

MINUTES
BUDGET COMMITTEE VIRTUAL MEETING 1-2PM
ALTA TOWN COUNCIL VIRTUAL MEETING
Wednesday, April 12, 2023, 2:00 PM
Alta Community Center (virtual), 10351 E. Highway 210, Alta, Utah

PRESENT: Mayor Roger Bourke
Councilmember Carolyn Anctil (arrived 2:04pm)
Councilmember John Byrne
Councilmember Sheridan Davis
Councilmember Elise Morgan

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

ALSO PRESENT: Cameron Platt, Legal Counsel
Craig Heimark, Treasurer

BUDGET COMMITTEE MEETING

1. **CALL THE BUDGET COMMITTEE MEETING TO ORDER AND DECLARATION**

00:00:00

Mayor Bourke called the Budget Committee meeting to order pursuant to his April 4, 2023 determination. Mayor Bourke said that it is in the community's best interest to hold this meeting virtually without an anchor location.

2. **REVIEW OF DRAFT FY24 BUDGETS**

00:00:40

Craig Heimark stated we will have a FY 24 budget ready to be proposed at the next council meeting. He reminded the committee that he had proposed the budget be divided into three key areas including: personnel, outsourced contract budgets, and projects. Today, he said he would focus on personnel work as a result of the benchmarking study the Town commissioned from Mike Swallow. The methodology has been reviewed during previous meetings. Craig walked the committee through a presentation that addressed recommendations on payroll increases, transition capacity increases related to the Town Manager position, an analysis of income and budget trends, and potential new income sources. He highlighted that the wage increase for staff in the coming year would be roughly \$174,750 and also that the Town needs to spend more on projects in order to keep up with depreciation.

Jen Clancy reported that she had reviewed the Town's sales and use tax rates and identified opportunities for the town. She found that the Town could increase the property tax rate via truth and taxation process, increase the Resort tax by 0.1% from 1.5% to 1.6%, and impose a municipal transient

room tax of 1%. Jen estimated that the resort tax could bring in an additional \$68,000, and the municipal transit room tax could bring in an additional \$175,000 based on an estimate provided by the State. After some discussion, the direction given to Jen was to prepare information related to all three tax opportunities for the council and community to consider.

3. **MOTION TO ADJOURN**

00:52:20

MOTION: Mayor Bourke motioned to adjourn, and John Byrne seconded.

VOTE: The meeting was adjourned.

TOWN COUNCIL MEETING

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

00:55:30

Mayor Bourke called the regular meeting of the Alta Town Council to order for March 12, 2023. Pursuant to his April 4, 2023 determination Mayor Bourke said that it is in the community's best interest to hold this meeting virtually without an anchor location.

2. **CITIZEN INPUT**

00:57:00

Jen Clancy reported that Jerry Oyama had submitted a written comment that has been shared with the council and would be attached to this meeting's minutes as Exhibit A.

3. **DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2023-R-5 HONORING PUBLIC SAFETY PERSONNEL**

00:57:10

Mayor Bourke read a statement sharing information about events that have stressed our community and expressing sincere appreciation to our staff and partnering agencies. The Mayor called out Mike Morey's leadership and Ted Spencer's heroic efforts to successfully locate a 9 year old that was buried in a roof slide, and save the kid's life. He also recapped numerous events including power outages, extended interlodge, avalanches, and all those who helped keep our community safe. He highlighted that while some of our systems failed, what didn't fail was our people. These events and recognitions of exemplary service are included in the resolution.

MOTION: Mayor Bourke motioned to adopt Resolution 2023-R-5, and John Byrne seconded.

VOTE: All in favor. Resolution 2023-R-5 was adopted.

A round of applause was carried out for those being honored.

4. **PRESENTATION BY SHRONTZ ESTATE ON A PROPOSAL FOR A NEW ZONE IN THE TOWN OF ALTA CALLED THE RECREATION RESORT OVERLAY ZONE. ADDITIONALLY, THE ESTATE WILL PRESENT A CONCEPT PLAN FOR A HOTEL FOR THE PATSEY MARLEY SUBDIVISION USING THE REQUIREMENTS OF THE NEW ZONE. NO ACTION.**

01:12:00

Mayor Bourke introduced Wade Budge and said we had invited him today to talk about the evolution of the Pастey Marley Subdivision and pointed out that no decisions would be made by the council today. Wade commented that they have made various infrastructure improvements and have continued to receive input from stakeholders and members of the community on their project. Wade said they see an opportunity in revising the deal the Estate made with the Town in the development agreement for the property, whereby building a hotel they could preserve the land above the summer road instead of building 10 single family homes. Wade informed the council the Estate has engaged a consultant, Doug Ogilvy who has been involved in a lot of mountain community developments. Wade asked whether the Town is interested in providing input to the Estate on the evolution of the project and said they wanted to share how things have changed since our last communication.

Doug Ogilvy walked the council through a presentation observing that back in 2019 the Estate started exploring a condo-hotel alternative instead of 10 single family lots. Various slides showed the property and massing information for consideration. He stated an updated concept had been submitted to the Town in September 2022. Doug commented that the community benefits with the hotel/condo alternative include the addition of 20+ acres of conserved easement and significant tax revenues on rentals, restaurants and gathering spaces, and conference facilities. Wade and Doug acknowledged they understood from prior conversations that the condominium concept is not one well received in the Town but that they would like to get a sense of how the mass, location, height and concepts they presented might be received. Wade stated that while not common that they could work within the confine of a hotel.

John Byrne commented that he felt the massing slide overstated the mass and wasn't based on entitlements. He went on to say that he felt the design has improved dramatically. John also complimented Wade in hearing that condos can't be included. He suggested they accept the 60ft height limit and work on adhering to the base facility zone requirements. Mayor Bourke suggested they develop a concept for this portion of their property that complies with the limitations of the current base facility zone.

5. **UDOT UPDATE ON POTENTIAL TOLLING IN LCC – JOSH VAN JURA**

01:36:00

Josh Van Jura stated UDOT is considering traffic demand management which may include tolling and vehicle occupancy restrictions. He reported that these strategies are only being considered roughly 50 days year, so winter time peak demand. He said it would likely correspond to Alta's parking reservation system days. He stated potentially residents of LCC, drivers of service vehicles, resort employees could be exempt from paying a toll but that needs to be worked out with Federal Highway Administration (FHA). He added they would likely be pursuing tolling under a value pricing pilot program so it might allow for some flexibility. He added tolling wouldn't be implemented until there is increased transit

service for low-income populations. Josh reported the toll that is being considered is in the \$25-\$30 dollar range and they are considering only tolling the upper canyon above White Pine Trailhead and below Snowbird. They expect a record of decision this summer and will then start designing mobility hubs, procuring bus etc. He suggested the process could take up to 2 years.

6. **ALTA SKI AREA UPDATE – MIKE MAUGHAN**

01:55:10

Mike Maughan reported that this has been a historic winter with many firsts. They are really pleased with the cooperations from the broader community to keep people safe and provide recreation. Alta's scheduled closing day is April 23. Mike added that as previously stated the closures have affected revenues and April's numbers are likely to be similar to last year's if not a little less. Mike thanked the Town for signing onto the community letter that went to UDOT bringing attention to the red snake as a result of closing the main line which causes more merging.

Mike reported that they have no plans to plow the summer road and will let it melt out, but may do some plow work around the wildcat base. This summer's projects include installation of 5 more Wiessen Towers on Mount Baldy, possibly making an adjustment to the top of the wildcat ramp to allow the buses a better turn, replacement of fuel tanks at the cat shop, replacing snowmaking lines at the wildcat base, and they will continue to work on Sleepy Hollow at Supreme.

He said they have been working with and watching UDOT as they come forth with proposals for the LLC EIS. He said they have specific concerns about the tolling proposal and feel there are better alternatives out there such as the reservation system. He said he didn't feel that tolling actually reduces the number of cars that come. He said cars act as locker rooms and it's very challenging for people to take public transit when they have lots of ski gear. He pointed out the ski area has the right to sell reservations to their parking lots without restrictions based on the number of people in a vehicle. Mike added he didn't want 4 people in every car because it could put too many people in Alta. He said there needs to be a balance to preserve the skiing experience, and public transit is a part of that balance.

7. **APPROVAL OF CONSENT AGENDA: MARCH 8, 2023 MEETING MINUTES, STAFF AND FINANCE REPORTS**

02:12:00

MOTION: Mayor Bourke motioned to approve the consent agenda including the March 8, 2023 meeting minutes, and the staff and financial reports. Sheridan Davis seconded.

Sheridan Davis commented that it was her impression that the council was grandfathering the Class C dog licenses out. Jen Clancy explained it was her recollection that at the last meeting they were talking about hypothetical situations such as if a Class C license was forfeited. Jen added it was her impression that if a Class C license was forfeited that that license was likely to be reallocated by the council to either a Class A or Class B as opposed to holding a drawing for a Class C license. Jen added she was unaware of anything in the ordinance that prohibits the council from issuing a Class C license if one is forfeited. In her impression the council has given direction that they would like Class C license to be reallocated to other classes but that is not an obligation based upon the language in the dog licensing ordinance.

VOTE: All in favor. The consent agenda including the March 8, 2023 meeting minutes, and the staff and financial reports were unanimously approved.

8. **QUESTIONS REGARDING DEPARTMENTAL REPORTS**

02:24:50

Sheridan Davis commented that she was troubled by some of the bills that passed in the legislative session such as SB 97. She asked about boycotting a business that may be engaged in practices that the Town doesn't support. Cameron Platt offered that the Town can choose to support whatever businesses it wants to, it just has to do that fairly. He also said the Town is a legal entity and can take a position on political topics. The council asked to receive some clarification from Shelly Teuscher who wrote the legislative session report.

9. **MAYOR'S REPORT**

02:30:25

Mayor Bourke said there are daily operations meetings to stay informed about the avalanche situation, those meetings may continue to address flooding concerns. He said we are continuing to try and address the UTA bus schedule in light of the reduced service this year. Mayor Bourke reminded everyone that registration to declare candidacy for one of the two town council seats is from June 1 – 7 and must be done in person. Jen Clancy added that information is available on the Town's website. Mayor Bourke announced the annual clean-up will be scheduled in June. He encourages all residents and employees to participate. He added that candidates are still being interviewed for the Town Manager position, and that they would be addressing the Town Manager ordinances in a few minutes.

10. **DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 2023-R-6 REAPPOINTING THE FOLLOWING PLANNING COMMISSION MEMBERS: JON NEPSTAD FOR 3 YEARS, JEFF NIERMEYER FOR 5 YEARS, AND ROB VOYE FOR 2 YEARS**

02:33:05

Mayor Bourke announced the resolution and said the reason the terms are for different years is so the expiration of their terms is staggered. He mentioned the candidate's bios were on the website and he thought the council has had an opportunity to take a look at them.

MOTION: Mayor Bourke motioned to adopt Resolution 2023-R-6 and the terms as stated, and Elise Morgan seconded.

VOTE: All in favor. Resolution 2023-R-5 was adopted.

(Mike Morey left the meeting to attend the operations meeting previously described)

John Guldner thanked the council for passing the planning commission reappointments and mentioned that we are still trying to have members represent various disciplines: Jon Nepstad is the planner, Jeff Niermeyer is the environmentalist, and Rob Voyer is our business representative.

11. DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2023-O-2 CREATING THE POSITION OF TOWN MANAGER

02:35:30

Mayor Bourke said John Byrne and Cameron Platt have spent a lot of time working on the ordinance.

MOTION: Mayor Bourke motioned to adopt Ordinance 2023-O-2, and Sheridan Davis seconded.

John Byrne commented that the ordinance was about empowering the Town Manager to run the Town's business day to day, while being subject to the direction set by the legislative body. He added it was also about right sizing the mayor's job.

VOTE: All in favor. Ordinance 2023-O-2 was adopted.

12. DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 2023-O-3 DELEGATING ADMINISTRATIVE PROVISIONS

02:38:00

MOTION: Mayor Bourke motioned to adopt Ordinance 2023-O-3, and John Byrne seconded.

VOTE: All in favor. Ordinance 2023-O-3 was adopted.

13. WAGE STUDY PRESENTATION – CRAIG HEIMARK

02:40:00

Craig Heimark commented that there had been a robust discussion on the wage study in the budget committee meeting earlier today. Craig said he would provide a summary of that discussion here. He shared his screen and recalled that we had received a presentation from Mike Swallow in December. Craig called out that the Town had learned; that wages were out of line for senior staff. Since December the study work had focused on a line by line review of each position at the Town. This resulted in some recommendations for salary adjustments and Craig presented some department comparisons. Craig shared some recommendations for the top 4 positions. He also pointed out that the Mayor is discussing future contract work with John Guldner as he transitions away from working with the Town and that budget expense will be in addition to any wage adjustments for staff.

In closing, Craig said that in recent years the Town had generated excess cash over what we have spent. He indicated that in addition to the staff wage increases he thought we would be spending more on projects. Craig asked the council if anyone had objections to the type of recommendation being made. John Byrne said he thought it was a job well done, thoughtful approach and he endorsed the type of numbers being presented. Sheridan Davis, Elise Morgan, and Carolyn Anctil added their support.

14. PRESENTATION ON THE FUTURE OF ACVB – CHRIS CAWLEY

02:49:50

Chris Cawley introduced Brandon Ott, the ACVB President. Brandon walked the council through a presentation to share information related to conversations the board has been having. He said today was about sharing the idea of dissolving the chamber with the public. Brandon provided an overview of recent history and program focus areas. He recalled a recent pivot from a more traditional destination marketing organization to focusing on enhancing the Alta experience for locals and visitors. He also pointed out that since 2020 the ACVB board has operated the organization. Brandon reviewed a series of things that worked for the organization and highlighted what doesn't work and where there are challenges such as board and member recruitment, underachievement of the budget and programs. He said the board has discussed dissolution and dormancy.

Chris Cawley said he asked for this to be on the agenda today because it's a Town program and appears in the budget. In its height, Chris said the Town was contributing up to \$84k to ACVB and noted the Town's contributions were connected with a sales tax increase a number of years ago. Chris said he felt the question about whether to dissolve ACVB was a policy question for the Town and asked for input from the council. Mayor Bourke commented that we need to figure out a way to keep the Resort Shuttle program functioning, in that it's a terrific asset for the Town. John Byrne said he felt the contributions to ACE and the community events were the highlights, the destination marketing was more of a grey area, and he was inclined to support whatever direction the board members of ACVB wanted to go. Sheridan Davis expressed curiosity about Connie Marshall and other opinions of the vision of ACVB. Elise Morgan also expressed she would support the board in their decision, as did Mayor Bourke.

15. **NEW BUSINESS**

03:21:00

Mayor Bourke said he wanted to bring up the concept of functional redundancy, meaning the ability to substitute one item to fill in for the absence of another. He commented on how it has saved some of us from more serious problems such as the recent power outages.

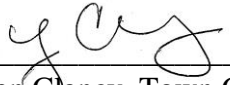
16. **MOTION TO ADJOURN**

03:23:10

MOTION: Mayor Bourke motioned to adjourn, and John Byrne seconded.

VOTE: All in favor. The meeting was adjourned.

Passed this 10th day of May, 2023



Jen Clancy, Town Clerk

MAYOR
ROGER BOURKE

TOWN COUNCIL
CAROLYN ANCTIL
JOHN BYRNE
SHERIDAN DAVIS
ELISE MORGAN



TOWN OF ALTA
P.O. BOX 8016
ALTA, UTAH 84092
TEL (801) 363-5105
(801) 742-3522
FAX (801)742-1006
TTY 711

Exhibit A

The following written public comments were received are to be included in the April 12, 2023 Town council meeting minutes.

<u>Pages</u>	<u>Document</u>	<u>Date Received</u>
2 - 3	Snell & Wilmer	April 10, 2023
4	Jerry Oyama	April 11, 2023

Gateway Tower West
15 West South Temple
Suite 1200
Salt Lake City, Utah 84101-1547
801.257.1900
801.257.1800 (Fax)
www.swlaw.com

DENVER
LAS VEGAS
LOS ANGELES
LOS CABOS
ORANGE COUNTY
PHOENIX
RENO
SALT LAKE CITY
TUCSON

Wade R. Budge, P.C.
wbudge@swlaw.com

April 10, 2023

VIA E-MAIL ONLY, C/O SFERRIN@PARSONSBEHLE.COM

Roger Bourke
Mayor

Carolyn Anctil
Councilmember

John Byrne
Councilmember

Sheridan Davis
Councilmember

Elise Morgan
Councilmember

Re: Patsey Marley Hotel Zone

Honorable Mayor and Town Council:

On behalf of the Estate of JoAnne L. Shrontz, our client, we write to thank you for scheduling a public hearing to consider our request for a new zoning district to accommodate a hotel on the Patsey Marley site. We think there is broad support for this proposal and would appreciate receiving any input the Town is willing to offer.

So you know, we have received advance communication from staff and others about the Town's unwillingness to consider condominiums. We won't beat that dead or dying horse. Nevertheless, we will touch lightly on the topic and will focus most of the time on soliciting your input on the redesigned building. The concept you will see Wednesday does not hinge on the condominium concept.

Our view is that there is not a zoning district (including the Base Facilities zone) that will accommodate our project. As such, if the Town is not willing to consider a building of the size (including height) that we have proposed, we would ask that those comments be shared. If at the end of the meeting it seems that there is no desire to consider or negotiate our proposal, that is fine. But we would interpret any such response as a manifestation of a desire that we instead complete the development of the 10-lot single family subdivision that we have been pursuing since the plat was approved by the Town in 2014. In other words, this meeting, however brief, is important.

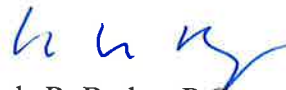
Snell & Wilmer
L.L.P.

Roger Bourke
Carolyn Ancil
John Byrne
Sheridan Davis
Elise Morgan
April 10, 2023
Page 2

We look forward to some helpful and productive dialogue on Wednesday.

Very truly yours,

SNELL & WILMER



Wade R. Budge, P.C.

WRB:dle

cc. Polly McLean Esq.
client

Molly Austin

From: noreply@townofalta.com <info@townofalta.com>
Sent: Tuesday, April 11, 2023 3:13 PM
To: Molly Austin; Jen Clancy
Subject: New submission from Submit a Public Comment

Name

Jerry Oyama

Phone

Address

PO Box 8113
9020 S. Blackjack Rd., Village 19
Alta, UT 84092-8113
[Map It](#)

Email

Town Affiliation

- Property Owner

Comment Subject

John Guldner

Comment

I was greatly saddened to hear that we'll be losing John Guldner as our town administrator. His contribution to our community has been substantial. In his decades long tenure he has acquired a deep and intimate knowledge of all things Alta: land use codes, building practices, town politics, the ski lift company, the lodges, our water, sewer and power infrastructure. He knows all the players, the condo, land and house owners, successive town governments, developers and their lawyers, homeowner associations, the aggrieved and the entitled and has dealt with all with equanimity, patience and an open ear even when some have been abusive or condescending. He's had to say no to many applicants which requires tact and discipline. No one else has a more in-depth knowledge of our history and I'm at a loss as to how he can be replaced without his thorough instruction of a new manager over many months.

A few friends are saying that his abrupt departure has some troubling aspects and that unelected individuals have appointed themselves as arbiters of a new direction in town government. I hope that's not the case, that John might have had no choice but to resign. It's a too common story, a competent person who has dedicated the majority of his adult life in the service of an institution that in the end doesn't give him his fair due. He accomplished much and did a fine job. Alta has been so lucky to have had him.

Jerry Oyama

Is this comment to be included in the minutes for the next Town Council meeting?

- Yes