be contacting food truck vendors to see if they would come up a few times this summer as an experiment.

The Mayor also outlined a project to place signs on the side of the Ticket Office building to help disseminate summer information. Also discussed was the schedule for the volunteers from CCF, FOA, and the Forest Service that will help disseminate information to the public on Fridays, Saturdays and Sundays.

The Mayor announced that everyone is shooting of the weekend of June 29th to open the summer road.

The Town held its yearly dog drawing and two permits were issued: Robin Cohen from the Snowpine Lodge and Ketner Lappelito from the Alta Lodge.

The Mayor reminded everyone that the June meeting of the Town Council will be one week later; June 20th at 10:00 am. The Town Council will be holding public hearings on the amended 2012/2013 budget and the proposed 2013/2014 budgets.

The Mayor reported on a meeting he attended with UDOT on the proposed changes to the park and ride at the mouth of this canyon. There is federal money available for projects like this. This project

is trying to create a more effective configuration at the mouth of the canyon by increasing some of parking and trying to work on making the UTA bus access to the park and ride lot better. One of the proposals is to put an overpass across the highway at this location. This archway could also be used as a location for a variable messaging sign. The Mayor reviewed some of the possible scenarios for traffic flow and parking and also reviewed the funding options for these projects.

The Mayor had a meeting with Sheriff Winder and reviewed some of the communications issues in the canyon.

Little Cottonwood Canyon Clean Up Day is Tuesday, June 18th. Signup sheets have been circulated. People will be asked to meet on the road near the Alta Lodge around 8:30 for breakfast, followed by the cleaning of the canyon. Lunch will be served on the plaza deck at Snowbird.

3. Treasurer's Report

Marc Dippo read the monthly treasurer's report which is attached to the minutes.

There was a motion by Harris Sondak to approve the treasurer's report as presented. There was a second by Merebea Danforth and the motion was carried.

4. Departmental Reports

Town Administrator's Report: John Guldner reported on the two remaining lawsuits: the Shrontz Estate case and the possible appeal by the Haik's on the retrial of original case that they brought against the Town in the 90's.

John has been receiving a lot of calls regarding building permits.

John updated the Town Council on the land transfer that was approved and signed into law on June of 2012. The next step is to survey the proposed land. There is no cost to the Town to purchase the land but the Town will be responsible for the cost of the title work and survey. The Forest Service does the title work and the BLM must conduct the survey. Once the Forest Service and BLM setup the interlocal agreements with the Town, they will require the Town to escrow the funds necessary to complete the title and survey work.

John reviewed the recent issues with VECC and their effects on the Town of Alta.

The Alta Planning Commission met on Monday, May 6th where a field tour of Zone C took place. The Commission has settled on the following for each of the three (3) zones: In Zone A (Snowpine, Rustler and Alta Lodges) the height will be a maximum of 25 feet above the road and on the south side of the buildings no more than four stories without a physical or an architectural setback, 75% coverage and set backs will be individually determined. In Zone B (Goldminers Daughter and Peruvian Lodges) the height will be a maximum of 60 ft., with 75% coverage and setbacks individually determined. In Zone C (Shallow Shaft and Photohaus) there will be 75% coverage and individual reviews of setbacks and the height.

At the next meeting of the Planning Commission they will be coming up with more criteria and characteristics to determine height and the setbacks.

John went on to explain that the Commission talked about the Interconnect. Roger and Jon, two of the Planning Commission members, had drafted an updated statement on the Interconnect in the General Plan.

John updated the Council on the effort to put together a Salt Lake County Cooperative Plan.

John reported that Salt Lake County is also updated their 1989 Canyon General Plan.

John updated the Council on the meeting of the Wasatch Water Legacy Partnership. The name of the project is now the Wasatch Legacy Project. This is a regional effort with the Forest Service, the ski areas, the County, the State of Utah, Friends of Alta and the Town. This group is looking for regional projects and the Town introduced the trail head project near the Tom Moore toilets. This group is also writing a grant that addresses the Columbus Rexall run off project.

John attended the monthly COG meeting where they addressed the Valley Health Departments proposed institutional control ordinance. This ordinance addresses the requirement of a permit before a person proceeds with any digging in the County.. The Health Department has narrowed this requirement down to only those who will be digging near or around a super fund site: one of those sites is near the old polygamist site at the mouth of Little Cottonwood Canyon.

Assistant Town Administrator's Report: Claire Woodman reported that she attended a three day Mitigation for Emergency Managers course in Salt Lake City.

Claire has met with the Town's new County emergency management liaison and talked about providing more training opportunities for the Town's personnel in the future.

Claire updated the Council on the Great Shake Out which was held on April 17th.

Kate and Claire participated in a conference call to talk about PACE financing which is Property Assessed Clean Energy financing. This is a voluntary program where a public entity can set up an energy assessment area wherein the commercial properties within that area can join in to identify projects that they want to do that involve energy efficient upgrades and renewable energy. The public entity then helps with financing these projects and assesses those entities a property tax to repay the financing option. In a situation like this the Town would probably partner with other public entities to set up that assessment area.

Claire reported that the Town's GIS data needs updating. The Town will be hiring a private contractor this summer to assist with this project.

At the National Ski Areas Association meeting, Cottonwood Canyons Foundation received the Golden Eagle Award for their environmental sustainability efforts in both the canyons.

Town Marshal Report: Mike reported that parking is now legal on both sides of the road. With the ski area now closed, OSV mid-day travel is now permitted.

Mike asked all the residents and businesses to keep their eyes open and ears tuned to things that look out of place this summer.

Mike thanked everyone for assisting with the recovery of Craig Patterson. This community lost a dear friend and he sent his condolences to Craig's family.

Mike updated the Council on the compliance requirements that will be imposed on his department as it relates to record management and the electronic filing of criminal cases.

ACVB Report: Adrienne Ruderman reported on last week's board meeting. The board meeting are now open to all members and are held the first Thursday of every month.

At that meeting a new executive board was elected: Dobber Price is president, Joni Dykstra is vice president, Laura Lee Campbell is second vice president, Dave Echols is treasurer and Connie Marshall is the secretary.

Maggie Sullivan as accepted the position as full time coordinator with ACVB.

Adrienne reported that ACVB had a really good year. They are still collecting numbers for the Cooperative Marketing Grant which focused on two time periods this last winter: January and April. They measured the results by zip code. The results were impressive with a 136% increase in bookings. The results also indicated that for every \$1.00 we spent, we received \$45 in return.

The focus for ACVB has been their web site. New visits to the web site from January through April 2012 were 4,578; in 2013 new visits totaled 12,714. Adrienne explained that ACVB added a program called Jack Rabbit to the web site which facilitated people being able to see available lodging on their website.

ACVB will be putting in for another Cooperative Marketing Grant with the State of Utah and are asking the Town to support their efforts with matching funds again this year.

UFA Report: Byron Moore commented that not only does the fire department provide structural and paramedic service but they also provide wild land firefighting. All the members of the fire crew at the station at Snowbird just received their recertification in Herriman. If there was a wild land fire in the canyon, many outside agencies would be called in such as the BLM and the Forest Service. Their crews are also swift water technician certified.

Mr. Moore also thanked Alta Central for assisting their department with communication in the canyon. Alta Central is a very valuable resource for their department.

5. Presentation and discussion of Business License Fee Study by Zions Bank Public Finance. – Jeanette Harris.

Jeanette reported that the Town had contracted with Zion Public Finance to complete a business license study. That study is before the Council today. Jeanette proceeded with walking the Town Council through the power point that she prepared.

Jeanette explained Utah Code states that municipalities can recoup what it costs the city/town to administer business licenses. That cost included a base administrative fee along with any disproportionate and enhances service costs. Jeanette explained that they look at all three different types of costs when determining a business license fee.

Base administrative costs are costs common to all types of business which included most of Piper's time, and some of Kate and John's time. There are two types of base administrative costs: direct costs such as salaries and benefits and indirect costs such as legislative, building and non-departmental costs. Jeanette went over slide #4 which gave the total direct administrative costs per minute. On slide number five Jeanette went over the total indirect costs per minute. The cost per minute is based on a cost for a full time employee or FTE. If you add the direct and indirect cost per minute you arrive at the total cost per minute which is outlined on slide six (6).

On slide seven, Jeanette explained how her study arrived at the cost for a commercial and home occupation license. The base fee would be \$126.27 per year.

Jeanette reviewed slide eight which outlines the disproportionate regulatory costs. These costs are specific to certain types of businesses. These costs may include additional police costs in many cities but in the Town of Alta they are fire inspection costs. UFA inspects certain types of businesses in the Town of Alta.

Jeanette handed out a list of businesses in the Town that were categorized by certain types. The first thing that she looked at was how many service calls a business was getting and also looked at the type of business. Categories are important in a study like this because Utah Code says that every business in a particular category has to be charged the same fee.

On slide eight and in the case of a lodging facility that has 20+ rooms, it takes an average of 116 minutes at a cost of \$3.34 per minute for an annual fire inspection. The total cost would be \$387.00.

A representative from UFA did say that their department does inspect commercial lodging facilities in the County that have less than 20 rooms but they do not inspect single family dwellings unless it is requested. If a commercial business like this applies for a business license, the business license department sends a request to UFA to complete a fire inspection on that business.

Harris and Cliff spoke to the need to consider inspecting lodging facilities in the Town that have less than 20 rooms such as single family homes that are rented out on a nightly basis.

Jeanette explained they used UFA's inspection data and the data consistently revealed that they inspect hotels that had 20+ rooms.

Disproportionate service calls are the cost of services for police, fire and EMS911 calls above the base level of service provided to other businesses. The base level of service is the average level of service that other businesses in the area are receiving. Data was collected from the Marshal's Department for police, fire and EMS calls for two years and then the calls were geo coded. She then looked at the calls as it related to the category of business. What she found was that many of the businesses were very close together in the Town and it was hard to associate the call to a particular business. As a result it was decided not to use disproportionate service calls when determining the cost for a business license.

Jeanette explained that Utah Code states that cities/towns can recoup the cost for enhanced services which are higher levels of services that a particular type of business or a certain area of Town receives compared to another (see slide #10) Some of the examples that Jeanette used were landscaping, snow removal, additional patrol, signage and parking. In the Town of Alta the Marshal's department provides enhanced parking services to lodges and the ski area during the ski season. Jeanette estimated that for an hour a day the Marshals conduct parking patrols during the ski season: they address issues such as lock outs and jumps starts.

Jeanette reminded the Town Council that this study did not recommend any fees but it did provide the Council with the cost of this service. Using this information, the Town Council decides what to charge for business license fees.

Each lodge could be charged \$984 for the cost of enhanced services and the ski area could be charged \$1,968 a year for this type of service.

Cliff asked if there was any effort to allocate these costs to particular business as opposed to a category of businesses. Piper explained that they could not identify what cars were associated with which lodge but all the lodges have parking areas that their guests and employees use.

Jeanette explained that they figured there were six months to the six season. She then took one hour a day and multiplied by the cost per hour for the Marshal's time. The result was the total cost to the Town for providing these additional services to people who come and stay at the lodges and ski at the resort. They then took the five lodges and the one ski resort (she gave the ski area two shares which clearly has the largest number of cars) and divided that total by seven. One share was worth \$984.

Cliff asked if the cost would be lower if there were only five months in the ski season. Jeanette confirmed that indeed the cost would be lower. Cliff understands that this is not necessarily what the Town will charge but is the maximum that the Town can charge. Cliff asked if we should put some more thought into what went into arriving at these numbers.

Jeanette went over slide 11 which outlined the total per business costs per category of business. This cost includes base cost plus the disproportionate regulatory and enhanced service costs. Slide 12 outlines the total licensing costs compared to what is currently being charged by the Town. The Town currently charges a flat fee plus a per employee cost.

This slide also shows that it costs the Town \$21,261 to provide business license services and current revenues are projected to be about \$9,300. Accordingly the Town's current business license fees cover 44% for what it costs the Town to provide these services.

Cliff went back to the enhanced service costs. Cliff felt the number of employees is the most accessible proxy for how big a business is or how much activity is going on at that business and that in turn would seem to be the major driver of parking usage.

Jeanette went over slide 13 which breaks down total costs using various scenarios.

The last few slides compare what the Town of Alta could charge versus what other cities and towns currently charge for business licenses.

Piper went over what the Town currently charges for business license fees.

Jeanette gave the Council a handout that outlined what the Town's current cost compared to what people are currently paying. The cost of business licenses for some of the businesses in Town would go up and some would go down.

There was a question with the current structure as to what constitutes a full time employee versus a part time as relates to the number of hours worked in a week. Piper says that decision is left up to the individual business when they are filling out the license form.

The Mayor stated that the study reveals, that under State Code, this is the maximum that the Town could charge. The Town had to conduct this study to verify these numbers.

Harris, in referring to Slide 12, asked how much the Town wants to charge for business licenses versus how much we think businesses should be supported out of the general fund.

Jeanette explained that many cities pass a fee schedule that recovers all the cost of operating the business license department but many do a smaller percentage of that cost and let the general fund support the remaining cost. It depends on the financial needs of the city or town.

Piper reminded the Council that Jeanette's study is not recommending a fee structure for the Town to adopt. Piper also said that Jeanette could change the six month figure to 5.5 months or a number that the Council feels comfortable with.

The Mayor asked if Jeanette could come up with a size differential within the lodging properties as it relates to enhanced services like parking. Jeanette explained that all businesses in the same category (lodges with 20+ rooms in this case) have to be charged the same fee. As a result, the Town would have to create another category that would include smaller lodges like the Snowpine.

Marcus asked if State code would allow a per unit fee for enhanced services. So the Snowpine would be charge for enhanced services on a per unit fee basis which would make their fee lower than the fee for the Rustler for the same service. Jeanette agreed that the Town could proceed with allocating this fee based on a per unit figure.

Cliff feels that the enhanced fee section of this study, which is in many ways the heart of it, rests on some pretty back of the envelope calculations of parking areas.

Harris pointed out that we could not tie the enhanced parking services to the ski area using a per unit calculation.

The Mayor thanked Jeanette for her time and effort on this study which he felt gave the Town something to work with in coming up with a business license fee schedule. Harris opined that the way Jeanette did the study seems sensible and asked Katie Lewis a question: if the Town established a maximum based on these numbers is that defensible. Katie opined that as long as the Town follows the statutory guidelines of creating categories and went through all the steps that the statute requires, the Town could decide how much it wants to recover in costs for operating the business licensing in the Town up to the maximum that the study outlines.

The Mayor felt comfortable that the study and its results are defensible.

Jeanette opined that one thing the Council wants to stay away from is taking a certain percentage of cost recovery for the lodges and retail and different cost recovery percentage for the ski area. She recommended that the Council take the same percentage across the board for all businesses.

Jeanette did say that the Council could take into account, when setting the fees that a business does bring in more sales tax than another category of business: a Walmart versus a smaller retail store.

Cliff opined that, that based on what he has heard today, that maybe the Marshal's Office should provide more supporting data.

Mike said that this study has forced his department to take a hard look at how they are capturing their data. Mike went on to say that he did not know how much more data they could provide Piper. Mike feels that the assumption that his department is spending much more than one hour a day on parking issues is accurate.

Cliff opined that we should be aware of what the quality of the data is that we are using in this case.

Jeanette reminded the Council that this report gives the Council a maximum and she thinks the Town should take the data, analyze it and come up with something that may be lower.

Mike assured the Council that his staff has taken every single case card for the last two years and dissected out and excluded calls that were not connected to businesses.

Harris felt that there is a lot of room in the "whatever number less than 100% that we decide to recover" to allow some of the vagueness to be absorbed by the general fund.

The Mayor thanked Jeanette for her hard work on this study.

6. Minutes – April 11, 2013 Town Council meeting.

There was a motion by Harris Sondak to approve the minutes of the April 11, 2013 Town Council meeting. There was a second by Merebea Danforth. Hearing no comments or questions, a vote was taken and the motion was carried.

7. Request by Dan Ketner for financial support of the Alta Resort Shuttle for 2013-2014.

On behalf of the partners that support the Alta Resort Shuttle, Dan Ketner thanked the Mayor and Council for their financial support of this service. Dan had supplied ridership numbers to the Town Council and indicated that they are up from last year. Tom Schneider as agreed to operate the shuttle service for the same price and Dan asked the Town to contribute the same amount: \$4,000.

The Mayor asked Alan Orr from the Ski Lifts if he felt this service provided an enhanced benefit to the lift area. Alan agreed that it was a beneficial service for the ski area.

The Mayor made a motion to approve an allocation of \$4,000 to the operation of the Alta Resort Shuttle for the 2013/2014 winter season. Cliff Curry seconded this motion.

Cliff asked if this amount had been placed in next year's budget. Kate indicated it had been. Harris asked what percentage this represented of the total cost. It represents about 10% of the total which is around \$40,000.

Hearing no further comments, the Mayor called for a vote on the motion and it was carried.

8. Tentative Budgets for the 2013-2014 Fiscal Year.

The Mayor explained that State code requires a municipality to adopt a tentative budget in May of each year. The budget committee has met twice and has come up with the proposed budget.

The Mayor went over some of the highlights of this proposal. We have increased the budgeted sales tax by \$50,000, there will be no increase in the property tax rate, the revenue from the sale of one of the town's police cars is in the budget and the Town will be buying a new police car. As of this meeting and to balance the budget, the Town will be using \$13,730 of its unreserved fund balance to balance the budget. The Town has included in the budget an increase of 1.6% in salaries and hourly wages for Town employees. The Utah Retirement System has increased its contribution rate from 16.04% to 17.29%, the Town liability/property/vehicle insurance is spread out over all the departments, the Town has budgeted for a contribution to the transportation study and the Town has built a 5% increase in the UFA budget. The Mayor explained that the recycling fees have doubled and that figure is represented in the proposed budget.

The Mayor explained that the tentative budget will be put on the Town's web site. The Town will have a public hearing before its June 20th Town Council meeting to receive comments and questions on the final draft of this budget.

There was a motion by Harris Sondak to approve the tentative budget as submitted. There was a second by Merebea Danforth. The Mayor opened the floor to questions and comments from the Town Council.

Harris noted that the Town spent less money on lawyer fees in the current year than the Town budgeted and this budget proposes the same for next year. Harris feels this might be a risky strategy. The Mayor reviewed his reasons for doing this more specifically as it relates to the Shrontz lawsuit and feels that the proposed figure is appropriate.

Harris acknowledged that the Town has budgeted \$12,500 for the Access Wasatch Study and asked why this amount. The Mayor explained that the Town was asked by the committee to contribute this amount and each agency involved in this study will be paying a proportional share of the total cost. We will be paying \$12,500 this year and the same amount next year for a total of \$25,000.

The Mayor feels that the impact of this study on Alta and the canyon will be significant and it is important for the Town's voice to be heard and to have a seat at the table. Cliff agrees with this approach.

The Mayor also feels that funding to follow through with the results of this study will become available through the federal government.

The Mayor called for a vote on the motion and the motion was carried.

9. Closed door meeting to discuss litigation matter.

The Mayor saw no reason to call for a closed door meeting.

10. New business

There was no new business to address from the Town Council.

11. Citizen Input

Elisa Morgan opined that the Access Wasatch Study is not just another transportation study: it is a NEPA process that needs to be done before anyone can proceed further with any proposal. Elise feels it is appropriate for the Town and Little Cottonwood Canyon to be involved in this study.

It was asked if the ski areas will contribute to this study. The Mayor indicated that they will be asked.

Mark Haik pointed out that Mr. Kapaloski has been absent again from the most recent Planning Commission meetings and asked the Mayor if he will be rethinking whether or not he will appoint someone else to this position.

Mark Haik asked about the site visit by the Planning Commission to the Shallow Shaft where questions were asked of the owner. During that site visit there were no questions about the natural waterway that runs through and abuts the Shallow Shaft property. Mr. Haik opined that the

waterway had some improvements done on it pursuant Salt Lake County Flood Control plan and the County kicked in some of the labor costs associated with this infrastructure in cooperation with the Town.

Mr. Haik opined that he was a little discouraged about the recent discussion about the interconnect at the last Planning Commission meeting in that they were unaware of the existing connections by roads between the two canyons. Mr. Haik feels that the Mayor should poll the exiting members of the Planning Commission to see if they are presently disposed to have both new additional capital infrastructure and capital re-investment in ski lifts whether it is on public or private ground. If those members are not in favor, Mr. Haik feels that the Mayor should replace them with members who are in favor of lift service skiing which in Mr. Haik opinion would create new opportunities for the ski business as well as the lodging in the Town.

12. Hearing no further business before the Town Council, there was a motion by Merebea Danforth to adjourn the meeting. There was a second by Cliff Curry and the motion was passed.

Passed and approve by the Alta Town Council on the 20th day of June, 2013.

s/ Katherine S.W. Black
Town Clerk

TREASURER'S REPORT
9-May-13

MAJOR BILLS PAID

Payroll	\$31,062.20	
Payroll Taxes	\$13,982.90	
Attorneys	\$16,786.46	
Heath, Dental and Life Insurance		\$12,942.75
Toyota Lease Payments	\$2,240.95	
Workers Compensation Insurance		\$408.73
URS Contributions/3 Payroll Periods		\$12,798.73
Forsgren/Inspections	\$444.50	
Telephone Expenses	\$1,987.85	
Energy Expenses	\$2,466.42	
Other Town Bills	\$3,962.66	

Total \$99,084.15

MAJOR REVENUES RECEIVED

Sales Tax/Resort - February Collections \$130,535.01

Sales Tax/Uniform - February Collections	\$45,924.96
Court Fines	\$1,279.00
Dog Licenses	\$150.00
Post Office Contract	\$1,166.67
Energy Taxes	\$8,741.78
Donations	\$10,454.49
Other Revenue	\$662.04

Total \$198,913.95

General Fund Checking	\$7,696.88
General Fund Savings	\$405,373.99