PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
SEPTEMBER 29, 2011

Present: **Mayor Dana Williams; Council members Alex Butwinski; Joe Kernan; Cindy Matsumoto; Dick Peek; and Liza Simpson**

Tom Bakaly, City Manager; Mark Harington, City Attorney; Kathy Lundborg, Water Manager; Tommy Youngblood, Special Events Coordinator; Jon Weidenhamer, Economic Development Manager; and Matt Cassel, City Engineer

Matt Ripken, InterPlan

1. Council questions/comments. Liza Simpson discussed the interagency meeting and the new Milepost in the *Park Record*. The height clearance posts installed at China Bridge were described as a way to control access to oversized vehicles. Alex Butwinski stated that the Public Art Advisory Board held a special meeting to approve *graffiti* art for the Bonanza Tunnel and he thanked the Planning staff for organizing the Old Town tour last night. Cindy Matsumoto reported on the Chamber's marketing campaign with Ski Utah, the Job Fair, the Fall Forum, and the visitors survey indicating that 48% come to Park City for an event. She thanked staff for installing the no parking signs in the Park Meadows neighborhood near the trailhead to Round Valley. Discussion ensued on the Bonanza Drive median project. Mayor Williams announced that today is the kick-off for the Salt Lake City bus service and he personally thanked Kent Cashel for his work to accomplish this. He looked forward to future regional service to Wasatch County and the Wasatch Front.

The Mayor asked about the status of the complaints on water impact fees, specifically for outdoor dining. The Mayor felt it would be interesting to compare Park City's water impact fees with other communities. Kathy Lundborg emphasized that water impact fees are designed to cover the costs of future development, not the distribution system. The cost to develop new water sources is expensive and driving the amount of impact fees. The Mayor agreed that new growth should pay for new infrastructure but suggested that everyone may need to pay more to cover the burden. He relayed that the impact fee to add an eight seat table on an existing deck is $5,000 which seems really high. Joe Kernan stated that he did not want to discourage outdoor dining. It was pointed out that the Main Street temporary dining decks are exempt from the charge which creates some inequity. Tom Bakaly suggested providing information in a manager's report which can be followed with a work session, if needed.

2. 3rd quarter updates. The Mayor guided the discussion by reviewing each category in order. Cindy Matsumoto recommended that maintenance of Old Town improvements be added as a goal and Tom Bakaly explained that maintenance is part of normal operations and probably doesn't need to be a specific goal. After some discussion, a majority of members were comfortable leaving maintenance off the list and the City Manager stated that the status of maintenance issues on Main Street will be provided in a manager's report. There were no changes to the goal table.

3. Special event overhaul. Tommy Youngblood acknowledged that there is a lot of information presented in the staff report and staff will be returning to Council over the next few months with direction and/or action on individual items, specifically event fees, cost recovery, fee waivers, trail policy and code changes to provide better tools to more efficiently review events with Council goals. Staff is looking for guidance with respect to the temporary licensing provisions in the Municipal Code including the definition of engaging in business to include charging for individual gifting and promotional activities. He asked if staff should take a more aggressive approach in this regard and pointed out that the HPCA and Sundance Institute provided written input on this matter.

He summarized that Sundance feels that current direction does not go far enough to incentivize potential Film Festival sponsors. Companies can rent a space on Main Street through current temporary business licensing which facilitates these activities too much. The HPCA is concerned that further limitations of restrictions on temporary licensing may limit rentals and the free enterprise system during the Festival when many locations make a substantial amount of income by renting to official Sundance sponsors and other parties. He pointed out that both agree that vendors who purchase temporary licenses should pay their own way for the costs and impacts created. The Mayor invited public input.

Teresa deWilde, stated that she helps produce these events and relayed that some businesses feel they don't get *their bang for the buck* from Sundance so they look outside to promote their product. Renting space on Main Street is attractive to many companies who do not want to be under the umbrella of Sundance. She discussed Stella's involvement; it is a Sundance sponsor and it also produces separate events. If business licenses are based on square footage, they are going to have to pay for 20 different business licenses for each space. She stated that she needs more clarification so she can inform her clients who may not have the money to be a Sundance sponsor but can generate income for Park City. These companies may go to Kimball Junction.

Dick Carl, marketer, spoke about his experience with events like the Super Bowl, Kentucky Derby, etc. He worked the last Festival and feels there are things that could be done better. He suggested a better dialog with marketers and is willing to organize a working group.

Alison Butz, HPCA, expressed that members feel that many of these activities are trying to fit under the current code but the City should look into a new type of license for these types of events.

Liza Simpson referred to licensing each venue which requires an inspection. Jon Weidenhamer noted that staff understood that fees would be applied to every gifting venue from the Sweeney/Hughes appeal. Staff is looking for direction on the level of facilitation of temporary licensing. Joe Kernan supported facilitating temporary business and felt fees should be fair and based on the cost of services. There may be some way to further support Sundance sponsors through better signage, for example, instead of penalizing them.

Ms. Simpson stated her priority is protecting the Sundance MFL and making sure that brick and mortar businesses can rent their buildings. She highly supports an accelerated fee schedule for temporary businesses and this conversation is taking place far enough in advance so everyone is on notice. Every location should be charged but she is unsure if every vendor in a swag bag has to pay a fee, which is open to discussion. There also needs to be discussion about the types of *donated* products that should be licensed. Mayor Williams agreed with Ms. Simpson's comments. Sundance sponsors should have priority and none of the marketers would be here if it wasn't for the Film Festival. He felt Sundance has been very generous for all of these years in allowing temporary business activities and he wants to make sure that this Festival stays in Park City. Sundance may be open to other levels of sponsorship but businesses should have to pay a premium to participate and make a profit off of someone else's event.

Alex Butwinski referred to the letter from the Sundance Institute which demonstrates its willingness to work with people. He agreed with the Mayor's comments and at the time of the appeal a couple of months ago, Council members expressed that fees need to be examined for business activities outside the MFL. Separate locations require inspections which should be covered by fees. Joe Kernan stated that he also appreciates Sundance's effort to work with the HPCA and promoters. He pointed out that some businesses really benefit from the event, like restaurants, but not necessarily retail. The Council should be sensitive to the ability of businesses to make money during Sundance. Cindy Matsumoto stated that she understands both sides but Sundance should be supported. Dick Peek expressed that the MFL holder is number one and he explained the importance of business models not depending on events to be successful for the year. Ms. Simpson felt criteria for engaging in business needs to be clarified and suggested that if the gift is worth more than $50, that a license is required. She supports the direction staff is going and is not worried about losing gifting salons to Redstone. The Mayor liked the idea of City departments working better as a team on licensing. He doesn't want Sundance to turn into a parasitic event but acknowledged that other businesses may bring vibrancy enhancing the Festival. It is a delicate balance with regard to fees but the City needs to recover its costs.

The marketing value realized by the City through the advertising of the Park Silly Sunday Market and other events was discussed. In response to a question from the Mayor, members indicated that they accept the definitions as drafted. It was pointed out that fees have not changed in seven years and Ms. Simpson requested that fee prices be rounded to the next dollar. Tommy Youngblood addressed venues and suggested setting parameters for use. The Mayor expressed confusion with some aspects of the guidelines and Mr. Youngblood explained that they directly relate to Council's concern for public access to facilities. The Mayor pointed out the difficulty in predicting attendance at City Park concerts and Mr. Youngblood agreed but believed having some guidelines in place will be helpful. Discussion ensued on having the criteria applied as guidelines and not policy so there is some flexibility. Jon Weidenhamer believed there could be exemptions for community events like the 4th of July and Dick Peek compared special event review to conditional use permits where impacts need to be considered, addressed and mitigated. The Mayor stated that he likes the direction of these modifications and providing more definition. Ms. Simpson felt the City Park 500 number creates some conflict and language in the guidelines could denote that the area is appropriate for a high number of attendees, for instance.

4. Transportation Master Plan. Matt Cassel introduced consultant Matt Ripken from InterPlan. The purpose of the work session is to review Chapters 4, 5 and 6 of the Master Plan. Ms. Simpson suggested that future road mile projections be based on potential annexations and that associated data be checked to make sure PC Heights is included. Mr. Ripken noted that this point will be clarified and explained that the direction of the study is discouraging *building your way out of problems* but rather capping building as a solution. Multi-use trails were discussed and Ms. Simpson suggested contacting Aspen for more information on the zip car program. Matt Cassel described the *report card* section of the report which will illustrate the progress of goals on an annual basis. Mayor Williams pointed out the success of the zip car in Portland, Oregon. The City Engineer advised that the Master Plan is scheduled for public hearing and action on October 6, 2011.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 29, 2011

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, September 29, 2011. Members in attendance were Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Brooks Robinson, Transportation Planner; and Tommy Youngblood, Special Events Coordinator.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

Bonanza Drive medians – Bob Wilkinson, PC Printink, pointed out that we should learn from history. The medians on SR248 did not work for a number of reasons and he questioned why medians are being installed on Bonanza Drive. They will create snow removal and emergency access problems and are a waste of taxpayer money. There is not enough room on the road for this kind of stuff and he is surprised the plan was approved. In five years, the medians will probably be removed. The Mayor offered to meet with Mr. Wilkinson to explain the reasons for approving the design.

IV WORK SESSION NOTES AND MINUTES OF MEETING OFSEPTEMBER 15, 2011 AND JOINT WORK SESSION NOTES OF AUGUST 25, 2011

Liza Simpson, "I move we approve the work session notes and minutes of the meeting of September 15 and the joint work session notes of August 25th". Alex Butwinski 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")*

Liza Simpson, "I move we approve the Consent Agenda". Joe Kernan seconded. Motion unanimously carried.

1. Consideration of authorization to the City Manager to enter into a construction contract, in a form approved by the City Attorney, with Northridge Construction, Inc. in the amount of $119,000 – Staff recommends approval.

2. Consideration of a Resolution adopting the Mountainlands Association of Governments Pre-Disaster Hazard Mitigation Plan as required by the Federal Disaster Mitigation and Cost Reduction Act of 2000 – Staff recommends approval.

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

1. Consideration of a Resolution adopting a Short Range Transit Development Plan for Park City, Utah – Brooks Robinson explained that the plan is a blueprint for transit operations. The Mayor opened the public hearing; there was no input from the audience and the public hearing was closed. Liza Simpson, "I move we approve a Resolution adopting the Short Range Transit Development Plan". Joe Kernan seconded. Motion unanimously carried.

2. Consideration of a Master Festival License for the Tubbs Romp-to-Stomp Out Breast Cancer Snowshoe Series, as conditioned, to be held on Saturday, February 11, 2012 at the Round Valley Trail System, Quinn's Sports Complex Parking Lots – Tommy Youngblood explained that this is a first time event in Park City and staff recommends approval. The Mayor opened the public hearing. There was no input and the public hearing was closed. Liza Simpson, "I move we approve the Master Festival License for the Tubbs Romp-to-Stomp Out Snowshoe Series on February 11th at the Quinn's Sports Complex", Joe Kernan seconded. Motion unanimously carried.

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

VIII 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 2 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Joe Kernan, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Michael Kovacs, Assistant City Manager; Jonathan Weidenhamer, Economic Development Manager; Thomas Eddington, Planning Manager; Diane Foster, Sustainability Manager; Joan Card, Environmental Regulation; Jason Christensen, Environmental Regulation Attorney; Phyllis Robinson, Public Affairs Manager; and Mark Harrington, City Attorney. Alex Butwinski, "I move to close the meeting to discuss property and litigation". Dick Peek seconded. Motion carried unanimously. The meeting opened at approximately 3:45 p.m. Alex Butwinski, "I move to open the meeting". Dick Peek seconded. Motion unanimously carried.

The City Council again met in closed session between the work session and the regular meeting. Liza Simpson, "I move to close the meeting to discuss property and litigation". Cindy Matsumoto seconded. Motion unanimously carried. Liza Simpson, "I move to open the meeting". Alex Butwinski 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.

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