

**MINUTES
PUBLIC HEARING
ALTA TOWN COUNCIL MEETING
Wednesday, February 14, 2024, 4:00 PM**

Alta Community Center, 10351 E. Highway 210, Alta, Utah

PRESENT: Mayor Roger Bourke
Councilmember Carolyn Anctil
Councilmember John Byrne (virtual)
Councilmember Elise Morgan (virtual)
Councilmember Dan Schilling

STAFF PRESENT: Chris Cawley, Town Manager
Mike Morey, Town Marshal
Jen Clancy, Town Clerk
Molly Austin, Deputy Town Clerk
Chris Otto, Assistant Town Manager
Craig Heimark, Treasurer

ALSO PRESENT: Cameron Platt, Legal Counsel (virtual)

ALTA TOWN COUNCIL MEETING

1. CALL THE MEETING TO ORDER

00:00:00

Mayor Bourke called the February 14, 2024 Alta Town Council meeting to order and wished all a happy Valentine's Day.

2. CITIZEN INPUT

00:01:05

Mayor Bourke said the rules for citizen input are, you have to come to the podium, speak clearly, state your name, you have 3 minutes, and you can say anything as long as it's not disrespectful.

Goud Maragani, a candidate for House District 48, expressed interest in understanding the local policy issues, particularly regarding the gondola project and its opposition. Margani appreciated the opportunity to be present and learn more about the community's concerns.

Roy Piskadlo, a candidate for House District 41, stated opposition to the gondola project. Piskadlo highlighted a background as a banker with nearly 20 years of experience in financing large projects and suggested that disrupting the project's financing could be an effective strategy. Piskadlo expressed eagerness to hear more perspectives on the matter.

Sylvia Fisk, a candidate for governor and a Utah native, shared concerns regarding the gondola project. Fisk directed attendees to the website, "Sylvia4Gov," for detailed information.

Steve Aste, a candidate for the State Senate seat in the 15th district mentioned residence at the mouth of the canyon. Aste strongly opposed the gondola project for the record.

Jake Minas, a resident of Village at Sugar Plum and the Republican Party precinct chair for the Town of Alta, outlined opposition to the gondola project. Minas explained their previous involvement, giving a public comment last fall urging the Council to pass a resolution against the gondola. Minas expressed the importance of elected officials representing the Town's stance on the issue and suggested actions such as passing a resolution, joining lawsuits, and making public statements. Minas highlighted concerns from a conservative perspective, particularly emphasizing objections to taxpayer funding and the perceived connection between real estate interests in Sandy, where the gondola base was set, and political insiders. Minas encouraged attendees to research the information readily available in the press. Minas stressed the need for transparency and expressed the view that addressing these concerns was crucial for maintaining the integrity of the Republican Party.

Katie Balakir, a 24-year-old resident from Salt Lake Valley living in Cottonwood Heights, expressed gratitude for the opportunity to address the Council. Not being a political candidate, Balakir emphasized the importance of community members using their voices in the ongoing discussion about the gondola project. Balakir highlighted their involvement in the Environmental Impact Statement (EIS) process, noting the significant public engagement with over 50,000 people participating and submitting comments. Balakir encouraged the Council to consider the numerous public comments as a testament to the community's deep concern and desire to find solutions for Little Cottonwood Canyon. They urged Councilmembers to use their voices to advocate for the community and the preservation of the canyon for current and future generations.

3. PRESENTATION BY CANYON GUARD, FRIENDS OF ALTA, AND OTHER ORGANIZATIONS REGARDING THE UDOT LCC EIS

00:09:30

Mayor Bourke said the next agenda item featured a presentation by Canyon Guard, Friends of Alta, and other organizations concerning the UDOT Little Cottonwood Canyon Environmental Impact Statement (EIS). Mayor Bourke noted that Craig Heimark, a staff member, had temporarily stepped out of their staff seat to participate as a member of the public in the presentation.

Craig Heimark, speaking as a member of the Common Sense Coalition, provided an overview of the group's presentation on the UDOT Little Cottonwood Canyon Environmental Impact Statement (EIS). Heimark mentioned that many Alta business owners had limited information about the gondola project, primarily from the Gondola Works PR website. Heimark emphasized the importance of reading the Record of Decision (ROD) to understand UDOT's legal commitments, and highlighted concerns about the gondola's effectiveness in mitigating congestion, its inability to operate during

Interlodge, cost overruns, and significant environmental impacts. Heimark drew attention to potential water pollution risks and environmental consequences, such as tower impacts on the viewshed and negative effects on wildlife. Heimark stressed that legal action alone would not solve the problem, advocating for government intervention. Heimark urged the Town of Alta, as the most affected entity, to actively voice its concerns. Heimark then introduced Pat Shea, to continue the presentation.

Pat Shea, a longtime advocate for preserving the Alta environment, addressed the Town Council, recounting the history of the Alta Defense Fund and their efforts as Friends of Alta over the past 44 years. Shea highlighted a background in environmental law and their involvement in the formulation of the Clean Air Act and the National Environmental Policy Act (NEPA). Shea expressed concerns about the Environmental Impact Statement (EIS) process, suggesting a cut-and-paste approach by UDOT, possibly influenced by consultants. Shea mentioned three ongoing lawsuits by Friends of Alta, Salt Lake City (also: Metro Water District and Sandy City), and Save Our Canyons, all aimed at delaying the process and finding a solution. Shea emphasized his weariness of prolonged legal battles and encouraged the Council to consider a resolution and potential involvement in the lawsuits. Shea clarified that the lawsuits were not seeking injunctive relief on UDOT's phase one work, allowing them to proceed with the allocated funds. Shea expressed the hope for consolidation of lawsuits and a collaborative, reasonable resolution. Shea then introduced Allen Sanderson as the next speaker in the presentation.

Allen Sanderson, a retired research computer scientist from the University of Utah, discussed the queuing times presented by UDOT for the gondola project. Sanderson highlighted issues with UDOT's fact sheets, pointing out discrepancies in the comparison of transit times between the gondola and the bus due to different starting points. Sanderson delved into the queuing analysis, criticizing UDOT's approach and presenting his estimate of a 20-minute average wait for the gondola or bus during peak times. Sanderson's modeling suggested a total transit time of over 70 minutes, compared to a 42-minute car ride up the canyon. Sanderson emphasized the challenge of incentivizing people to use public transit with such extended wait times, raising concerns about the social and economic implications. Sanderson concluded his presentation and introduced Bob Douglas to discuss financial aspects.

Bob Douglas, representing Friends of Little Cottonwood Canyon, addressed the financial aspects of the gondola project. Douglas pointed out the staggering cost of \$1.4 billion, equating it to the entire state's spending on all transportation needs for the year 2024. Douglas emphasized that the burden of funding the gondola would fall on the residents, who are already contributing through increased state sales tax since 2018. Douglas highlighted the state's plan to divert \$20 million annually to the Cottonwood Canyons Transportation Investment Fund but noted that it would not cover the operating costs, estimated at \$22.7 million per year. Douglas raised concerns about the potential need for state-issued bonds, which could push the overall cost over \$2 billion, with the burden disproportionately impacting the local tax districts. Douglas dismissed the idea of private investment due to the lack of a viable business case, estimating that lift ticket prices would need to exceed \$400 for a single gondola ride to meet the financial requirements. Douglas urged the Town Council to take a public stand against

the gondola, suggesting that it could negatively impact local businesses and residents' finances. Douglas concluded and introduced the next speaker, Grace Tyler from Save Our Canyons.

Grace Tyler from Save Our Canyons expressed gratitude for the opportunity to discuss the gondola and Little Cottonwood Canyon's protection. Tyler joined the organization in 2017 and has been involved throughout the environmental impact process. Tyler highlighted that the initial purpose and scope were narrow, primarily focusing on reducing traffic by 30%. Tyler emphasized the limitations of the project, such as not addressing year-round visitation or examining impacts on other cities and roads around the gondola base station. Tyler stressed the importance of considering Little Cottonwood Canyon as part of a connected ecosystem, where decisions made in one canyon can impact others. Tyler discussed the economic implications, pointing out that tolls in Little Cottonwood Canyon and the expenses associated with the gondola could influence visitors' choices, potentially impacting nearby areas like Big Cottonwood Canyon. Tyler advocated for a connected transportation system that serves all users and is compatible with the needs of the Town of Alta. Tyler suggested that buses could offer a viable solution. Tyler then introduced the next speaker, Sydney Smith, to continue the discussion.

Sydney Smith, a student at the University of Utah, represented the perspective of the future generation and expressed a desire to preserve the experiences of recreating in the Central Wasatch Mountains. Smith emphasized the interconnectedness of human actions and the need to responsibly engage with the natural environment. Smith highlighted the rising population as an unavoidable reality but underscored the importance of considering the impact on future generations. Smith spoke against invasive infrastructure like the gondola, envisioning a world where such irreversible scars limit the experiences of children and require public investment in projects vehemently opposed by the community. Smith questioned the character and decisions of the government in light of overwhelming public opposition to the gondola, as reflected in the 89% of comments opposing it during public commenting periods.

Margaret Bourke addressed the Town Council, emphasizing the need to keep Alta, Alta and expressing concerns about the misunderstanding or misperception of the gondola's impact on Little Cottonwood Canyon. Bourke highlighted the unique impacts on Alta, including safety concerns, protection of the watershed, and budgetary impacts on local services like police, fire, and paramedics. Bourke urged the Council to take action, suggesting joining lawsuits, conducting a visitor use management study, passing a resolution opposing the gondola, encouraging seasonal enforcement of the traction law, seeking UTA to restore full bus service, and exploring solutions like parking reservations, metering, and tolling. Bourke stressed the importance of the Council's engagement, stating that decisions about Alta's future will be made by others unless those within Alta take action.

The Town Councilmembers discussed the possibility of drafting a resolution expressing the Town's preference for alternatives to the gondola. Elise Morgan raised the importance of maintaining a positive relationship with UDOT, considering them as a crucial partner for the Town. John Byrne sought clarification on the three different lawsuits and their plaintiffs. Pat Shea explained there were three lawsuits 1) Save Our Canyons, 2) Friends of Alta, Canyon Guard and others, and 3) Salt Lake City with Metro Water District and Sandy City. The discussion touched upon the improved structure of

Friends of Alta's lawsuit, with a focus on attacking the need for the gondola process. Grace Tyler provided information on Save Our Canyons' lawsuit, challenging the NEPA process and involving UDOT and the Forest Service. John Byrne asked about the consolidation of lawsuits, and Pat Shea expressed the hope for consolidation before one Article Three judge but acknowledged that it was beyond their control. John Byrne inquired about the impact of consolidation on fundraising, and Pat Shea explained the complexities but expressed the desire for consolidation in an ideal scenario. Carolyn Anctil expressed gratitude for the diverse group of individuals present and mentioned the need to navigate conversations with UDOT carefully. Pat Shea offered an email for any legal questions and shared a personal connection to Alta, highlighting its significance to their family. The discussion concluded with Carolyn Anctil acknowledging the richness of perspectives in the room and expressing a willingness to engage with individuals individually.

The Town Councilmembers discussed various responses and options to address the UDOT plans and the gondola proposal. Mayor Bourke presented several possible actions, including doing nothing, enacting a resolution endorsing a subset of the UDOT plan, clearly opposing the gondola, calling for a visitor capacity study, joining a lawsuit, filing an amicus brief, or exploring other options. Dan Schilling expressed support for having a work session or a special meeting before the March Council meeting to discuss and craft a resolution. Elise Morgan suggested that it might be necessary to have both a work session and a special meeting. John Byrne emphasized the importance of a visitor capacity study to understand the impact on a year-round basis. Mayor Bourke proposed inviting public input on potential resolutions and mentioned the possibility of a special meeting to develop a resolution collaboratively. Carolyn Anctil suggested allowing individuals to send emails with their specific thoughts, and Mayor Bourke invited input from the group. Elise Morgan highlighted the significance of UDOT as an important partner to the Town, emphasizing the need to maintain a professional approach in expressing opinions. Morgan welcomed input from the public but acknowledged the need to balance expressing opinions while preserving important partnerships. The discussion concluded with the acknowledgment that crafting a resolution would take time, and there was a consensus among Council members to schedule a work session or special meeting to delve into the details of potential resolutions.

4. ALTA SKI AREA UPDATE, MIKE MAUGHAN

00:50:00

Mike Maughan provided an update on the ski season and discussed the challenges related to transportation and the gondola proposal. Maughan mentioned that skier visitation and revenue were on par with last season, with an increase in first-time visitors and a shift in season pass visitation to destination visitation. Maughan highlighted the success of the parking reservation system but noted challenges with increased demand and traffic congestion. Maughan expressed concerns about traffic issues caused by the closure of the mainline between Alta and Snowbird, leading to gridlock in the Town of Alta. Maughan discussed ongoing efforts to address these challenges, including possible consultation with consultants.

Regarding the gondola, Maughan emphasized that Alta Ski Area is supportive of transportation improvements but does not view the gondola as a complete solution. Maughan urged a collaborative approach with UDOT and Snowbird to find solutions without straining working relationships. Maughan mentioned potential solutions such as snow sheds, berms, and addressing the mainline issue. Maughan cautioned against alienating Snowbird and emphasized the importance of preserving positive relationships with UDOT. On the topic of visitor capacity, Maughan explained the challenges of conducting a study due to the Forest Service's position and emphasized that Alta Ski Area focuses on providing a less dense experience than other ski areas.

Regarding the EIS, Maughan acknowledged that the gondola might not significantly reduce traffic in the canyon immediately but could have an impact in 2050. Maughan highlighted concerns about Snowbird's lack of commitment to removing roadside parking. Maughan suggested the need for a balanced approach, considering various alternatives and working collaboratively to find solutions to traffic and transportation challenges in Little Cottonwood Canyon.

John Byrne commended Alta Ski Area (ASL) for their effective management of capacity during the ski season, stating that he had skied about 20 days and found the experience positive. Byrne acknowledged the challenges of traffic and the red snake but noted that the reservation system had helped in managing demand. Maughan expressed gratitude for the feedback and emphasized openness to suggestions for improvement. Dan Schilling, shared an observation about the relationships between ASL and Snowbird and emphasized the need for the Town to advance its relationship with Snowbird, expressing a belief that investing time in building this relationship could lead to a three-way consensus on certain issues.

5. QUESTIONS REGARDING DEPARTMENTAL REPORTS

01:06:30

John Byrne inquired about the Forest Service engagement mentioned in the departmental reports. Chris Cawley provided information on the meetings with the Forest Service, describing them as introductory meetings covering topics such as possible locations for trailhead-style restrooms, recreation visitor amenities in the highway corridor, water and sewer master planning, and discussions about the land under buildings. The meetings were aimed at building a foundation for future discussions and collaboration. John Byrne expressed encouragement and appreciation for the efforts to establish a relationship with the Forest Service, noting that any progress in the relationship is noteworthy and positive.

Dan Schilling raised concerns about the increasing complexity and volume of crimes in the Town of Alta and emphasized the need to prioritize the development of the Marshal's Office. Schilling urged the Marshal's Office to provide a more structured plan regarding staffing, facilities, and equipment to address the challenges effectively. Schilling mentioned the importance of timely planning, funding, and leveraging grants to support the development of the police department.

Mike Morey, the Town Marshal, responded by outlining four major focus areas for the Marshal's Office: recruiting and retaining qualified personnel, right-sizing the police department to address manpower shortages, identifying suitable facilities, and addressing policy management and training. Morey emphasized the need for competitive wages and retirement plans to attract and retain quality personnel. Additionally, Morey highlighted the challenges and complexities the Marshal's Office faces and stressed the importance of succession planning.

Dan Schilling expressed concerns about a potential catastrophic failure in public safety if the Town does not address the complexities of modern law enforcement adequately. Schilling highlighted the urgency of addressing these issues, considering the current marshal's timeline and the impending changes in law enforcement services in the canyons. The discussion touched upon the challenges of recruiting personnel from other agencies due to differences in retirement plans and the need for a fully capable police department. Morey also mentioned the upcoming split of the Unified Police Department and the need for the Town to become more self-sufficient in law enforcement.

Mayor Bourke and Carolyn Anctil acknowledged the importance of addressing these challenges, including competitive retirement plans, to ensure the effectiveness of the Marshal's Office in maintaining public safety in the Town of Alta.

6. **APPROVAL OF CONSENT AGENDA: JANUARY 10, 2024 TOWN COUNCIL MEETING MINUTES, JANUARY 11, 2024 TOWN COUNCIL RETREAT MEETING MINUTES, STAFF AND FINANCE REPORTS**

01:20:00

MOTION: John Byrne motioned to approve the consent agenda including the January 10, 2024 Town Council Meeting Minutes, January 11, 2024 Town Council Retreat Meeting Minutes, and staff and finance reports. Dan Schilling seconded.

VOTE: All were in favor. The January 10, 2024 Town Council Meeting Minutes, January 11, 2024 Town Council Retreat Meeting Minutes, and staff and finance reports were unanimously approved.

RESULT: APPROVED

7. **MAYORS REPORT**

01:20:45

Mayor Bourke shared information about the quirks of the calendar due to the Earth's orbit not being exactly 365 days. Mayor Bourke explained the leap year system and the adjustment for centuries divisible by 400. Mayor Bourke connected this long-term thinking to the recent Town Council retreat

held on January 11, emphasizing the importance of working together toward common goals for the community.

Mayor Bourke noted the 10th anniversary of an agreement between the Town and the Shrontz Estate regarding the development of the Patsy Marley property in the Albion Basin. Discussions about construction on the land have taken place, including considerations for a cluster development on the lower 4 acres.

The Mayor mentioned that the Town is actively monitoring the legislative session for bills that could impact Alta. Chris Otto, a staff member, is keeping track of legislative developments, aided by the Utah League of Cities and Towns.

Mayor Bourke mentioned on January 19, a meeting was held with Zinnia Wilson of The Forest Service to discuss the trailhead toilet, noting Chris Cawley provided more details earlier in the meeting.

Mayor Bourke reflected on the expressions of love for Alta found in clippings from a late Alta resident. The challenge for the Town is to ensure that future visitors will continue to appreciate Alta's unchanged qualities. The next Town Council meeting is scheduled for Wednesday, March 13, starting at 4 pm, and will be a hybrid meeting.

8. **DISCUSSION AND POSSIBLE ACTION TO ADOPT ELISE MORGAN AS MAYOR PRO TEMPORE**

01:26:30

MOTION: John Byrne motioned to appoint Elise Morgan as Mayor Pro Tempore. Dan Schilling seconded.

VOTE: All were in favor. Elise Morgan was unanimously appointed as Mayor Pro Tempore.

RESULT: APPROVED

9. **DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE 2024-O-3 UPDATING TOWN CODE 1-5-4: MEETINGS; PROCEDURE AND CONDUCT**

01:27:00

Jen Clancy provided a brief overview of the ordinance noting that it related to the resolution for Council meetings and procedures. Clancy highlighted the redundancy in the Utah State and Town Code and suggested that because the Council has expressed a preference to follow State Code, that the Town Code regarding meetings could be removed via ordinance 2024-O-3. John Byrne sought clarification, and Clancy explained that the Town Code would default to the State Code. Byrne acknowledged that the initial approach was to follow the State Code until the Council decided to adopt its rules. Clancy clarified that passing ordinance 2024-O-3 would eliminate the specificity in the Town Code. Byrne inquired about adopting attachment one, and Clancy confirmed that it was part of Resolution 2024-R-

4. The conversation then focused on Resolution 2024-R-4, and would then come back to the Ordinance 2024-O-3.

(Discussion and action continued below in agenda item 10)

10. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION 2024-R-4 RULES OF PROCEDURE AND ORDER FOR THE ALTA TOWN COUNCIL

01:31:00

John Byrne expressed agreement with the proposed approach of following State Code. Byrne acknowledged the challenges of change, mentioning the recent transition to an empowered Town Manager. Byrne mentioned not having strong opinions about attachment one but emphasized the difficulty of change. Byrne noted a willingness to keep the 10-day provision in attachment one and sought clarification from Jen Clancy about whether the 10 days applied equally to the Mayor and the two Councilmembers, as discussed in a previous meeting. Clancy agreed the intent was to have the 10 days applied equally to either the Mayor or two Councilmembers. Byrne pointed out that as written that was not the case and edits were suggested as shown below to fix that section.

John Byrne then initiated a discussion on edits to sections D and E under rule eight. Jen Clancy responded, indicating no issue with the proposed changes in section D related to internal communications between the Council and staff. Byrne expressed relief, emphasizing the pledge to respond promptly. Clancy pointed out they thought the motivating factor behind this rule was to promote regular communication between the Council and staff.

In section E, Byrne asked for Clancy's opinion on the removal of the seven-day requirement for Councilmembers to notify the Town Clerk of their attendance at a meeting. Clancy explained the intention was to ensure a quorum and acknowledged the potential risks of last-minute communications causing meeting cancellations. Clancy proposed prompting Councilmembers to communicate their attendance intentions when sending out meeting packets.

Cameron Platt explained the hierarchy of laws and regulations to which the Town is subject, and ways the Town implements laws, regulations, and policies. At the pinnacle are state statutes, succeeded by county ordinances, Town code, Town resolutions, and policies and procedures. Resolutions, such as the one outlining the discussed procedures, function as the Town's mechanism for enacting policies. Platt noted that resolutions hold the lowest level of binding authority and retain a malleable nature, subject to change by the Town at its discretion. Platt underscored that these resolutions, specifically the outlined procedures, serve as preferred practices without legal repercussions on a Councilmember's elected status. The primary goal is to afford staff ample time for reaction, scheduling, and document compilation. The flexibility of these procedures allows the Council leeway in the event of unforeseen challenges, offering adaptability beyond the constraints of ordinances or statutes. While serving as a framework for optimal operation, the procedures do not curtail the Council's authority to address matters falling outside these established guidelines.

Tracked changes for Attachment 1 to Resolution 2024-R-4 discussed and agreed to at the meeting.

Rule 2. Agenda

A written Agenda, published in advance, shall guide the meetings. The Agenda must be published at least 24 hours prior to the meeting unless its an emergency meeting. Items may be placed on the agenda with 10 days notice either by the Mayor or ~~with 10 days' notice~~ by any two Councilmembers. Matters not on the Agenda may be discussed, but no final action is taken on matters not on the Agenda.

Rule 8: Rules of Decorum

D. For internal communications between the Council, or the Council and staff, the Council shall make best efforts to respond promptly upon ~~within 48 hours of~~ receiving any ~~the~~ communication requiring a response. Internal communications between Council shall not violate Open Public Meeting requirements.

E. Prior to any Council meeting Councilmembers shall notify the Town Clerk if they will be attending a Town Council meeting in person, electronically or that they cannot attend the meeting. ~~at least 7 days before the meeting, or as soon as possible.~~

MOTION: John Byrne motioned to approve Resolution 2024-R-4 with the three edits as discussed. Dan Schilling seconded.

ROLL CALL VOTE: Mayor Bourke – yes, Councilmember Anctil – yes, Councilmember Byrne – yes, Councilmember Morgan – yes, Councilmember Schilling – yes, Resolution 2024-R-4 was unanimously adopted.

RESULT: APPROVED

(The Council resumed discussion of agenda item 9 – Ordinance 2024-O-3)

MOTION: Dan Schilling motioned to approve Ordinance 2024-O-3. John Byrne seconded.

ROLL CALL VOTE: Councilmember Byrne – yes, Councilmember Davis – yes, Mayor Bourke – yes, Councilmember Morgan – yes, Councilmember Anctil – yes, Ordinance 2024-O-3 was unanimously approved.

RESULT: APPROVED

11. DISCUSSION AND POSSIBLE ACTION TO AMEND THE TOWN COUNCIL MEETING SCHEDULE THROUGH JUNE 2024

01:51:00

Carolyn Anctil thanked the Councilmembers for this adjustment.

MOTION: Mayor Bourke motioned to amend the Town Council meeting schedule. Dan Schilling seconded.

VOTE: All were in favor. The Town Council meeting schedule was unanimously amended.

RESULT: APPROVED

12. DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE 2024-O-4 FOR CIVIL CODE ENFORCEMENT

01:52:00

Chris Cawley introduced the topic of adopting an ordinance to establish a Civil Code Enforcement Program for the Town of Alta on behalf of Cameron Platt and Mike Morey. Chris added that Jen Clancy, and Molly Austin, had specific expertise from their involvement with the Alta Justice Court. Cawley reflected that the discussions on this initiative began around September, prompted by the recognition that most municipalities in Utah and other states have a Civil Code Enforcement Program. Cawley expressed concern about potential exposure and a need to catch up in implementing a more efficient and appropriately scaled code enforcement option for municipal ordinances that are not state criminal offenses.

Cawley said the presented draft ordinance, now fine-tuned by Cameron Platt; addressed the establishment of a separate due process forum, involving a hearing before a specially appointed administrative law judge rather than a Justice Court hearing. Cawley outlined the subsequent steps, including adopting specific fines in the fee schedule and implementing an administrative back-end program to manage the administrative law judge hearing process, track offenses, and administer fines. Cawley highlighted that the ordinance's passage would be the initial step in the process. Cawley also conveyed the intention to return with a timeline for the subsequent actions required. Cawley acknowledged the thorough discussions in previous Council meetings and invited any technical questions to be directed to Cameron Platt and Mike Morey.

Dan Schilling sought clarification from Chris Cawley regarding any changes made by Cameron Platt to the ordinance since the Council packet was distributed. Cawley confirmed that Cameron Platt hadn't made any alterations since the Council received the document in the February meeting packet. Schilling mentioned a minor typo on the last page, suggesting the removal of an unnecessary "A" in Exhibit B, as paragraph B had been struck. Dan Schilling expressed satisfaction with the overall content of the ordinance, indicating no further concerns and considered it to be in good shape.

MOTION: Mayor Bourke motioned to adopt Ordinance 2024-O-4 Civil Code Enforcement as edited by Dan Schilling (striking "A." in section 4-1-8: Penalty for Failure to Comply). Elise Morgan seconded.

ROLL CALL VOTE: Councilmember Byrne – yes, Councilmember Morgan – yes, Councilmember Schilling – yes, Mayor Bourke – yes, Councilmember Anctil – yes, Ordinance 2024-O-4 was unanimously adopted.

RESULT: APPROVED

13. REVIEW AND DISCUSSION ABOUT BUDGET COMMITTEE

01:57:00

Chris Cawley introduced the topic of the proposed Budget Committee Charter and highlighted the upcoming budget season, spanning the next three months, where the focus would be on reviewing draft budgets and major policy decisions related to financial matters. Cawley explained the history of the Town's Budget Committee, its informal structure, and the challenges faced without a governing document or formal appointments. Recognizing the need for clear guidelines, the proposed Budget Committee Charter was presented for consideration.

Cawley noted the additional burden for Councilmembers in serving on a committee, prompting the inclusion of an option in the charter to appoint non-elected Town of Alta residents and/or property owners in order to maintain a quorum. Cawley recommended adopting the Budget Committee Charter, emphasizing the follow-up actions required, including the appointment of committee members and scheduling meetings. Cawley invited the Council to discuss the recommendation, acknowledging that Byrne had specific comments shared via email for further consideration.

14. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION 2024-R-5 ADOPTING A BUDGET COMMITTEE CHARTER

02:01:30

Carolyn Anctil sought clarification on the inclusion of citizens in the Budget Committee, expressing concern about potential self-serving interests. Dan Schilling explained that there was a provision for a broad cross-section of the community to reduce the burden on the Council. Jen Clancy clarified that the charter allowed for residents and/or property owners to serve on the committee. John Byrne expressed concerns about citizens lacking the necessary training for the committee, and Chris Cawley emphasized the committee's role as a recommendation body, not a voting one. Schilling and Byrne suggested involving staff members, and Cawley agreed, stating that the charter could specify staff's participation. Byrne also highlighted the importance of involving the Town Manager and the Budget Officer in the committee. The discussion then shifted to the advisory role of the committee, with Byrne expressing reservations about members being required to base recommendations on consensus. Craig Heimark highlighted the need for outside voices and suggested that the committee could help make process improvements. Mayor Bourke and the Council collectively agreed on the necessity of a

Budget Committee and decided to include Town Manager, Budget Officer, and Treasurer on the committee.

Chris Cawley asked Cameron Platt (legal counsel) about the consensus basis outlined in the charter and the potential for a blurring of legislative and administrative roles with staff and elected officials serving on the committee. Cameron Platt explained that the Budget Committee operates as an executive branch committee, primarily involved in putting together a proposed budget. Platt clarified that when Councilmembers are on the committee, they act as committee members, not Councilmembers. However, when the proposed budget goes to the Town Council, Councilmembers then act in their official capacity. Platt emphasized that having staff members and Councilmembers on the committee is not inappropriate. Overall, Platt indicated that the discussed approach would be fine, with attention to the Open Public Meetings Act requirements.

The discussion shifted towards the practical aspects of the Budget Committee, including the frequency of meetings and the timeline for the committee's activities. Councilmembers expressed a preference for a well-fleshed-out starting point to facilitate the Council's review and decision-making during the budget process. Chris Cawley raised a practical question about the timeline for the Budget Committee meetings, and there was a consensus on having meetings in March, April, and May, with a full Council work session on the budget in May. The conversation also touched on the potential need for a December or November Budget Committee meeting to facilitate a mid-year budget amendment. The dialogue concluded with the suggestion to revisit the language in the charter, with Jen Clancy facilitating further discussion on finalizing the language.

Jen Clancy suggested staff work on the edits discussed by the Council and present an updated charter to the Council in March. Clancy pointed out that Cawley could also come prepared with appointment recommendations and if approved, the committee could try to hold its first meeting in March.

15. RETREAT RECAP

02:29:30

Mayor Bourke asked to defer the retreat recap stating the meeting packet had a complete report.

Chris Cawley expressed gratitude for the time and effort put into the discussions and retreat, emphasizing the positive outcomes. Cawley acknowledged the hard work and collaboration during the snowy day, and looks forward to applying the insights gained to the budget process, considering it as the next step to activate the outcomes of the retreat.

16. NEW BUSINESS

02:31:00

John Byrne introduced the concept of regenerative tourism, a new approach focused on making a positive impact on the environment and community. Byrne expressed interest in receiving information or updates related to regenerative tourism and encourages others to share any relevant insights or articles they come across.

17. **MOTION TO ADJOURN**

02:32:00

MOTION: Mayor Bourke motioned to adjourn, and Carolyn Anctil seconded.

VOTE: All in favor. The meeting was adjourned unanimously.

RESULT: APPROVED

Passed this 13th day of March, 2024



Jen Clancy, Town Clerk