

**PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
OCTOBER 2, 2008**

Present: Mayor Dana Williams; Council members Candace Erickson; Roger Harlan; Jim Hier; Joe Kernan; and Liza Simpson

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Linda Tillson, Library Director; Thomas Eddington, Planning Director; Jerry Gibbs, Public Works Director

Ron Vine, ETC; Dina Blaes, Historic Preservation Consultant; Kevin Callahan, Summit County Public Works Director

1. Council questions/comments. Liza Simpson reported on the bus rodeo and thanked Public Works and others who helped host the event two weeks ago. She recognized employee John Sampson who will move on to the Nationals in Providence, Rhode Island.

Joe Kernan expressed that he sensed the majority of Council members found upholding the appeal on the Ridge Avenue CUP difficult feeling that homes are too large because of allowances in our current Code. He acknowledged that the Historic District Inventory is a different issue but asked if allowable house size and encouraging smaller homes is an ancillary discussion. Tom Bakaly explained that the draft Historic District Guidelines are currently being reviewed by the Planning Commission and will be forwarded to Council shortly. This review will provide an opportunity for policy discussions. The Planning Commission will be exploring steep slope criteria next week and Mark Harrington advised that other issues will also be addressed like height. Candace Erickson discussed Recycle Utah programs and events and pointed out special services like accepting e-waste, batteries, foam, compost and providing educational opportunities in the community. The Historical Society met; the renovation is about two to three weeks behind but the project is financially on track. Jim Hier discussed attending the special events meeting, COSAC, the Hillside Avenue open house, and the Chamber Board meeting. Mayor Dana Williams thanked the Sustainability Team for installing the anemometers at Quinns. He discussed Diane Foster's efforts in forming a group on solar energy where many creative ideas unfolded; he was pleased to see the bio-cell project under construction.

2, Results of Library community needs survey. Linda Tillson introduced Ron Vine who also conducted the survey for the Racquet Club. He is the Vice President of ETC Institute and she elaborated on his credentials. Mr. Vine explained that ETC was selected to develop a survey on a full range of usage, customer satisfaction, purposes, importance to households, future in the community, and other strategic issues. Two thousand surveys were mailed with the goal of a 20% return rate but there were actually 432 surveys completed and returned. The results, therefore, carry a 95% confidence rate with a margin of error plus or minus 4.7%.

Mr. Vine clarified that a banner analysis will be prepared for the City so the results of the survey can be broken down by age, gender, education, length of residency, household type, and frequency of use. He provided information about ETC which was formed in 1982 to specialize in governmental and non-profit surveys. ETC has conducted business in 46 states and he discussed a variety of survey work.

He stated that nearly 90% of resident households have used the Park City Library in the past year. Over 80% have a library card; the primary purpose for visiting the library is to check out a book and the main reason for not using was obtaining books from another source or the Internet. Mr. Vine explained that most people find out about the library by visiting it and by reading about it in the newspaper. Fifty percent or more of respondents are very or somewhat satisfied with the majority of services; some of the services at the top end received over 80%. Books for adults and books for children are the most important services identified and leisure recreational reading, research reference, class assignment materials, and the ability to request items from other libraries are programs that residents would like to see in a new library. Children's programs were also of high importance. Mr. Vine stated that residents feel the principle role should be providing education and literacy for children and adults followed by providing a quiet oasis for reading and study. Eight-five percent of respondent households rate the library as extremely or somewhat important to themselves and/or members of their households. Ninety-five percent consider the library as extremely important or somewhat important to the future of the community.

Through illustration of a PowerPoint presentation, Ron Vine showed that about 40% use the library once or twice a month and 11% do not use the library at all. Eighty-three respondents have a library card and 14% don't. He reported that 82% use the library to check out a book and emphasized that libraries are principally still book-driven. Half of the respondents not using the library indicated they received information from the Internet or other non-library locations. In response to a question from Joe Kernan, Mr. Vine described their approach to questionnaires and the reasons for avoiding open-ended questions.

He reiterated that most people find out about the services at the library by visiting it, followed by the newspaper, the radio, and word of mouth and television was rated unusually low. There may be an opportunity in the future to enhance the website but checking out books ranks highest among all demographics. Mr. Vine detailed charts on level of satisfaction and important services provided. Park City patrons are very satisfied with their library.

With regard to future services, 42% rated leisure recreational reading as a top priority, 36% identified the ability to request items from other libraries, and 31% desired a quiet

place to work or study. He emphasized that these are important elements to consider in an expansion. Forty-five percent of households rated the library extremely important, 37% somewhat important, 16% not very important or not at all important, and 2% did not know. Eleven percent did not use the library at all which ties into the numbers. Mr. Vine pointed out that even if people do not think it is important to them, they feel it is important to the community.

Candace Erickson was surprised to learn that 21% have lived in Park City 16 years or longer which seems unusual. Mr. Vine agreed. Roger Harlan asked if there were any big surprises and Ron Vine responded the number of people who liked the location of the library. Usage is high without much marketing effort. He was also surprised at the low number associated with promoting the library through television.

Linda Tillson stated that these findings will be helpful in looking at facility needs and long-range planning. Ron Vine noted his appreciation of the professional working relationship he experienced with Linda Tillson.

3. Historic building inventory amendments. Dina Blaes explained that this discussion is intended as a follow-up from Council and staff is asking for specific direction regarding proposed changes to Title 15, Chapter 11 and Chapter 15, Definitions which are provided in the meeting packet as Exhibit A. The Council also requested establishing a Park City Historic Sites Inventory and amendments to the Historic District Design Guidelines. Ms. Blaes presented a PowerPoint slide show, illustrating examples of inventory categories. The idea of categorizing buildings differently was introduced in May 2008 at a Historic Preservation Board Meeting with the intent to not only recognize historically significant buildings but to also acknowledge landmark and contributing structures. Ms. Blaes stated that at a subsequent City Council meeting, staff received direction from the Council to begin working on the inventory and to return to Council with information for discussion. The project was considered somewhat urgent because of a couple of demolitions which occurred in June. The Council subsequently adopted Ordinance No. 08-33 imposing the temporary zoning ordinance prohibiting demolition of structures built before 1962 until the issues can be adequately addressed.

Ms. Blaes stated that the LMC currently provides criteria for determination of historical significance and it is proposed to eliminate that section and replace it with criteria for Park City Historic Sites Inventory. The terminology is important. Currently, the inventory lists historic buildings not historic sites and there is no mechanism in the designation process to look at accessory structures. When the initial survey was conducted a number of accessory buildings were discovered. She emphasized that a *site* may be a lot, an area, or a parcel that may include more than one structure. Ms. Blaes explained that *landmark sites* are sites eligible for the National Register of Historic

Places. It requires that a building be at least 50 years old, retain its integrity as defined by the National Park Service or the National Register and that it comply with three criteria.

Mayor Williams referred to criteria specifying that significance can be established by the importance of the person who lived in the house; this could be an awkward and/or subjective determination. Ms. Blaes explained that in terms of a landmark site, the general practice is that knowledge of the person goes beyond the community to regional, state or national notoriety. Another example is recognizing a notable craftsman who constructed era homes in the region.

Dina Blaes explained the category of *significant site* where the building must be at least 50 years old and retain its essential historical form with no major alterations. This could include changes in roof pitch, additions of upper stories or the removal of original upper stories, moving it from its location to one that is dissimilar, and additions that significantly obscure the essential historic form when viewed from the primary public right-of-way. She emphasized that just about any building constructed over 50 years ago without any of the four procedures noted above, will fall into the list of significant structures. The majority of historic structures will also meet criteria (c) *important to local original history*. Candace Erickson asked if structures that have been moved lose their designation, and Ms. Blaes explained that the site must be similar to the context of the original location, e.g., urban and rural. The historic home that was moved from Coalville to Prospector may not fit this requirement for example and all three must be met.

Joe Kernan asked if there is a sense of the number of 50 year old buildings and/or elements that would be included in criteria one and two. Ms. Blaes explained that when the original survey was conducted in 2006 and 2007, two sets of evaluations were completed. One was based on the LMC and another based on the National Register eligibility and that data is available with the exception of a few updates. She recalled about 230 structures being eligible for the National Register which would likely be considered landmarks in Park City.

Jim Hier pointed out that under this process, in 2030 properties in Park Meadows and Prospector Square would be designated as historic. Joe Kernan interjected that he would prefer setting a date and Liza Simpson pointed out the opportunity to review the Inventory every five years. Ms. Blaes explained this is a common discussion among preservationists. The understanding is that there is a continuum of development within a community and 50 years is the cut-off point to begin considering whether a style is significant in the development and history of the community. Mr. Hier believed the term *dissimilar* may be too subjective and difficult to interpret and apply. Ms. Blaes explained that a definition can be created but generally it is evaluated under National Register criteria. Jim Hier again suggested that *dissimilar* be defined to minimize confusion. Ms.

Blaes explained that the National Park Service provides definitions regarding criteria for landmark sites including retaining their historic integrity in terms of location, design, setting, materials, workmanship, feeling, and association. The history of the recent past is important to preserve and she encouraged that an inventory be conducted every six to ten years, especially because of the interest of the early ski years of the 1960s.

In response to comments from Joe Kernan and Candace Erickson, Dina Blaes emphasized that listed properties are subject to certain protections against demolition. The goal is to try to get as many properties on the list as possible but there must be balance with regard to the selections. Ms. Erickson expressed that there is a common concern that buildings remain small in the Historic District which may be better addressed in the LMC. Ms. Blaes agreed that these are two entirely separate issues. Through a PowerPoint presentation, she displayed landmark sites, significant sites which are currently listed on the City's Historic Building Inventory, and three examples currently not on the Inventory, which would be added. She presented housing stock that did not qualify under any scenario where the main façade of historic structures were dwarfed by a significant garage addition. Discussion ensued on removing inappropriate elements to uncover the historic structure and creating incentives to bring buildings back to their historical form. In response to a question from Liza Simpson, Ms. Blaes reported that almost every single home not included on the Historic Building Inventory has been added.

Jim Hier asked about the process for establishing an era of historic importance and Ms. Blaes stated that it is determined by public consensus and the early ski industry years will be Park City's next historic era. She explained that normally a city would issue a request for proposals to perform a survey and the consultant would establish historic context which is researched to determine level of relevance to Park City. Jim Hier felt it important that the Inventory specifies historic context within a described era so that the LMC is clear. Ms. Blaes again indicated that that information is available. She agreed that the LMC must be ultimately user-friendly and understandable.

Mayor Dana Williams expressed his support of a rating system of the conditions of structures in the Inventory. He spoke about weighing the cost of restoration and replication from a practical standpoint. Council member Simpson recalled that if deteriorated elements can not be reused, the Design Guidelines permit replication.

Dina Blaes confirmed that members support the two-tiered inventory of landmark and significant structures, including the criteria and procedures proposed. The procedure for designating sites would remain the responsibility of the Historic Preservation Board. There is a process for determining insignificance and creating a process for removing a building, which simply does not meet the criteria, is contemplated. In order to remove a building under the Historic Site Inventory approach, there must be evidence that

contextual qualities are no longer present or new information which proves the site does not comply with the criteria. These instances would be rare, especially if the base line investigation of properties is thorough. The appellant body would be the Board of Adjustment. Discussion ensued on regulation and incentives for preservation and Joe Kernan believed nothing should be torn down. She warned that if a community begins to include buildings lacking integrity and significance and simply includes them because they represent a date, the credibility of the preservation plan could be dramatically undermined.

Thomas Eddington reported that the 2006 inventory contained 486 structures which was subsequently reduced by the Historic Preservation Board to 419 entries. The new two tiered proposal will significantly increase the total number leaving only about 20 unqualified properties off the Inventory. Of these, some were reconstructed to the point that the historic element is not recognizable, or others were total reconstructions using a few historic boards, some were demolished, one was dramatically changed into two styles, and two are located outside Park city's boundaries,

The Council agreed with the criteria based on the data gathered and presented by the consultant and moving forward with drafting appropriate amendments to the LMC. Ms. Blaes strongly recommended that intensive level surveys be conducted on a consistent basis.

4. Summit County Solid Waste Master Plan. Jerry Gibbs explained that late last summer Council authorized the expenditure of \$40,000 to \$50,000 to assist Summit County and the Snyderville Basin to fund a Solid Waste Master Plan. Kevin Callahan of Summit County explained that the intention of the plan was to ensure a vision for the next 20 to 30 years on managing waste and moving toward a more sustainable form of managing waste. Consultant ChHill provided short and mid-term recommendations that will move the County in a direction that provides a higher level of sustainability. The other component of the plan is to make sure the physical facilities to manage these programs are on line. The County operates a couple of landfills in conjunction with Recycle Utah and help to manage and sustain other programs. He stated that new facilities will be needed in the future to manage operations. The strategic element addresses short term objectives from now to 2010. He reported that about 18% of the municipal waste stream is being diverted from the landfill and the goal is 30% within a couple of years, and 50% by ten years. No jurisdiction in Utah is at that level at this point. Mr. Callahan asked Council for feed back as he would like to take the plan to the Council of Mayors.

There was discussion about recycling construction trash. Mr. Callahan estimated the municipal waste stream (everything other than construction waste) to be about 51,000

tons with 18% being diverted. Businesses recycling cardboard was another topic of discussion as well as properly handling materials for the best return.

Joe Kernan disclosed that he is in the recycling business and discussed the efficiency of the operations at the landfill. In response to comments made by the Mayor, Jerry Gibbs relayed that some communities enforce mandatory recycling. Kevin Callahan pointed out that if goals are not reached, mandatory recycling will be explored for residential but would have significant budget implications. Joe Kernan suggested trying options that make recycling convenient so that mandatory measures are not necessary. Candace Erickson believed this is a good plan but would like information on the cost of getting from 30% to 50% to ensure a good return to the public. She felt that publicity and education components should be regularly employed. Jerry Gibbs believed that Summit County should implement a strategy for the entire community including a mandatory requirement to recycle cardboard. Summit County should develop a partnership with other communities and citizen groups to assess values and achieve goals. Mr. Gibbs emphasized that Park City will need to obtain more data on financial impacts.

5. Dog Park opening – Quinns Junction. The Mayor and Council dedicated the new dog park located at Quinns Junction.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
OCTOBER 2, 2008**

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Library and Education Center on Thursday, October 2, 2008. Members in attendance were Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Kirsten Whetstone, Planner; Brooks Robinson, Planner; Matt Cassel, City Engineer; and Kathy Lundborg, Water Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Joe Kernan disclosed that Talisker is among his recycling customers.

III PUBLIC INPUT *(Any matter of City business not scheduled on agenda)*

None.

IV WORK SESSION NOTES AND MINUTES OF MEETINGS OF SEPTEMBER 11, 2008 AND SEPTEMBER 18, 2008

Roger Harlan, "I move approval of the work session notes and minutes of the meetings of the September 11 and 18, 2008". Joe Kernan seconded. Motion unanimously carried.

V CONSENT AGENDA *(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items")*

The Mayor invited input from the Council and the public on any item on the Consent Agenda. In response to a question from Joe Kernan, Jason Glidden described the reasons he selected Swire for the Coca Cola contract at the ice arena. Managing inventory was also discussed. Jim Hier, "I move we approve Consent Agenda Items 1 through 4". Roger Harlan seconded. Motion unanimously carried.

1. Consideration of approval to execute an application for financial assistance to the Utah State Board of Water Resources – See staff report.

2. Consideration of approval of a five year advertising agreement with Swire Coca Cola USA for product exclusivity at Park City Ice Arena and Sports Complex, in a form approved by the City Attorney – See staff report.

3. Consideration of a construction contract to DRD Paving LLC for Round Valley Way and The Cove Trailheads in the amount of \$121,816, in a form approved by the City Attorney – See staff report.

4. Consideration to authorize to execute Change Order #1 to the Construction Contract for the Prospector Drain Biocell, in a form approved by the City Attorney's Office, to Counterpoint Construction Company, Inc., in the amount of \$86,383 – See staff report.

VI NEW BUSINESS (*New items with presentations and/or anticipated detailed discussions*)

1. Consideration of an Ordinance approving the Ivers/Baer Subdivision combining Lots 12, 16-18 of Block 52, Lots 6-9 Block 60 of the Park City Survey, and Lot One of the Ivers Replat, with adjacent remnant parcels into three lots of record, located at 154 McHenry Avenue, Park City, Utah – Kirsten Whetstone explained the request for a three lot subdivision located at the south end of McHenry where the zoning is HRL. If approved, a portion of Lot 12, Block 52 would be dedicated to the RDA to be combined with other RDA parcels. About 1,500 square feet of property will be dedicated as McHenry Avenue right-of-way. The Planning Commission conducted a public hearing and forwarded a positive recommendation to the Council on September 10, 2008. Neighborhood concerns were addressed. Liza Simpson encouraged the steps to be located in an area to minimize snow removal efforts and constructed to municipal specifications in the event City takes over maintenance at some point. The Mayor opened the public hearing; there was no comment.

Jim Hier, "I move we approve the Ivers/Baer Subdivision based on the findings of fact, conclusions of law, and conditions of approval as modified this evening". Roger Harlan seconded. Motion unanimously carried.

2. Consideration of an Ordinance approving the Marsac Avenue Affordable Housing Subdivision located at 100 Marsac Avenue, Park City, Utah – Brooks Robinson explained that the application is for a ten lot subdivision and described the location of the project area. The old railroad bed will be used for the access road and there will be two open space lots, a trail easement, and a preservation easement for the historic stone walls. In January 2008, the Planning Commission held pre-application MPD hearings where there was input from the Prospect Avenue residents. Eventually, the Commission found compliance with the General Plan, the project moved on to the MPD stage in May and June and in July, the ten lot MPD was approved. In the meantime, Talisker, as the owner, and the construction team met with neighbors concerned with the density, design, or the entire development. The design morphed over time and initially the pre-MPD application proposed ten duplex units for a total of 20 units located

in front of the historic stone wall. The project was dropped to ten single family homes located further south on the site, preserving nearly 80% of the stone wall. One of the issues brought up recently is emergency access from the end of the private street, but the Fire District has the authority to access private driveways for health, safety reasons. Finding No. 6 addresses emergency access which Mr. Robinson read. Staff believes that the City has the ability to request the emergency access easement at the location and has provided Council with an ordinance with findings of fact, conclusions of law, and conditions of approval. He advised that the application also contemplates a vacation of platted 7th Street, aka 1st Street, which exists through the middle of the property. There are no utilities in that right-of-way and the Planning Commission found good cause for the vacation. In response to a question from Jim Hier, Brooks Robinson stated that this project represents 15 affordable housing unit equivalents. Mr. Hier felt it important that the number of AUEs represented in the project is documented in either the findings for the Steep Slope CUP or the MPD so it is memorialized in a document.

Peter Barnes, agent for Jamie Thomas homeowner on Ontario Court, explained that he was contacted by Mr. Thomas to monitor the project at the subdivision stage. He complained about not being able to download the staff report on the date of the Planning Commission meeting for the subdivision action. There should have been a two-stage process but there was no preliminary plat approval process. The minimum notice requirement for a subdivision is 14 days. The application was deemed complete on August 28 and 13 days later it was approved by the Planning Commission and on its face, the application does not meet the minimum noticing requirements. He didn't feel there is enough time for an interested neighbor to analyze the project. The subdivision regulations estimates 90 days to complete the application process not 13 days. He understands the project has been discussed for over a year but not the subdivision process. The first meeting they attended was on May 28 when a completely different project was presented. Mr. Barnes felt it was a better design than the current proposal because it had very little impact on Ontario Court. He again complained about not being able to get accurate information from the website the date of the meeting and a review of a preliminary plat was never conducted by the Planning Commission. The neighbors have zero time to analyze the project. He stated that Planning Commission approval of a major subdivision in 13 days is not acceptable.

Ontario Court is not a private street; it is a private driveway. He questioned imposing emergency access on Ontario Court when there are other alternatives and someone should have talked with the neighborhood beforehand. There are other design solutions but the project would need to return to the Planning Commission for review. He read the findings of fact noting there is no height exception in the MPD which is misleading because the buildings are not single story structures. Mr. Barnes stated that the visual impacts of the project are phenomenal and it may be last affordable housing project in town because of its design. The original proposal was better. Mr. Barnes stated that

the building does not fit on the site with the setbacks applied. Exceptions will be required for parking, retaining walls and side yard areas. In order for the foundation walls to reach natural grade under the houses, the buildings must be three stories high on the downhill side. The density, as described is not true because no analysis has been done. The project is not compatible with the neighborhood. The footprints are 892 square feet not 705 square feet as indicated in the staff report. If the applicants went through the subdivision process as described in the LMC, the project would not exist in the form it does today. There is no visual analysis and the streetscape does not show buildings in relationship to grade. He questioned raising the railroad bed seven feet to put the road in; the house foundations are holding the road in place. The amount and cost of civil engineering required for this project to house 30 people in Old Town can not be affordable. Mr. Barnes felt that if Talisker has been forced to move on this project because of deadlines, it is a huge mistake. This project will have a huge visual impact and he reiterated comments on the grade of the road. Talisker has been ill-served by the process and he suggested remanding the plat to the Commission. He repeated all of his concerns in a continued lengthy dialog to again communicate the basic request to remand to the Planning Commission and to redesign the project.

Ruth Gezelius, Prospect Avenue resident, felt there are no winners associated with this project location. From the very beginning, neighbors objected to the site. Talisker should be required to build affordable housing on site instead of trying to cram it in Old Town. This site is the visual corridor for the entire Treasure Mountain side of upper Old Town. This is not a good situation for Talisker; it is a very expensive site for building, it is located in a prominent location with heavy traffic. Traffic is expected to double on the Mine Road in the next five to ten years. Building on this site will not solve any of the affordable housing problems and this property should be left as open space. Affordable housing should be constructed in a decent part of town along bus routes. Trying to stack everything on the entry corridor is not a good resort experience and Ms. Gezelius encouraged Council to arrive at a different solution.

Jamie Thomas, Ontario Court resident, stated that he disagrees with the City's findings that emergency access to 100 Marsac Avenue be granted because the driveway is private and services five houses only which is clear on the plat. The neighborhood may consider granting emergency access but were involved late in the process. The original design was disconnected from his neighborhood and was a better clustered design but then the design changed and the approval process was accelerated. The proposal can work with more scrutiny and Mr. Thomas pointed out the 16 foot retaining wall that will be required to be constructed on the north end. Visual impacts can be better minimized and he again addressed at length the private driveway issue, specifically maintenance by five home owners and the difficulty in negotiating Ontario Avenue in a fire truck. Mr. Thomas stated that he supports affordable housing and it can work on that site but it the

design should fit the grade better with clustering. He would prefer reaching a design solution rather than a legal solution.

With regard to emergency access, Candace Erickson clarified for the benefit of Jamie Thomas that the City and the Fire District are separate entities. The Council has no design information tonight, only a two dimensional plat map and in order to appreciate public input, she would need more information. Ms. Erickson recalled the private driveway request years ago which was approved under threat of a lawsuit from the applicant. The driveway was not an option, but a demand. She does not have enough information to get a sense of the relationship of 100 Marsac to Ontario Court. Liza Simpson acknowledged the difficulty in approving a plat when there is little design information. She is concerned about procedures and conflicting information on the project.

Brooks Robinson explained that the preliminary and final subdivision plat reviews can be combined into one process. Noticing occurred prior to the public hearing; it was published and the property was posted in advance, meeting all LMC requirements. He explained that the Commission prefers to have some information on design during the subdivision process, but the renderings are conceptual. All requirements, including height and setbacks must be met including all conditions of the MPD.

Discussion ensued regarding the emergency access on the private road/driveway and the possibility of accepting Ontario Court as a public roadway. Candace Erickson emphasized that the Ontario Court homes were landlocked at the time the application was submitted and the City accommodated access by approving the private driveway proposal as opposed to the option of being sued.

Jim Hier explained that 13 days elapsed before the Commission *recommended* approval to the City Council. The Commission can not render final plat approval. It is difficult to understand grade and height issues without more information. Brooks Robinson noted that more information has been submitted as part of the Steep Slope CUP, which was not available during the subdivision review. Discussion ensued regarding problems downloading the Planning Commission meeting information. Mr. Robinson detailed the status of Talisker's affordable housing obligations and Mayor Williams emphasized that Talisker has a year to comply and dead lines should not be an argument in this instance. Jim Hier agreed that affordable housing dead lines should not be a consideration in reviewing plat amendments and should not be argued here. He felt the Council should consider remanding the project to the Planning Commission for interpretation with the schematics for the grade analysis for the property and processing the Steep Slope CUP concurrently could be a more efficient approach. With regard to emergency access, Mark Harrington emphasized that the intent of the

easement is to provide improved fire services to Ontario Court not 100 Marsac Avenue Project which has been misunderstood.

David Smith, Esq. explained that Talisker began the process a long time ago, and about 25 to 30 internal iterations of the layout were prepared. About six designs made it to public hearing in different stages of iteration and this has probably been the most intensely vetted series of submittals. The project has received a lot of publicity and the public has been very involved. All of the changes made to the plan are the result of specific direction from the Planning Commission. At the end of the day, Talisker is not married to any particular design other than the hope it looks congruous with Old Town. Talisker will produce a quality project recognizing the challenges of the site. He didn't believe that returning to the Commission will produce a vastly different product because of the level of involvement to date.

Roger Harlan expressed that he needs more information and supports a remand. Joe Kernan stated that he could actually support a denser multi-family project because of the need for community housing. However, he felt that single family homes is a good solution for the neighborhood and the Council must act in the interest of the community not just one household. Jim Hier, "I move to remand to the Planning Commission to reevaluate the specific plat arrangement in light of the grade changes that would be required". He asked that Council be notified of the meeting date and added that the process would have gone a lot quicker if the density was proposed lower than the original 22 units. Mr. Hier felt the subdivision plat should be scheduled concurrently with the CUP review next week. Brooks Robinson stated that noticing requirements would not meet next week's meeting and Mark Harrington encouraged holding a work session at that time. Jim Hier encouraged Messes. Barnes and Thomas to attend the Planning Commission meeting. Liza Simpson seconded. Motion unanimously carried.

3. Consideration of Professional Services Agreement, in a form approved by the City Attorney, with Ward Engineering Group for the design and construction management of Hillside Avenue in the amount of \$168,220 – Matt Cassel explained that the Hillside Project was part of the 2002 OTIS Study and the reconstruction will include replacement of the existing utilities, possibly the retaining wall, improved walkability and resurfacing of the road. Eleven contractors bid on the project and staff recommends the award to Ward Engineering. An open house was held on September 25 and a public outreach effort will be continued. In response to a question from Liza Simpson, Mr. Cassel noted that most requests were for a sidewalk. There was no strong opinion on a connector to Main Street. The Mayor invited public input.

Ruth Gezelius, Prospect Avenue resident, felt this is a good opportunity for the City to coordinate this project with improvements to the trolley turn-around parking lot. It is not attractive and should be cleaned up.

Council member Simpson advised that the Recreation Advisory Board is planning on addressing this area after Hillside is improved as part of the neighborhood park project. Matt Cassel explained the process, more specifically the opportunity for public input. Roger Harlan emphasized the importance for the trolley to have adequate area to maneuver. Mr. Cassel advised that the contract is a fixed price arrangement with alternatives with separate costs. Construction is contemplated next spring with design completed by December. Roger Harlan, "I move approval of a professional services agreement in a form approved by the City Attorney with Ward Engineering Group for design and construction management of Hillside in the amount of \$168,220". Candace Erickson seconded. Motion unanimously carried.

4. Consideration of Professional Services Agreement, in a form approved by the City Attorney, with Carolla Engineers for the design of the Park City Surface Water Treatment Plant in the amount of \$795,000 – Kathy Lundborg explained that the one of the purposes of the project is to transport Rockport water into town. Carolla has conducted work for the City in the past and its cost is in line with the market; she felt confident in Carolla's expertise. She explained that the plant will be planned for storage of a variety of water sources. The Mayor invited input; there was none. Liza Simpson, "I move we authorize the City Manager to execute an agreement in a form approved by the City Attorney with Carolla Engineers for the design of the Park City Surface Water Treatment Plant design in an amount of \$795,000". Jim Hier seconded. Motion unanimously approved.

VII OLD BUSINESS (*Continued public hearings*)

Consideration of an Ordinance annexing approximately 286.64 acres of property located at the southwest corner of the SR248 and US40 interchange in the Quinn's Junction area, known as the Park City Heights Annexation, into the corporate limits of Park City, Utah, and approving a Water Agreement, and amending the Official Zoning Map of Park city to zone the property in the Community Transition Zoning District (CT) – The Mayor opened the public hearing. There were no comments and he requested a motion to continue to October 16, 2008. Candace Erickson, "I so move". Jim Hier seconded. Motion unanimously carried.

VIII ADDITIONAL DISCUSSION – AGENDA ITEMS

IX ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 12 p.m. Members in attendance were Mayor Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Tom Daley, Deputy City Attorney; Diane Foster, Sustainability Manager; Jerry Gibbs, Public Works Director; Kathy Lundborg, Water Manager; Ron Ivie, Chief Building Official; Kent Cashel, Deputy Public Works Director; Jeff Schoenbacher, Environmental Specialist; Tom Eddington, Planning Director; and Mark Harrington, City Attorney. Joe Kernan "I move to close the meeting to discuss property and litigation". Jim Hier seconded. Motion carried unanimously. The meeting opened at approximately 2:45 p.m. Joe Kernan, "I move to open the meeting". Jim Hier seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott

Janet M. Scott, City Recorder