

**ALTA TOWN COUNCIL MEETING MINUTES**  
**FEBRUARY 9, 2006**  
**10:00 AM**  
**ALTA COMMUNITY CENTER**  
**ALTA, UTAH**

The Mayor called the meeting to order. Present at the meeting were Mayor Tom Pollard and Council members Bill Levitt and Steve Gilman. Bill Lennon and Paul Moxley were excused.

The approval of the January meeting minutes will be addressed in the March meeting.

#### MAYOR'S REPORT

Mayor Pollard reported on the January 19<sup>th</sup> meeting regarding the over snow vehicle situation in Albion Basin and the Grizzly Gulch area. He felt it was productive and opened up some alternatives to the Forest Service proposal on this issue. The comment period is over and now it is in the hands of the Forest Service, which could take up to ten months. The Mayor submitted a letter on behalf of the Town of Alta.

The Mayor attended the monthly Conference of Mayors meeting where the majority of the discussion centered on a proposed property tax increase in Salt Lake County to fund corridor transportation (light rail within the County and the UTA bus system that feeds the rail system). The average cost of the proposal to a person owning a \$150,000 home would be \$98 a year in increased property tax. The financial impact on the home and businesses owners inside the Town would be tremendous so we will be watching this situation carefully.

The Mayor, John and Mike Morey attended a critique of the Hellgate fire. Representatives from all the responding agencies were present and reported on the response and outcome of the fire. Overall they felt, given the circumstances of the situation, the outcome of the fire was as good as could be expected. They were combating bad weather and strong winds which, along with other difficult factors, inhibited them from fighting the fire in an aggressive way like they usually would. With the wind chill factored the temperature dropped to 45 degrees below zero. The location of the building on a hill was also a factor. UFA has determined the origin of the fire but has yet to have a definite cause of the fire.

Bill Levitt reported on the Little Cottonwood Road Committee which he attended for the Mayor. Bill reported that to date we have had 16 storms as opposed to 12 storms this time last year. They also reviewed some issues related to straight line travel which we be reviewed in the coming weeks. They discussed possible scenarios with wildfires in the summer. There was a request for more avalanche probes and other public safety equipment that could be purchased with homeland security money. We will be investigating this possibility.

Speaking of Homeland Security monies, the Mayor reported that funding is starting to diminish and will be distributed based on risk and areas of exposure.

The Mayor was pleased to announce that Bill Levitt was honored by the Utah State Legislature for his many years of service. Representative Karen Morgan presented Bill with his citation in front of the entire legislature. It was quite an honor.

Mayor Pollard reported on a bid that the Town has received for the 1986 Grumman Fire Truck from a small community fire department in Montana. They have offered \$25,000 for the truck. It was

suggested by Bill Levitt that we give the bid process another week to see if anyone can beat that bid. The Mayor and Council agreed to give it one more week and would then sell the fire truck for \$25,000 to this community in Montana.

The Mayor announced that the Salt Lake County Library System will start a new service to Alta residents who wish to reserve books over the internet. The books will be mailed free of charge to the individual and the customer would have to return the book to a county library location. They will extend the lending period to three weeks. Also beginning on February 13<sup>th</sup>, the new library hours will be Monday, Wednesday and Thursday from 6pm to 9pm. Once a month it will be closed on Thursday night due to a conflict with the Justice Court.

The first meeting of the finance committee will be held on March 1<sup>st</sup> at 10:00 am at the Alta Town Office.

The Mayor announced that we have been notified of our CDBG allocation which will be \$15,000 which is down from last year. We will be holding a public hearing on the distribution of those funds at our April 13<sup>th</sup> Town Council meeting. People are welcome to submit in writing to the Town Office their requests for the use of these funds.

#### TREASURER'S REPORT

Marc Dipppo was excused from this meeting and Kate Black gave the monthly report.

**Hearing no comments or questions, there was a motion by Bill Levitt to approve the report as read. There was a second by Steve Gilman and the motion was carried.**

#### DEPARTMENTAL REPORTS

##### **Marshal's Report**

Jerry Larson gave the Marshal's Report for the prior month. It is attached for the record.

Steve Gilman is very pleased with the new "north side plowing" signs that the Marshal's Department is using. The emails that are being sent out by Alta Central are also very effective.

##### **Town Administrator's Report**

John Guldner reported on the three ongoing lawsuits: the View vs MSI/Town of Alta, Tolton GRAMA case and the Haik lawsuit. He also commented on the Tolton trespassing case that has been appealed to District Court.

John reported that there have been no requests to date for building permits but there are a few on deck. He mentioned that the State of Utah will be imposing on everyone in the building industry the 2006 Uniform Building Code or International Building Code and all of its ancillary publications. He gave an update on the process of bidding out building inspection and plan check services for the Alta Building Department. We would like to have this company in place before the new building season starts this spring.

John reported that the Hellgate would like to re open and have secured the OK from the Fire Department. They need approval from the Town's Building Department. As to the rebuild of the west

building, John has communicated with Hellgate's engineer and insurance adjusters to let them know they will be required to bring the building up to current codes. They will also have to address an avalanche review among other matters. When the original Hellgate was built, it were not in the Town of Alta.

John brought up the issue of improving interlodge notification when it comes to allowing certain individuals, in the course of their duties, to be outside when the general public must remain inside. Public safety individuals such as the Marshal's Office and Ski Patrol must be outside. But should people who are plowing driveways and roads other than the main highway be allowed to do their work while interlodge is still in place? We do have a letter from the Ski Lift Company that states that their employees are operating under their discretion and direction and will hold the Town of Alta harmless. We are looking into writing an ordinance to further clarify this situation.

John also reported we will review whether the Town should establish an ordinance to address the necessity of keeping all exits in all types of buildings clear from snow for public safety reasons. We currently acknowledge this as a requirement in building permit process but we feel we need to strengthen the requirement by making this part of an ordinance.

### **Legislative Update – Paul Thompson**

Paul Thompson reviewed SB170 and its impact on all municipalities. If passed this bill would remove about 90 percent of local government's ability to regulate land use. The League has asked all cities and town to pass a resolution in opposition to this piece of legislation which the Town Council will address today. Senator Mansell is reportedly going to withdraw this bill but it is still on the radar screen. The House has introduced a substitute for this bill call HB267 which Paul agrees most cities and towns would support.

Another bill is progressing through the legislature and it would increase the noneconomic injury cap in our liability insurance from \$553,000 to a one million. This could double our liability premiums. The League position is that there are mechanisms in place for the State of Utah to handle extraordinary circumstances like the van tragedy at Utah State University. We are opposing this bill and ask that all members of the Council email our Senator and Representative on this issue.

The legislation that removes the sales tax on food has passed the House and is stuck in the Senate. While the Town does not have any groceries stores and would therefore not be affected by this legislation, Park City, for example, would stand to lose over \$200,000 in resort communities sales tax if it passed. There was another bill raising the local option sales tax to 1.1 percent on nonfood items to make up for those municipalities for whom sales tax on food is a major part of their budget.

He reported on the progress of the Holdharmless Bill. If it doesn't pass, it will not hurt us and if it does pass, we keep our level of sales tax collections for seven years.

On the matter of energy tax windfalls that municipalities are getting with the increase natural gas, House Bill 309 addresses a compromise that the League drafted. It states that instead of changing the way energy taxes are calculated and changing it to decatherms instead of gross receipts, cities will be capped at a ten percent increase next year on energy tax revenues.

Paul went over the numerous GRAMA bills.

Gilman asked if the issue of taxing services was moving ahead in the legislature. So far Paul has not seen anything on the radar screen to this effect.

## ARA Report

Nick Como reported on the two part April promotion called "April in Alta". The first part is web banners on "*overthesnow.com*" in an email blast which we have already started to get responses from. The second part of this promotion is a 20,000 post card mailing through American Express that targets consumers that have spent money in the ski industry in the past year. The cards will be dropped in the mail right after President's week for a promotion in the first two weeks of April.

We are in the process of redoing the Town of Alta web site.

The sign study from Consortium West is complete and the final report is available. Nick briefly went over the results of that study.

Nick introduced our new intern, Mike Heath, from the University of Utah. He will be working 30 to 40 hours a week.

Tom announced that this is Nick's last day of work with the Town of Alta. He is taking a great job in Salt Lake City and he wished him all the best. He also thanked him for his efforts and energy. A job posting for that position will go up within the next few days. Anyone interested should submit a resume to Kate Black in the Town Office.

The Mayor also announced that we will be erecting official street signs throughout the Town in an effort to aid public safety personnel in locating businesses and residences in our community. In conjunction with this street sign project, he encouraged everyone to install their house numbers on their home as soon as possible. A letter with those official numbers has been sent to everyone in town.

DISCUSSION WITH POSSIBLE APPROVAL OF RESOLUTION 2006-R-1 – A need for the Salt Lake County Housing Authority to exercise its powers within the boundaries of the Town of Alta.

The Mayor turned the meeting over to Kerry Bates, Executive Director of the Salt Lake County Housing Authority who introduced Dennis Kelsey who also works for the Housing Authority.

Mr. Bates explained that the Salt Lake County Housing Authority is appointed by the County Mayor and County Council but is actually a municipal corporation. They are not a department of the County. He also explained that a few years back the State Legislature changed the ordinance for County Housing Authorities requiring them to establish interlocal agreement with each community inside the County that they serve. They currently have interlocal agreements in place with all the cities and towns in Salt Lake County except for Alta and Cottonwood Heights.

They asked the Town Council to approve the resolution to allow the County Housing Authority to provide services inside the Town of Alta. He mentioned that as a practical matter, this is more of an intellectual rather than a real exercise because he doubts there is affordable housing in Alta that would meet the payment standards that the County Housing Authority provides.

Mr. Bates explained that they provide two services: rental assistance for eligible low-income families and they provide rental properties that they own and rent at below-market rates.

They do not have the ability to preempt local planning and zoning ordinances. If they were interested in doing construction in our community they would have to go through the process like any other developer.

They asked the Town Council to join with other communities in Salt Lake County in allowing them to consider Alta as part of the jurisdiction that they serve.

There are no operational costs that Alta would incur associated with passing this resolution.

**Hearing no further discussion, there was a motion by Bill Levitt to approve Resolution 2006-R-1 as written and presented. There was a second by Steve Gilman and the motion was passed.**

DISCUSSION WITH POSSIBLE APPROVAL OF RESOLUTION 2006-R-1 – A resolution expressing strong opposition to Senate Bill 170

The Mayor explained that this was the land use bill that Paul spoke to in his legislative update today. He recommended that the Council approve this resolution.

**There was a motion by Tom Pollard to adopt Resolution 2006-R-2: A resolution of the Town Council expressing strong opposition to Senate Bill 170, the land use amendments and requesting that our senators and representative vote against the bill. There was a second by Steve Gilman and the motion carried.**

#### INFORMATIONAL ITEMS

1. Mayor Pollard explained that we are currently reviewing the compensation we pay Judge Balmforth, the Town's Justice Court Judge. We currently pay him \$1200 a year and recommended that we raise that to \$2,400 a year. Tom expressed his appreciation for Judge Balmforth's hard work and commitment to our community as did the Marshal. He does a great job.

**There was a motion by Bill Levitt to approve raising the compensation of Judge Balmforth from \$1,200 a year to \$2,400 a year. There was a second by Steve Gilman and the motion was carried.**

2. The Mayor asked Mark Kaila from Salt Lake City Watershed enforcement to speak to the fuel spill at the mouth of the canyon last week. Mark went over the details of the incident involving the tractor trailer that lost its brakes. Its fuel tank was ruptured on a rock and the result was a diesel spill near the creek on the south side of the road. He went over the details of the clean up for the Town Council. Bill Levitt suggested that Mr. Kaila attend the Road Committee meeting in March to set up a protocol if a situation like this happens again the canyon.

PUBLIC HEARING – To consider changing the compensation paid to the newly elected Mayor and newly elected and incumbent Town Council members.

The Mayor explained that the proposal before the Town Council is to compensate the Mayor at a rate of \$1,000 per month and the Town Council members at a rate of \$100 per month. These items have been in the budget for a period of time. Before the Council can address any issues or decisions relating to compensation for the Mayor and Town council, a public hearing must be held.

Mayor Pollard asked for a show of hands those wishing to speak to this issue.

Mark Haik was the only person who spoke to the issue. He stated that given the history of the elected officials in the Town, that this would not be the time to institute salaries for either the Mayor or Council members. The Mayor and Council have been serving in their present capacities for a long time for no salary and he thought that should continue.

He asked how long the salaries have been recognized in the budget and what happens to the funds that do not get spent on salaries.

He also commented that in light of the current investigations as to the fitness of office of several of the Council members by the Attorney General and Salt Lake County, he thinks the Town Council should wait to vote for their salaries.

Kate Black spoke to Mr. Haik's questions. In the 04-05 budget a salary for the Mayor was budgeted but the Mayor Levitt choose not to receive that salary. In 05-06, the budget reflected a salary for the Mayor of \$6,000. If the funds do not get expended, they get carried over as a part of the unreserved fund balance. As to the Council, the current compensation for all Council members including the Mayor is \$75 per meeting. If you do not attend the Council meeting, you do not receive your \$75.

The proposal is to increase the monthly compensation for the Council members from \$75 to \$100. They would get paid regardless of whether you attend the monthly meeting or not. It would be a \$100 per month regardless of how many meetings they attend and the \$100 would be taxes. Currently the Town sends each member of the Town Council a 1099 at the end of the year.

The Mayor announced that written or electronic comments will be accepted on this issue until February 23<sup>rd</sup>. Comments should be mailed to the Town of Alta or emailed to the Town Clerk.

Hearing no further comments on this matter, Mayor Pollard adjourned the public hearing.