

COUNCIL AGENDA REPORT

DATE: October 6, 1995
DEPARTMENT: Legal
AUTHOR: Anita Sheldon
TITLE: City Recorder
TYPE OF ITEM: Canvass of October 3 Primary Election

SUMMARY RECOMMENDATIONS: Meet as the Board of Canvassers and canvass the election results of the October 3 Municipal Primary Election

DESCRIPTION:

A. Topic: Canvass of election results of the October 3 Municipal Primary Election

B. Background: Within seven days of an election, the Utah Code requires the board of canvassers (the Mayor and the municipal legislative body) to meet and canvass the results of the election. The City Recorder is to prepare a certification of the canvass for the board to sign, which lists the candidates who received the highest number of votes, the number of votes received in each district and a total of all votes received. The City Recorder will transmit the vote totals to the lieutenant governor and to Carr Printing to print the November ballots.

C. Analysis: The election results are not considered "official" until they are canvassed. Due to the fact that it was UEA week, at the request of several council members, no council meeting was scheduled for Thursday, October 4th, which would have been the regular canvass. This special meeting is being called because the election must be canvassed within seven days of the election and couldn't wait for the regularly scheduled meeting on October 11th.

D. Department Review: Legal Department

ALTERNATIVES:

A. Approve the request: Recommended action.

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B. Deny the request: The board of canvassers cannot reject election returns unless it determines that matters are omitted or that clerical mistakes exist. Even then, they can only transmit the returns back to the judges for correction and canvass when the corrections are completed. There don't appear to be any clerical errors and all necessary matters were completed.

C. Continue the Item: Not applicable.

D. Do nothing: Not applicable.

SIGNIFICANT IMPACTS:

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: See Item B above.

RECOMMENDATION: Canvass and certify the results of the October 3 Primary Election.

The results of the October 3rd Primary Election for Park City are as follows:

CANDIDATE	CON. 1	CON. 2	CON. 3	TOTALS BY CANDIDATE	PERCENT OF TOTAL VOTES
HOLLY CARLIN	55	66	32	153	5%
HUGH DANIELS	97	149	131	377	14%
TODD GABLER	102	66	29	197	7%
RUTH GEZELIUS	109	113	72	294	11%
LOUIS HUDSON	65	96	60	221	8%
CHUCK KLINGENSTEIN	169	227	156	552	21%
PAUL SINCOCK	68	109	115	292	11%
MARTY STATTIN	59	147	93	299	11%
CLAY STUARD	35	115	70	220	8%
TOTALS BY DISTRICT	759	1088	758	2605	96%

The percentage doesn't add to 100% because not all voters voted for three candidates.

The percentage of voter turnout is as follows:

CON. 1 - 17.8%		CON. 2 - 25.1%		CON. 3 - 27.2%		% TOTAL TURN-OUT
TOTAL REG. VOTERS	NUMBER VOTING 10/3	TOTAL REG. VOTERS	NUMBER VOTING 10/3	TOTAL REG VOTERS	NUMBER VOTING 10/3	
1586	282	1624	409	1049	285	22.9%



COUNCIL AGENDA REPORT

DATE: October 4, 1995
DEPARTMENT: Leisure Services
AUTHOR: Bob Johnston
TITLE: Racquet Club lobby expansion, City Park scorers' booth

SUMMARY RECOMMENDATION: Authorize staff to enter into a contract with Edman Construction, for the amount of \$66,000.00 for the expansion of the existing lobby space at the Park City Racquet Club and \$28,874.00 for the construction of a scorers' booth behind home plate at the City Park softball field.

DESCRIPTION:

A. Background: Both of these projects have been on the drawing board since 1992. They have not been constructed due to lack of funding. The funding is now available.

B. Project Descriptions: The Racquet Club lobby expansion will serve two primary purposes. The first, is to provide much needed lobby space that will be used for everything from program registration to meeting space. Currently, no space of this nature exists at the facility. Second, the space is the most under used at the facility. It is located under the Sneakers Club deck. It is dark, cool and damp and ends up being used as a storage space for surplus equipment etc. This would be a positive addition.

The City Park scorers' box is a small structure that will be located directly behind home plate at the City Park softball field. When complete, it will provide shelter for league officials, storage space and an area for tournament pairings to be displayed. When completed, this project will finish the softball facility.

C. Analysis: These projects were bid together in hopes of saving money. Bids were solicited and advertised in compliance with City policy and opened on October 3, 1995. Only one bid was received. We are comfortable with the price and the contractor (same contractor as tennis bubble). We would like to award the bid as soon as possible to try for construction this fall. This project lends itself well to winter work.

D. Department Review: Projects have been reviewed by Building and Planning Departments.

ALTERNATIVES:

A. Approve the request. (recommended action)

B. Deny the request. Projects would not be constructed and situation would remain the same.

C. Continue action. May push projects into high season winter or summer. Now, if not spring would be optimal time of construction due to facility traffic.

SIGNIFICANT IMPACTS

There are no significant impacts related to approval of staff recommendation.

RECOMMENDATION

Authorize staff to enter into a contract with Edman Construction for the expansion of existing lobby space at the Park City Racquet Club and City Park softball field scorers' booth.

Rodney E. Coles, A.I.A.
ARCHITECT

5718 SCOTTISH DRIVE
SANDY, UTAH 84068
(801) 542-5101

October 04, 1995

Bob Johnston
Leisure Services Director
P.O.Box 1480
1200 Little Kate Road
Park City, Utah 84060

Re: Softball Scoring Box and Lounge Addition to the Park City Racquet Club
Construction Bid

Bob:

Even though we received only one bid, I feel it is a fair representation of the cost for the construction even though it was higher than my initial estimates of construction of \$25,000. and \$55,000. respectfully.

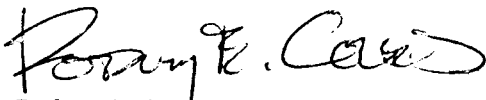
After I had no interest in the Bid Documents after the first week of the advertisement, I contacted several small contractors that Ron Ivie suggested but all had commitments through December and were unable to bid on these projects. This is typical of construction in the Park City area, busy Fall and Spring.

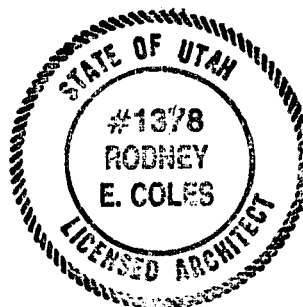
We could re-bid the projects in February and get better participation in the Bid, however there would be no guarantee that the bids would be lower.

I recommend that we award the Contract allowing construction to begin this Fall. This will provide use of the Lounge this Winter and use of the Scoring Box when the Softball season begins. Otherwise the Softball field will be disrupted for construction next spring and the Lounge construction could adversely affect the Swimming operations in the spring.

If you have further concerns or if I can be of further assistance, please contact me.

Respectfully,


Rodney E. Coles, A.I.A.
Architect



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 28, 1995**

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, September 28, 1995. Members in attendance were Brad Olch, Ruth Gezelius, Roger Harlan, Lou Hudson, Shauna Kerr, and Leslie Miller. Staff present were Toby Ross, City Manager; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda. Hearing none, the public input session was closed.

III MINUTES OF MEETINGS OF SEPTEMBER 21, 1995

Ruth Gezelius, "I move approval of the Minutes of the meeting of September 21, 1995, as presented". Lou Hudson seconded. Motion carried unanimously.

IV CONSENT AGENDA

An Ordinance accepting the public improvements at Town Lift Subdivision - Ruth Gezelius, "I move approval of the Consent Agenda". Lou Hudson seconded. Motion carried unanimously. See attached staff report.

V COMMUNICATIONS FROM COUNCIL AND STAFF

The City Manager reported that the Interagency meeting will be held on October 11, 1995 at the Library at 9 a.m. and specifically invited Roger Harlan. The new County library will be discussed.

VI ADJOURNMENT

With no further business, the regular meeting of the City Council adjourned and a Redevelopment Agency meeting convened.

* * * * *

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 4:30 p.m. on Thursday, August 31, 1995. Members in attendance were Mayor Brad Olch, Ruth Gezelius, Roger Harlan, Lou Hudson, Shauna Kerr, and Leslie Miller. Staff in attendance were Toby Ross, City Manager; Jodi Hoffman, City Attorney; Mark Harrington, Assistant City Attorney and Mark Gaylord, Esq. Shauna Kerr, "I move that we close to discuss litigation". Ruth Gezelius seconded. Motion carried unanimously

The meeting opened at approximately 5:30 p.m.

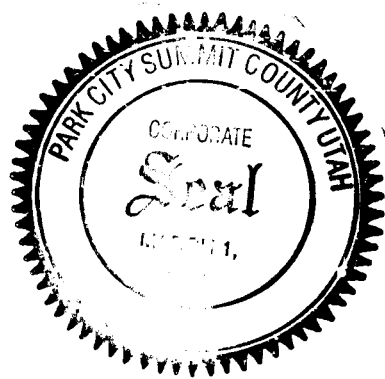
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The meeting for which these minutes were prepared was noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott



Deputy City Recorder





MEETING RECOMMENDATIONS

COUNCIL AGENDA REPORT

DATE: September 28, 1995
DEPARTMENT: Community Development
AUTHOR: Eric W. DeHaan, P. E., City Engineer
TITLE: Acceptance of Town Lift Subdivision Public Improvements
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS: Accept the public improvements at the Town Lift Subdivision, including a portion of Main Street, 7th Street, and 9th Street, subject to a one-year guarantee period.

DESCRIPTION:

A. Topic: Park City's Municipal Code requires that, upon completion of public improvements installed in accordance with our subdivision ordinance, the City formally accept those public improvements. This triggers a one-year guarantee period and coordination of maintenance of the public improvements by City personnel where appropriate.

B. Background: The Town Lift Subdivision final plat was approved by the Planning Commission on September 9, 1992, and by the City Council on October 1, 1992. Recordation of the plat set the stage for construction of what is now the Sweeney Town Lift Hotel (on the west side of Main Street) and the Summit Watch project (on the east side of Main Street). The public improvements in question are shown on Exhibit A, the overall utilities plan created by Alliance Engineering.

C. Analysis: The public improvements were duly installed by McIntosh Mill, Ltd., the developer, and its various subcontractors during 1993, 1994, and 1995. Construction was complicated by ongoing adjacent building construction. Please note that the extension of Main Street to the Belt Route is not included in the scope of the 1992 subdivision approval; that extension is triggered by the Lobby Building construction, for which building permits have not yet been issued pending completion of a prerequisite maintenance agreement. Please see Exhibit B.

Completion of the bike path along the stream is also a function of Summit Watch building completion, not this subdivision.

Completion of sidewalks along the north side of 7th Street and the west side of Main Street is a condition on the Sweeney Town Lift Hotel, not the Town Lift Subdivision. Those areas are currently fenced off with chain link.

Park City cannot guarantee public sidewalk maintenance because the sidewalk along Main Street on the east property line of Kimball Arts Center is only four feet wide in one small area, too narrow for our equipment. Kimball Arts Center is generously allowing the public to walk over a sliver of their parking lot at this time.

Unfortunately due to severe site restrictions at the Lobby Building, Mountain Fuel Supply Company will this week excavate a small (6' square) area in the middle of Main Street in order to serve the future Lobby Building with gas. That gas line was to have gone up 7th Street east of Main Street but that portion of 7th Street was eliminated as a City street and is being turned into a pedestrian plaza of limited size, so Mountain Fuel must serve the Lobby Building through A-4. This revision occurred as part of the Council-approved MPD for Summit Watch.

D. Department Review: Public Works, Planning, Engineering, Building and Police have all been heavily involved in the Town Lift/Summit Watch construction.

ALTERNATIVES:

- A. Approve the attached ordinance.
- B. Remand the ordinance back to staff with direction for more information, if any is needed.

SIGNIFICANT IMPACTS:

None. We already plow snow and run the Trolley on this section of Main Street.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

There would be confusion as to maintenance responsibilities.

RECOMMENDATION: Staff recommends that the Council accept the public improvements at the Town Lift Subdivision, including a portion of Main Street, 7th Street, and 9th Street.

EXHIBIT B



Marriott Ownership Resorts, Inc.
Summit Watch @ Park City

P.O. Box 681527
Park City, UT 84068-1527
801/647-5971
801/647-5994 Fax

August 25, 1995

PARK CITY MUNICIPAL CORP.
ATTN.: MS. NORA SELTENRICH
445 MARSAC AVE.
PARK CITY, UT 84060

RE: SUMMIT WATCH @ PARK CITY/LOBBY PERMIT AND MAIN STREET COMPLETION

Dear Ms. Seltenrich:

Per your conversation today with Vincent M. Grasser at your office, this is my understanding of what needs to happen for the Lobby Building Certificate of Occupancy:

The Certificate of Occupancy for the Lobby Building will not be granted without the completion of Main Street extension and the bridge to Deer Valley Drive.

To confirm that this is your understanding, please sign below and return.

Nora Seltenrich 9/16/95
Nora Seltenrich DATE

Sincerely,

MARRIOTT OWNERSHIP RESORTS, INC.

A handwritten signature in dark ink, appearing to read 'Mark A. Froelich'.

Mark A. Froelich
Resort Construction Manager

MAF/dk

cc: Distribution (see attached)

AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT TOWN LIFT SUBDIVISION

WHEREAS, Town Lift Subdivision was approved by the Park City Council on October 1, 1992; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including the public streets known as Main Street, 7th Street, and 9th Street;

WHEREAS, Park City has adopted Ordinance 87-13 on October 22, 1987, which provides for the City Council to accept (by Ordinance) [ref. LMC Sec. 15.3.1(g)] those public improvements which are dedicated and built in accordance with Ordinance 87-13; and

WHEREAS, the public improvements within Town Lift Subdivision were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer; and

NOW THEREFORE BE IT ORDAINED by Park City as follows:

SECTION 1. PUBLIC IMPROVEMENTS That the City hereby accepts from the developer all public improvements at Town Lift Subdivision which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance;

SECTION 2. SIDEWALK MAINTENANCE. It is Park City's intent to allow the adjacent property owners to maintain the sidewalks, as in all areas of Park City;

SECTION 3. EFFECTIVE DATE. This ordinance shall be effective upon adoption.

PASSED AND ADOPTED this 28th day of September, 1995.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

Attest:

Anita L. Sheldon, City Recorder

Approved as to form:

Mark Harrington, Assistant City Attorney