

**MINUTES**  
**WORK SESSION VIRTUAL MEETING**  
**PUBLIC HEARINGS VIRTUAL**  
**ALTA TOWN COUNCIL VIRTUAL MEETING**  
**Wednesday, June 21, 2023, 9:00 AM**  
Alta Community Center (virtual), 10351 E. Highway 210, Alta, Utah

**PRESENT:** Mayor Roger Bourke  
Councilmember John Byrne  
Councilmember Sheridan Davis  
Councilmember Elise Morgan

**STAFF PRESENT:** Chris Cawley, Interim Town Manager  
Mike Morey, Town Marshal  
Jen Clancy, Town Clerk  
Molly Austin, Deputy Clerk

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

**NOT PRESENT:** Councilmember Carolyn Ancil

**WORK SESSION**

1. **CALL THE WORK SESSION TO ORDER AND DECLARATION**

00:00:00

Mayor Bourke called the work session of the Alta Town Council to order for June 21, 2023. Pursuant to his May 23, 2023 determination, Mayor Bourke said that it is in the community's best interest to hold this meeting virtually without an anchor location.

2. **DISCUSSION ON THE FY 2023 YEAR-END BUDGETS**

00:00:55

Jen Clancy said the Town would meet its budget. She reported that the transfer from the General Fund to the Capital Project Fund is currently budgeted at \$581k. Jen said she didn't have enough information yet to project the minimum transfer number but would come back to the council when she had the information to discuss the transfer.

3. **DISCUSSION ON THE FY 2024 TENTATIVE BUDGETS**

00:06:50

Jen Clancy reported on individual changes that have been made to the proposed tentative budget since the May Town Council meeting.

John Byrne expressed some concerns about approving funding for a few of the projects in the Capital Project Fund budget before the projects have been developed. He called out the \$75k Community Center Feasibility Study and the \$25k Tom Moore toilet projects as not being ready for approval. He suggested studying the Town Center site, and suggested more discussion on what actually gets built next and that we shouldn't assume it's a community center in light of the other aging Town facilities. He suggested a town facilities master plan be developed to look out at our building needs over a longer horizon. John suggested the Community Center and Tom Moore toilets projects be kept on the project list but not be approved for funding at this time. Elise Morgan concurred with John and suggested the Planning Commission might be able to work on a facilities master plan. Sheridan Davis also concurred; it was suggested that \$10k be authorized to study the Tom Moore toilet project and the \$25k in project execution funds be held for a decision at a later time.

Chris Cawley reported that UDOT has a \$15k cultural resources mitigation budget in the next phase of the Little Cottonwood Canyon EIS and the Town would receive funding for the Tom Moore historical structure if they issue a record of decision that is not "no action." Unfortunately, we don't know the timing of UDOT decision, but this opportunity is out there. Chris said he was comfortable with the suggestions being made by the council and suggested \$10k for a feasibility study for the Tom Moore structure.

Jen summarized the council's conversation as support to move the \$75k Community Center Feasibility Study and \$25k Tom Moore project to a future decision and adding a \$10k line item to study options for the stabilizing the Tom Moore toilet and better understanding what it would take to turn that facility into a functioning toilet.

Jen reviewed the rates being proposed for the water and sewer customers. She pointed out the increase in the sewer fund is mainly due to passing on the increased disposal costs to the customer.

#### 4. **MOTION TO ADJOURN**

01:00:00

**MOTION:** John Byrne motioned to adjourn, and Sheridan Davis seconded.

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

### **PUBLIC HEARINGS**

#### **Public Hearing #1: FY 2023 Year-End Budget Amendments**

##### **1. CALL THE PUBLIC HEARING ON PROPOSED FY 2023 YEAR-END BUDGET AMENDMENTS TO ORDER**

01:01:05

The Mayor called the public hearing to order to hear public comment on the proposed FY 2023 budget amendments.

**2. PUBLIC COMMENT**

No public comment was made. No written comment submitted.

**3. ADJOURN PUBLIC HEARING**

**MOTION:** John Byrne motioned to close the public hearing, and Sheridan Davis seconded.

**VOTE:** All in favor. The Mayor closed the public hearing.

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**Public Hearing #2: FY 2024 Tentative Budgets and Proposed Tax Rate**

**1. CALL THE PUBLIC HEARING ON FY 2024 TENTATIVE BUDGETS AND PROPOSED TAX RATE**

01:03:20

The Mayor called the public hearing to order to hear public comment on the FY 2024 Tentative Budgets and proposed tax rate.

**2. PUBLIC COMMENT**

No public comment was made. No written comment submitted.

**3. ADJOURN PUBLIC HEARING**

**MOTION:** Elise Morgan motioned to close the public hearing and John Byrne seconded.

**VOTE:** All in favor. The Mayor closed the public hearing.

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**Public Hearing #3: FY 2024 Alta Special Service District Budget and Certified Tax Rate**

**1. CALL THE PUBLIC HEARING ON PROPOSED FY 2024 ALTA SPECIAL SERVICE DISTRICT BUDGET AND CERTIFIED TAX RATE TO ORDER**

01:07:05

The Mayor called the public hearing to order to hear public comment on the proposed FY 2024 Alta special service district budget and certified tax rate.

**2. PUBLIC COMMENT**

No public comment. No written comment submitted.

**3. ADJOURN PUBLIC HEARING**

**MOTION:** John Byrne motioned to close the public hearing and Sheridan Davis seconded.

**VOTE:** All in favor. The Mayor closed the public hearing.

## **TOWN COUNCIL MEETING**

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

01:13:20

Mayor Bourke called the regular meeting of the Alta Town Council to order for June 21, 2023.

*(declaration stated earlier in the meeting)*

### **2. CITIZEN INPUT**

01:13:50

No public comment was made.

Jen Clancy reported that Cliff Curry had submitted a letter that was distributed to the council and would be included as Exhibit A to these meeting minutes.

### **3. ALTA SKI AREA UPDATE – MIKE MAUGHAN**

01:15:20

Mike Maughan did not attend the meeting.

### **4. APPROVAL OF CONSENT AGENDA: MAY 10, 2023 MEETING MINUTES, STAFF AND FINANCE REPORTS**

01:15:30

John Byrne proposed that in the Budget Committee the second paragraph of the “Budget Discussion FY24” should say “Over the last couple months, the Capital Projects Committee has been working” not the budget committee as drafted. Jen Clancy said she would verify the edit and reflect its correction in the approved meeting minutes.

**MOTION:** Mayor Bourke motioned to approve the consent agenda including the May 10, 2023 meeting minutes including the edit proposed by John Byrne, the staff, and financial reports. John Byrne seconded.

**VOTE:** All in favor. The consent agenda including the May 10, 2023 meeting minutes as amended, and the staff and financial reports were unanimously approved.

## **5. QUESTIONS REGARDING DEPARTMENTAL REPORTS**

01:18:50

Sheridan Davis asked for Mike Morey's opinion on if the Town is ticketing less in light of the parking program. Mike reported that since the inception of the overnight permit parking program, they have found that the parking program in Town has been much more orderly resulting in a reduction in the amount of improperly parked cars in the last two years. Mike did mention that speeding has been a problem in Town and that he would talk with UDOT about installing speed bumps.

Sheridan also asked if we changed the overnight road closure times from 10pm to midnight if Mike Morey would see immediate problems with that type of change. Mike responded that there are benefits to earlier closures with staff availability but that also comes at a cost to the lodging community and for some commuting residents. Mike said they have spoken with UDOT about this and that they heavily factor this into decisions. Mike pointed out that by and large he feels they make the closure decisions based on each situation, its hazards, and available resources.

## **6. MAYOR'S REPORT**

01:24:40

Mayor Bourke shared his screen and reported on the following items:

- John Guldner retired after 4+ decades of service to our community;
- Chris Cawley appointed Interim Town Manager;
- Governor Cox hosted several snow fighters recognizing their efforts to keep LCC safe and functional last winter. Among them were Mike Morey, Ted Spencer, Sarah McCloskey, and Chris Cawley;
- The Town will administer the local shuttle again next winter. UTA will not return service to 2021-22 level, but keep it at the 2022-23 level and will not provide bus service beyond the Wildcat lot;
- Canyon Cleanup on June 27;
- Council of Mayor's Meeting mid-day on July 20th will be in Alta;
- Wasatch Front Regional Council met on May 25 and adopted a regional transportation plan which included the UDOT concept;
- Much opposition was voiced as it included the gondola;
- A caveat was that phase 1 (increase bussing + tolling) and phase 2 (snowsheds) should be completed before starting on phase 3 (gondola.);
- Three citizens have declared their candidacy for this November's town council election: Elise Morgan, Sheridan Davis and Dan Schilling;
- A scaled down community center is back in the mix; cost ~\$4M;
- Next meeting will be Wednesday, July 12, 2023, 3pm;
- Today is northern hemisphere summer solstice.

## **7. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION 2023-R-8 FOR FY 2023 BUDGETS**

01:32:30

Jen Clancy reviewed the sales tax rates charts that were presented in the consent agenda for consideration with the FY 2024 Tentative Budget. She then realized she was briefing the council on Ordinance 2023-O-4 and had jumped ahead on the agenda.

John Byrne commented he liked the resolution and approach in which we transfer any amounts in the General Fund in excess of 100% to the Capital Projects Fund. Jen said she would come back to the council once she knew the minimum transfer amount. Craig Heimark chimed in to clarify that the direction being given to the Town Clerk was to keep as large of a cash balance as allowed, and per the resolution Jen would be authorized to automatically transfer any funds in the General Fund in excess of 100% and simply report that number back to the council (as opposed to asking for permission). John added he liked knowing we are reserving as much as the State will allow.

**MOTION:** Mayor Bourke motioned to adopt Resolution 2023-R-8.

**ROLL CALL VOTE BY JEN CLANCY:** Mayor Bourke - I, Councilmember Byrne – I, Councilmember Davis - I, and Councilmember Morgan - I.  
Against: no votes. The motion passed unanimous.

**8. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE 2023-O-5 FOR THE IMPOSITION OF A 1% MUNICIPAL TRANSIENT ROOM TAX**

01:43:40

Jen Clancy pulled up the sales tax rate charts from the consent agenda and pointed to how the 1% Municipal Transient Room Tax (TM) would be applied on that rate chart and how our rates compared to a few other communities. Sheridan Davis commented that she found the schematic of where different comparable communities received tax revenue was helpful especially as we consider what services we provide. She added its helpful to see what services others are providing and where their taxable revenue is coming from and how we compare.

John Byrne said he was going to advocate against imposing this tax because he doesn't feel that we have demonstrated a need for this money. The stated need is to help grow the Capital Project Fund faster and that's a great long-term goal and we are saving as much as we can in the General Fund. He projects we will transfer at least the \$581k if not 8 or 9K, so he feels were are reserving north of a million dollars a year and haven't demonstrated the ability to deploy that cash. He added we haven't demonstrated the ability to execute a million dollars' worth of projects a year. He said we could definitely revisit the tax in the future and that we really need to start projecting future capital fund balances to guide in making these decisions and to demonstrate need. John said he felt the same arguments apply to the .1% tax but that it was such a small amount and more of a housekeeping matter that he wouldn't advocate against it if the rest of the council supported it.

Elise Morgan said she was not in favor of the 1% TM tax either because she doesn't feel we need it right now. She added we don't know when we might fall on harder times, and she thinks keeping this in reserve for a later time is better. She also wanted to listen to and honor the feedback from the lodging community who is not in favor of the tax and a big part of the Town's revenue. Elise said she was ok with adopting the .1% tax and would like to keep up with property tax.

Mayor Bourke commented that if we save this in reserve, when the town identifies a need it might coincide with bad time for our business community.

Craig Heimark commented that because the administrative department is a person down, he's concerned we won't be able to demonstrate project execution.

Sheridan Davis said she concurred with what John and Elise were saying.

**MOTION:** Mayor Bourke motioned to call the question on whether to adopt Ordinance 2023-O-5 to impose a 1% Municipal Transient Room Tax.

**ROLL CALL VOTE BY JEN CLANCY:** Mayor Bourke - Against, Councilmember Byrne – Against, Councilmember Morgan – Against, Councilmember Davis – Against.  
In support of the ordinance: no votes. Ordinance 2023-O-5 fails unanimously.

9. **DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE 2023-O-4 FOR THE IMPOSITION OF AN ADDITIONAL .1% RESORT COMMUNITY SALES TAX**

02:07:00

John Byrne said he felt after the conversation that we could go either on this tax, but in the spirit of balance and going ahead with this small one and truth in taxation seems reasonable.

**MOTION:** John Byrne motioned to adopt Ordinance 2023-O-4 to impose a .1% Resort Tax. Elise Morgan seconded the motion.

**ROLL CALL VOTE BY JEN CLANCY:** Mayor Bourke - I, Councilmember Byrne – I, Councilmember Davis – I, Councilmember Morgan – I.  
Against: no votes. Ordinance 2023-O-4 passes unanimously.

10. **UTAH LOCAL GOVERNMENTS TRUST RENEWAL: JOSH MCKELL**

02:08:00

Josh was welcomed to the meeting by Mayor Bourke. Josh said he was invited to review the town's upcoming insurance renewal with the Trust on July first. Josh introduced Utah Local Governments Trust (the Trust) as a public agency insurance mutual and they are funded by their members and only insure member entities. Their bylaws only allow them to provide coverage for other local government entities. He reflected that we are in probably the toughest insurance market that we have seen in this generation, but that the Trust is a protected. Josh said the areas of focus this year are: designated safety officer, team appreciation program, budget protection plan, and cyber security. Josh reported that the Town's liability premium would stay the same, our property coverage would go up slightly and auto coverage would go down slightly resulting in a \$124 net change in policy premiums. He added that we participate in the team appreciation program and would receive 5% of our liability premium this year (\$1,262). He went on to review the coverage summary.

Mayor Bourke asked if we were under, over, or insured just right. Josh explained that based on the coverage tiers he felt we are in the right place. Josh identified land use decisions and vehicle incidents to be the Town's likely biggest risks.

**11. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2023-R-10 FOR ALTA SPECIAL SERVICE DISTRICT BUDGET AND CERTIFIED TAX RATE TENTATIVE BUDGETS**

02:21:50

Jen Clancy reminded the council that even though the budget and tax rate are proposed at zero this action keeps service district on the books should it be needed in the future.

**MOTION:** Mayor Bourke motioned to adopt Resolution 2023-R-10, and John Byrne seconded.

**ROLL CALL VOTE BY JEN CLANCY:** Mayor Bourke - I, Councilmember Byrne – I, Councilmember Davis – I, Councilmember Morgan – I.

Against: no votes. Resolution 2023-R-10 was adopted unanimously.

**12. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2023-R-11 ADOPTING A 2024 PROJECTS PLAN**

02:24:10

Jen Clancy pulled up the details of the projects plan and said that her understanding of what was proposed in the work session was to move the \$25k for the Tom Moore Historic Structure and \$75k for the Community Center Feasibility Study from the approval phase to the projects not ready to propose yet category/phase. Additionally, add a project to be approved today for \$10k for a feasibility study for the Tom Moore toilet.

**MOTION:** John Byrne motioned to adopt Resolution 2023-R-11 with modifications as discussed, and Sheridan Davis seconded.

John Byrne commented on the language in the Resolution regarding when the plan gets reviewed, he suggested linking revisiting this plan to anytime we amend the current year budget. He said it just makes sense to revisit the Cap-Ex plan when we are amending the budget. Mayor Bourke pointed out he thought the language did what John was asking already and John concurred.

**ROLL CALL VOTE BY JEN CLANCY:** Mayor Bourke - I, Councilmember Byrne – I, Councilmember Davis – I, Councilmember Morgan – I.

Against: no votes. Resolution 2023-R-11 was adopted unanimously.

**13. DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2023-R-12 ESTABLISHING WATER RATES EFFECTIVE JULY 1, 2023**

02:24:15

Mayor Bourke stated that water rates were going up. Jen Clancy said the rate would increase from \$84.23 to \$94.37 which is a 12% and that the overage rate would increase by 20%.

**MOTION:** John Byrne motioned to adopt Resolution 2023-R-12, and Elise Morgan seconded.



**ROLL CALL VOTE BY JEN CLANCY:** Mayor Bourke - I, Councilmember Byrne – I, Councilmember Davis – I, Councilmember Morgan – I.  
Against: no votes. Resolution 2023-R-12 was adopted unanimously.

14. **DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2023-R-13 ESTABLISHING SEWER RATES EFFECTIVE JULY 1, 2023**

02:35:00

Jen Clancy reported there was a 28% rate increase this year mainly due to disposal costs.

**MOTION:** John Byrne motioned to adopt Resolution 2023-R-13, and Sheridan Davis seconded.

**ROLL CALL VOTE BY JEN CLANCY:** Mayor Bourke - I, Councilmember Byrne – I, Councilmember Davis – I, Councilmember Morgan – I.  
Against: no votes. Resolution 2023-R-13 was adopted unanimously.

15. **DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2023-R-14 REPEALING AND REPLACING THE FEE SCHEDULE**

02:36:40

Jen Clancy stated this action was to memorialize the changes to the water and sewer rates in the fee schedule.

**MOTION:** Mayor Bourke motioned to adopt Resolution 2023-R-14, and Elise Morgan seconded.

**ROLL CALL VOTE BY JEN CLANCY:** Mayor Bourke - I, Councilmember Byrne – I, Councilmember Davis – I, Councilmember Morgan – I.  
Against: no votes. Resolution 2023-R-14 was adopted unanimously.

16. **DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2023-R-9 FOR FY 2024 TENTATIVE BUDGETS AND THE PROPOSED CERTIFIED TAX RATE**

02:37:50

Jen Clancy stated the proposed property tax rate in the budget as presented is .001043. She added the average residential home value in Alta is just short of 1.9M. Mayor Bourke said at this time we don't know what changes the other entities that impose taxes in Alta are proposing, of which the largest are the schools. Jen mentioned the truth in taxation public hearing will be held on August 9, 2023 at 6pm, and that other entities that could impose a tax in Alta would have to have a public hearing time separate from ours to allow the affected public to attend both hearings. Mayor Bourke said one of the reasons for the increase is that property tax revenue is more forecastable than sales tax. John Byrne added that by fixing the rate the rise in assessed value works in our favor. Elise Morgan also mentioned we haven't gone through truth in taxation in a number of years and so in her mind we are trying to keep up with inflation. John added that by going through truth in taxation we do get the benefits of increases in assessed values in town.

Jen Clancy provided an overview of the changes to the FY24 Tentative Budget discussed in the meeting as the following 4 changes:

General Fund Budget changes

- Sales tax revenue would go from \$2,012,480 to \$1,868,000 since the TM tax was not approved
- The contribution to the Capital Project Fund would go from \$444,484 to \$300,004 since the Town is projected to take in less revenue

Capital Project Fund Budget

- The Library – Community Center would go from \$100,000 to \$10,000 since the approval for 2 projects was postponed and \$10,000 for the Tom Moore feasibility study was approved
- As a result of the change above the Contribution to Fund Balance changed from \$259,484 to \$205,004.

**MOTION:** John Byrne motioned to adopt Resolution 2023-R-9 subject to amendments above, and Sheridan Davis seconded.

**ROLL CALL VOTE BY JEN CLANCY:** Mayor Bourke - I, Councilmember Byrne – I, Councilmember Davis – I, Councilmember Morgan – I.  
Against: no votes. Resolution 2023-R-9 was adopted unanimously.

**17. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION 2023-R-15 ESTABLISHING AN ETHICAL PLEDGE AND CONFLICT OF INTEREST POLICY FOR EMPLOYEES AND ELECTED OFFICIALS**

02:53:40

John Byrne stated he had gone through the resolution and it was written as the council had directed, which was to follow state law.

**MOTION:** John Byrne motioned to adopt Resolution 2023-R-15, and Sheridan Davis seconded.

**VOTE:** All in favor. Resolution 2023-R-5 establishing an ethical pledge and conflict of interest policy for employees and elected officials was unanimously adopted.

**18. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION 2023-R-16 A RESOLUTION APPROVING AN ILA RELATING TO THE CONDUCT OF CDBG AND HUD PROGRAMS**

02:55:50

Chris Cawley explained that the CDBG program provides funds for housing that are passed through Salt Lake County. A few years ago the County changed how those funds would be distributed. Chris explained the ILA before the council allows the Town to participate in the program and apply for funds.

He reported we have been in this arrangement for the past several years and this maintains our ability to participate in the program.

**MOTION:** Mayor Bourke motioned to adopt Resolution 2023-R-16, and John Byrne seconded.

**VOTE:** All in favor. Resolution 2023-R-16 approving an ILA relating to the conduct of CDBG and HUD programs was unanimously adopted.

19. **NEW BUSINESS**

02:59:00

Mike Morey asked for the community's help in being vigilant about suspicious activity. He said another vehicle had been stolen from Alta main street. He advised folks to not leave temptations in plain sight in their vehicles.

Mike also added that on a positive note, Hailey Griffin had graduated from UFA's Fire Academy.

Sheridan Davis said she had asked to present on actionable items related to affordable housing in Alta and requested that be on the August agenda instead of the July agenda.

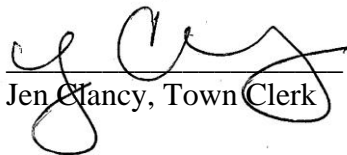
20. **MOTION TO ADJOURN**

03:03:50

**MOTION:** Elise Morgan motioned to adjourn, and Sheridan Davis seconded.

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

Passed this 12<sup>th</sup> day of July, 2023

  
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Jen Clancy, Town Clerk