PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 28, 2000

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah, for the purposes and at the times as described below on Thursday, September 21, 2000.

Closed Session

3:00 p.m. Property acquisition/litigation

Work Session

4:15 p.m. Council questions and comments
4:45 p.m. Recycle Utah and art grant requests
5:00 p.m. Citizen outreach program
5:30 p.m. Review of regular meeting
- Transit center line of credit
- Parking Code amendment
- Other meeting questions/comments

5:50 p.m. Break

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF THE MEETING OF SEPTEMBER 14, 2000

V CONSENT AGENDA

1. Authorization to staff to proceed with a contract with Design Masters for golf course pro shop improvements, in a form approved by the City Attorney

2. Findings of fact, conclusions of law, and conditions of approval of an Appeal granted by the City Council on September 14, 2000 of the denial of conditional use permit to alter a non-conforming structure located at 1500 Kearns Blvd. by the Planning Commission on June 28, 2000 - Adolphs Restaurant and Adolph Imboden

VI NEW BUSINESS

Line of credit from Zions Bank in the amount of $3 million for the transit center project

VII PUBLIC HEARING

Continuation of hearing on Ordinance amending Title 9, Parking Code, of the Municipal Code of Park City, Utah to address commercial deliveries on Main Street

VIII OLD BUSINESS

Ordinance amending Title 9, Parking Code, of the Municipal Code of Park City, Utah to address commercial deliveries on Main Street

IX ADJOURNMENT

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
OCTOBER 5, 2000

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will not hold its regularly scheduled meeting on Thursday, October 5, 2000.

Posted: 09/25//00
See: parkcity2002.org

PARK CITY
1884

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
SEPTEMBER 28, 2000

Present: **Council members Peg Bodell; Roger Harlan; Fred Jones; and Shauna Kerr**

Toby Ross, City Manager; Mark Harrington, City Attorney; Myles Rademan, Public Affairs Director; Linda Cook, Special Projects Manager; Eric DeHaan, City Engineer; Rick Lewis, Community Development Director; John Lind, Water and Streets Superintendent; Craig Sanchez, Golf Course Director; Kent Cashel, Transportation Director; Tom Bakaly, Director of Capital Projects and Budget

Jake Jakobowski, artist; Insa Riepen, Recycle Utah; Von Horton, School District

Absent: **Mayor Brad Olch and Council member Candace Erickson**

1. **Council questions and comments.** Fred Jones attended the Main Street Alliance meeting this week where bulb-outs were discussed for next summer. He felt it important to establish priorities based on funding and staffing capabilities between now and the Olympics and supports enhancement projects, like bulb-outs and clean-up projects, specifically for Swede Alley. In response to a question from Mr. Jones regarding the status of the Farm, Peg Bodell stated that the committee felt that the most important task at hand is providing access to the property. Linda Cook explained that the trail is complete. The City installed signs at both ends, cautioning people that the trail dead-ends on the north end at SR224, that it is unsafe to cross there and people should return to the barn and use the tunnel. The Mountain Trails Foundation is coordinating with the Snyderville Recreation District to continue the trail from this point and there was discussion about the temporary fence at the state's right-of-way. Ms. Bodell discussed that uses will be reviewed by the Planning Commission through a conditional use process, which will not occur this year. Roger Harlan asked if the Farm committee duplicates efforts of the Parks and Recreation Board. Ms. Bodell believes this is a specific group to the Farm and includes users outside of Park City. Fred Jones urged the committee to move the process forward as the facility is currently dormant at and some minimal uses should be available to the public. This may assist in the discussion of other appropriate uses.

Mr. Jones asked about the status of the traffic signal on Thaynes Canyon Drive and SR224. Eric DeHaan reported that UDOT did not concur with the City's consultant's warranting of the signal and performed its own count which was lower than ours. There is also an alignment issue with Thaynes Canyon Drive and Snow Creek Drive and a realignment would decrease the number of turning movements onto SR224 off of Snow Creek Drive considered toward a warrant. He continued that it is unlikely that UDOT will approve a signal without curb, gutter and asphalt work and because the lateness of the season, this project would be postponed until the spring. Council member Jones expressed his disappointment and confusion of how a facility like the post office can be underway and not be counted toward the traffic that will be generated; it makes no sense. The City Engineer explained that this intersection is considered safer than the vast majority of intersections in the state of Utah, which then weakens the City's warranting argument. Staff believes that when the post office is operational and the golf course hotel comes on line, the counts will increase over the measured traffic numbers which will warrant the signal according to state regulations. There was discussion about the timing of monitoring traffic counts and UDOT's upcoming inspection of the round-about. The City Engineer discussed the amount of area needed for a round-about at that intersection, which would have to be designed for current speeds. Mr. Jones felt that if a traffic signal is not possible this year, he supports revisiting a round-about on SR224. Mr. Jones continued that the City has a chain link fence at the old sewer treatment plant that probably should be removed and replaced with some other type fence. Rick Lewis explained that chain link fences may be authorized for safety reasons, like at the treatment plant or around construction sites. The state auditor's letter, noting Park City's *substantial* compliance with budgeting practices, was discussed. Roger Harlan pointed out the significant amount of negative press from week to week, and relayed a compliment from a consultant, who works nationwide with a variety of communities, about the high caliber of employees working for the City. He added that he gets tired of hearing comments from the public based on erroneous information.

Ms. Kerr announced that Bill Orton will be holding a town meeting on Monday night and brought up the fall clean-up project. John Lind reported that he met with representatives from Waste Management about a program. It is proposed to provide two dumpsters which will be transported to Salt Lake and the green waste will be composted. The time frame is proposed from October 14 through October 23. The cost of contracting with Waste Management is comparable to the estimates discussed last week. Ms. Kerr added that another attractive feature is acquiring compost at a lower cost from Waste Management as a part of the program.

Craig Sanchez reported on the progress of the hotel on the golf course and a meeting with Howa Construction and Fandango on Tuesday on the development agreement. Restoring the driving range is a high priority and there was discussion about rebuilding the 18th green at the meeting. The goal for completion is November 1, 2001. Mr. Sanchez continued that the fee and season pass changes have been positive to produce a better mix of play and revenues have increased this season, despite the loss in driving range fees. In response to a question from Ms. Kerr about the meeting in Park Meadows about neighborhood shuttles, Kent Cashel reported that a full report will be presented on October 19, but the attendance was very poor last night.

2. **Recycle Utah, ESL, and art grant requests.** Tom Bakaly noted that Ms. Erickson is out of town, and because she sits on the grants subcommittee, there is no recommendation this evening. With regard to the art grant for the mural in the Poison Creek Tunnel, there was an issue with compliance with the grant policy of awarding grants to individuals as opposed to non-profit

organizations. This grant is proposed to be administered through the Arts Council and is also supported by the School District. In consideration of the tunnel being City property, the City Council reviewed preliminary designs of the art work. Paul Jakowbowski discussed the historic mining theme, the interest in public art, and involvement of students. There was discussion about postponing the project until spring because of weather concerns. It was the consensus of the City Council to award the grant for Mr. Jakobowski's project which will be administered by the Park City Arts Council, a non-profit organization.

With regard to the Recycle Utah grant and space request, Ms. Bodell felt that it should be reviewed by the subcommittee once Ms. Erickson returns. Fred Jones felt there also needs to be more information on the space needs of the City. Ms. Kerr suggested that BFI pick up plastics from the site, as a part of its recycling program in the area, which would eliminate the need for a baler. Ms. Bodell felt that idea should be explored, but if it doesn't work, the City should commit to the recycling effort and would like a better explanation of the City's need and use of the space. Mr. Bakaly responded that he will respond to her questions at the meeting on October 12. Ms. Kerr agreed that recycling plastics is important. She added that an employee will be needed to run the baler and suggested involving BFI as a practical solution. Insa Riepen, Director, stated that the employee would be hired by Recycle Utah. Mr. Jones pointed out that there needs to be a long-term plan for curbside recycling with the County and it is unclear where the City should invest its resources toward recycling. Tom Bakaly understood that even if curbside addresses residential, there still would be a demand for commercial and multi-family recycling. Ms. Kerr added that she attended a Summit County Commission meeting where recycling was discussed, and understood that because of the cost, expansion of residential recycling does not seem likely. Ms. Riepen thanked Council for supporting the center by donating City property over the years and suggested that the Council Couch be located there as there are many local patrons.

Mr. Bakaly pointed out that the English as a Second Language Program (ESL) was funded last year as a matching grant for $3,333. This was a one-time grant out of the contingency fund. The School District is also asking for money from the County. Again, there is no recommendation from the subcommittee. Von Horton of the School District stated that the program is very successful and the participation is good. In response to a question from Roger Harlan, Mr. Horton noted that if the City does not financially participate, the program would have to be cut back. Ms. Kerr pointed our that last year, it was a one-time grant, and asked if this would be an on-going request. Mr. Horton hoped that the legislature would make a greater commitment, but if it is not addressed, the School District will be back next year. Ms. Kerr asked if this should be a service contract if it is an on-going need. Mr. Bakaly explained that this would result in no annual contribution to the contingency fund, although the percentage set aside for grants could be increased. Peg Bodell asked about investigating the potential of ESL programs conducted at work places. Mr. Horton responded that he has not discussed this with staff although it may be more effective. Ms. Kerr commented that Deer Valley Resort had classes in the evenings. Ms. Bodell stated that she is in favor of partnerships with businesses and schools.

Ms. Kerr concluded that there is interest in supporting both of these grants, but a preference that the grants subcommittee review them and render a recommendation on October 12 before a final decision is made.

3. **Citizen outreach program.** Myles Rademan encouraged the Council to determine the objective of the program and referred to a schedule of programs that have been tried in the past. Most of these approaches have worked very well, but have either met their goals or were discontinued for a variety of reasons; some can certainly be resurrected. He added that he feels that Park City is one of the most *news saturated* communities around, and there are very few places that receive more information than here. Council member Jones referred to Mr. Harlan's earlier comment about Letters to the Editor based on misinformation. When allegations are made on erroneous information, the public doesn't necessarily know that it's not based on fact, like the recent letter on the bus system. He felt that the facts should be offered so that people can still disagree, but at least have the correct information as he fears that people form opinions based on incorrect information. Mr. Jones suggested exploring an effective way of setting the record straight in an objective way, not in a defensive way. Ms. Kerr agreed with Mr. Jones and added that if the City responds with a Letter to the Editor it would appear to be defensive and suggested a column providing facts to respond to editorials. Peg Bodell felt that input from the media on this idea would be helpful. Myles Rademan recalled that staff responded to individuals in writing for a period of time and Ms. Kerr added that providing facts in a column would inform more people. Peg Bodell suggested televising meetings and having a spot on the radio for phoned in questions from the public. Myles Rademan understood that Council is interested in an effort which would counter misinformation and felt that a meeting could be arranged with the media and the Council to arrive at a program. He reminded Council members that there are always down sides to programs and public officials will always be targeted. Roger Harlan emphasized that the public will not participate in something that may appear embarrassing and feels that visiting with citizens at the Ski Swap or grocery store provides a good format. Ms. Kerr relayed that there are opportunities to interact with constituents in bars, on the bus or at soccer games. It doesn't have to be contrived and Council members don't have to go too far to find people. Ms. Bodell relayed her experience at the Farmers Market where people wanted to talk to her much of the afternoon, and Ms. Kerr discussed the suggestion of the Recycling Center brought up earlier. Mr. Rademan asked for direction from Council regarding his role. Ms. Bodell felt he could facilitate by clearing it with the property owner or event organizer. There are two goals; increasing stake holders and building community and communication. She felt that building community may result in a greater degree of volunteerism which may result in more free time for elected officials to interact with the public. Myles Rademan emphasized the importance of commitment by the Council to a program before he makes arrangements. Fred Jones added that much of this discussion focuses on one-on-one situations, which is important but limited. There are many groups in town that meet periodically and Council members could speak at these gatherings. Council speaker services could be advertised in a simple brochure and distributed and more people would be reached. Roger Harlan pointed out the benefits in attending home owner association meetings. Peg Bodell suggested that perhaps Council members

could attend an orientation about handling difficult people in public situations. The City Manager suggested that the Public Affairs Director prioritize ideas and return to Council with a program. The City Attorney applauded the Council's efforts to undertake new efforts of informality in getting public input, but emphasized that the Public Open Meeting Laws requires a certain measure of formality. There needs to be a balance with those requirements and new programs. He recommended that there be a component of reporting back to one another at a public session so there isn't a criticism of handling business inappropriately. Our democracy is founded on the obligation that a citizen attend and participate at meetings as well. Myles Rademan reiterated that the success of the program is dependent on the commitment of the Council and the obligation on Council members to attend a variety of meetings is already great.

4. Review of regular meeting.

Transit center line of credit. Tom Bakaly explained that Council made a decision to proceed with the entire project in anticipation of receiving grant funds which required an interim loan in order to complete the transit center in one year. There is adequate cash flow from the existing grant which will cover the City through the early part of October. The remainder of the request is for about $3 million which will take several months to process by the federal government. Staff is recommending approving the line of credit so that the contractor can be paid on time. Mr. Bakaly explained that it is proposed to draw down $2 million which will be immediately reinvested to cover interest, which is a reimbursable expense by the federal government.

Parking Code amendment for Main Street. Kent Cashel explained that the proposed ordinance better describes the current practice over the past several years for managing commercial deliveries on Main Street. It is recommended to eliminate the restriction that delivery vehicles use loading zones along Main Street and allow commercial deliveries on the west side of Main Street between 7 a.m. and noon; on Swede Alley between 7 a.m. to 4 p.m.; and allow double-parking on the west side of Main Street from 7 a.m. to noon. Additional provisions include prohibiting idling of vehicles while making deliveries and deliveries from upper Park Avenue to Main Street. Mr. Cashel indicated that this brings the Parking Code in congruence with language that is contained in the Land Management Code which Council adopted last week. UPS and the Main Street merchants have been contacted and there will be an effort to contact all delivery companies. There will most likely be a period of time when warnings are rendered before tickets are issued.

Other meeting questions/comments. The City Attorney advised that since Ms. Erickson is absent today and there isn't a quorum on the findings on the appeal that a continuance is necessary.

Prepared by Janet M. Scott

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 28, 2000

I ROLL CALL

Mayor Pro Tem Shauna Kerr called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, September 28, 2000. Members in attendance were Peg Bodell, Roger Harlan, Fred Jones, and Shauna Kerr. Mayor Brad Olch and Council member Candace Erickson were excused. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Derek Satchell, Preservation Planner; Kent Cashel, Transportation Director; Craig Sanchez, Director of Golf; and Tom Bakaly, Director of Capital Management & Budget.

II PUBLIC INPUT

Racquet Club pool - David Wiener, Friends of Swimming, stated that in response to the closure of the pool in the winter, the group collected over 100 signatures on a petition to keep the pool open all year. When the Council decided to close the pool during the winter, other views were not heard. He believed the $15,000 in savings could be reduced through some basic management and program improvements which would create additional revenues. Additionally, pool pass revenues amounting to over $5,000 must be refunded to pass holders. Many people will be impacted by the closure of the pool and the U S Ski Team uses it for rehabilitation for its athletes. He quoted a statement from Ted Morris from the Ski Team about the merits of the pool for training and rehabilitation. The Masters Swim Team program does not require life guards as there are coaches as a part of the program. The Racquet Club store and the Broken Thumb Restaurant sell merchandise and food to swimmers. Mr. Wiener emphasized that the pool is an amenity promoted by real estate agents and is a benefit to town for visitors and residents whether they swim or not. If the pool is a target for cost-cutting savings why not take a more positive and proactive approach to the larger problem and turn this asset into a profit center with events and programs or a slightly higher fee for winter use. Many people don't realize the pool is open all year. He encouraged Council to work with them to improve the finances of the pool and the Racquet Club.

Doug Porter stated that when he moved here ten years ago, one of most important criteria for him was that the community placed a high priority on sports and recreation, including a year-round pool for a masters swim program. Endurance sports, like swimming, need to be year-round activities and he is fearful that the temporary closure of the pool will be the end of the Park City Master Swim Team and a step backwards in the community's commitment to recreation.

Mr. Weiner asked what will happen at this point. Ms. Kerr advised that staff will be directed to prepare a report for review at a future meeting. The Council can not take any action tonight because it is not scheduled on the agenda.

Joley Pointer, member of Master Swim Team, asked what type of information is needed from staff. Ms. Kerr felt that information on the level of participation in swim programs will be helpful, as well as other statistics and data, including why staff recommended closing the pool in the winter instead of cutting back on another program. Peg Bodell hoped that staff would address the options mentioned and the costs of managing competitions. Ms. Kerr noted that she would be interested in the cost of charging a premium fee to users to keep the pool open in the winter. Swimmers were encouraged to contact Bob Johnston. Roger Harlan added that the Parks and Recreation Board will be meeting soon and it will be beneficial to have the Board's recommendation. Council agreed. Mr. Wiener felt that competitions can creatively be turned into fund-raisers; this is not solely a financial issue. Joan Thompson, long time resident, stated that the Racquet Club pool was used a lot more in the past. Programs have been moved to Ecker Elementary, which has resulted in lost revenue.

Ordinances for garbage and dogs - Rosemary Sweeney, resident, commented that Park Avenue looks a lot better thanks to the efforts of John Plunkett but there are still problems in Old Town. She pointed out that Aspen has a littering ordinance and complained about dogs running freely and messing in people's yards. There needs to be more dispensers so owners can pick up after their dogs. Everyone needs to do their part but we need ordinances to enforce them and the City could use the money from fines. People are still not putting their trash cans away after pick-up and there needs to be more brown containers. Ms. Kerr noted that passing an ordinance does not necessarily make people responsible and enforcement of littering ordinances are not particularly successful. Mark Harrington stated that the City currently has an ordinance that prohibits not cleaning up after your dog, but enforcement is delegated to the Summit County Animal Control. Staff has also drafted a garbage container ordinance, but Council has decided not to proceed at this point. Ms. Bodell felt the City should exhaust all positive measures before enacting an ordinance with penalties and Ms. Sweeney felt that the longer littering is tolerated, the greater the problem becomes. Ms. Kerr felt that better solutions will come from working things out with neighbors rather than more legislation.

III COMMUNICATIONS FROM COUNCIL AND STAFF

Derek Satchell announced that Roger Harlan was appointed as the Town Lift Design Review Task Force liaison from the City Council who will be meeting Monday night; Peg Bodell is the alternate member. Kent Cashel reported that two bus drivers took first place in the state bus *rodeo* and will be competing in the National Rodeo in Salt Lake in May.

IV WORK SESSION NOTES AND MINUTES OF THE MEETING OF SEPTEMBER 14, 2000

Fred Jones disclosed that he will be abstaining as he was not in attendance. Roger Harlan, "I move approval of the work session notes and minutes of September 14, 2000". Peg Bodell seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Aye
Candace Erickson	Absent
Fred Jones	Abstention
Shauna Kerr	Aye

V CONSENT AGENDA

The Mayor Pro Tem requested that Item 2 be removed from the Consent Agenda. Roger Harlan, "I so move". Fred Jones seconded. Motion carried. With regard to Item 1, Craig Sanchez, Director of Golf, explained that the hotel contractor will bring the pro shop to a painted finished state, and it is the City's obligation to furnish cabinetry, floor and window coverings, and finished electrical and lighting. In response to a concern expressed from Councilman Jones regarding the potential of a change in configuration of the pro shop, Mr. Sanchez explained that 2,000 square feet will be provided as a part of the golf course hotel. The pro shop will be separated with a breeze-way and the configuration or location of the space will not change. Improvements will be funded with the 1999 bonds in the amount of $664,000. Within that, $144,000 is allocated for building the pro shop; $45,000 for the restrooms; $335,000 for the cart storage, leaving a balance of about $140,000 for improvements. Fred Jones, "I move approval of Consent Agenda Item 1". Peg Bodell seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Aye
Candace Erickson	Absent
Fred Jones	Aye
Shauna Kerr	Aye

1. Authorization to staff to proceed with a contract with Design Masters for golf course pro shop improvements, in a form approved by the City Attorney - See staff report and commentary above.

2. Findings of fact, conclusions of law, and conditions of approval of an Appeal granted by the City Council on September 14, 2000 of the denial of conditional use permit to alter a non-

conforming structure located at 1500 Kearns Blvd. by the Planning Commission on June 28, 2000 - Adolphs Restaurant and Adolph Imboden - See motion above to remove from the Consent Agenda.

VI NEW BUSINESS

1. Findings of fact, conclusions of law, and conditions of approval of an Appeal granted by the City Council on September 14, 2000 of the denial of conditional use permit to alter a non-conforming structure located at 1500 Kearns Blvd. by the Planning Commission on June 28, 2000 - Adolphs Restaurant and Adolph Imboden - Fred Jones, "I move to continue this item to the meeting of October 12, 2000". Roger Harlan seconded. Motion carried.

2. Line of credit from Zions Bank in the amount of $3 million for the transit center project - Tom Bakaly referred to his presentation in work session. Staff is requesting approval of a line of credit so construction on the transit center can continue; associated interest costs are covered in the federal grant. Zions will be in a second position to the Federal Transit Administration. Roger Harlan, "I move that we establish a line of credit with Zions Bank in an amount not to exceed $3 million for the transit center project". Fred Jones seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Aye
Candace Erickson	Absent
Fred Jones	Aye
Shauna Kerr	Aye

VII PUBLIC HEARING

Continuation of hearing on Ordinance amending Title 9, Parking Code, of the Municipal Code of Park City, Utah to address commercial deliveries on Main Street - See staff report and work session notes. The Mayor Pro Tem invited the Council and the public to comment. Hearing no input, the public hearing was closed.

VIII OLD BUSINESS

Ordinance amending Title 9, Parking Code, of the Municipal Code of Park City, Utah to address commercial deliveries on Main Street - The Mayor Pro Tem requested a motion to approve. Peg Bodell, "I so move". Fred Jones seconded. Motion carried.

IX ADJOURNMENT

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

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MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Peg Bodell, Roger Harlan, Fred Jones, and Shauna Kerr. Mayor Brad Olch and Council member Candace Erickson were excused. Staff present were Toby Ross, City Manager; and Mark Harrington, City Attorney. Fred Jones, "I move to close the meeting to discuss property acquisition and litigation". Roger Harlan seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Aye
Candace Erickson	Absent
Fred Jones	Aye
Shauna Kerr	Aye

The meeting opened at approximately 4:15 p.m.

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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

Janet M. Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
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MARCH 1, 1884

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: September 28, 2000
DEPARTMENT: Office of Capital Management & Budget
AUTHOR: Tom Bakaly
TITLE: Grant Requests
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: The City Council should provide direction concerning the following grant requests:

1. Request from the Recycling Center for additional space and a one-time grant contingency request of $4,500 for improvements to that space

2) Recommendation made by the Park City Arts Council for the disbursement of FY 2000-01 grant funds ($5,500) for art work completed by Paul Jakobowski

3) Request from the English as a Second Language (ESL) program of the Park City School District (PCSD)

DESCRIPTION:

A. Topic: Grant Disbursement

B. Background:

In May of 1996, the City Council adopted a new policy that governs the disbursement of grant funds. This policy was subsequently amended in June of 2000 (attached). In addition to establishing criteria for determining grant recipients, the policy also established categories in which organizations receiving grants were placed. Each category then gets a portion of the total funds appropriated for grants. The total amount of funds available for grants is a percentage (2.25%) of the General Fund budget for each year. City Council formed a Grants Subcommittee to review the additional grant requests and make a recommendation to the City Council. The Grants Subcommittee consists of Council member Erickson, Council member Harlan, and a City staff representative (Tom Bakaly).

On August 24, 2000 City Council reviewed both of the grant requests and asked that the items return with further information.

C. Analysis:

1) Recycling Center Request for additional rent contribution and one-time contingency grant

The Recycling Center currently receives a rent contribution grant ($8,850) and a special service grant of $10,287. The rent contribution grant is for the recycling facilities located at the old bus barn. The Recycling Center would like additional space that would increase the annual rent contribution by $1,000. Please note that this is a real cost to the City's General Fund as funds are transferred to the Municipal Building Authority to pay off bonds used for improvements to that facility. This means that the annual grant contribution to the contingency fund will be decreased from $4,457 to $3,457. The Recycling Center is also requesting a one-time grant contingency request of $4,500 to make improvements to the space to accommodate the recycling of plastic materials. This figure is quite a bit less than what was originally requested on August 24, 2000. Please see the attached letter dated September 1, 2000. The request is for tenant improvements only. The amount for tenant improvements is significantly less than Staff's estimates of $14,500. The Recycling Center would need to manage the improvements to the facility since they are using their own estimates for the work. In addition, the Recycling Center has not requested a waiver of City building fees for the project so Staff is assuming that the Recycling Center will pay those fees.

In earlier discussions, the Grant Subcommittee asked the Recycling Center if curbside recycling efforts would decrease the need for a plastics recycling facility. In their letter dated August 18, 2000 (attached), the Recycling Center stated that the curbside program was a pilot program and if it was expanded County wide there would still be a need for a multi-family and Commercial plastics recycling center. The Subcommittee and City Council also asked if there was an alternate location for the plastics recycling. In their letter dated September1, 2000 (attached), the Recycling Center stated that it was critical for the plastics recycling to be located in the same area as other recycling activities.

The Police Department, Public Works Department, and Office of Olympic Planning and Special Events have expressed concern that honoring this request would reduce available storage space for ongoing City Public Works operations and services in connection with the Olympics. Specifically, the Public Works Department actively uses the facility for storing snow removal equipment that should be kept indoors. The Public Works Director and the Olympic Planning Director expressed their opinions directly to City Council on August 24th, 2000. One suggestion is to have an exception clause in the lease with the Recycling Center, similar to other City assets, that would allow City use of the property during the Olympics.

Grant Subcommittee Recommendation: The Grant Subcommittee preliminarily met and discussed this issue prior to the August 24th Council meeting. Subcommittee questions were forwarded to the Recycling Center prior to the submission of their request letter to the City dated August 18, 2000 (attached). The Subcommittee has not made a formal recommendation on this grant or the other two requests at this time. Staff is hopeful that the Subcommittee will have a chance to meet before the September 28th meeting and forward a recommendation at that time.

2) Disbursement of FY 2000-01 grant funds for Arts, Culture and Humanities

One category established by the Grants Policy was Arts, Culture and Humanities. Per the policy, the Park City Arts Council was designated as the representative organization for the purpose of planning how grant funds will be distributed for arts. The Arts Council has completed their grant review process and their FY 2000-01 and Council concurred with all of their recommendations except for one. Please see attached narrative relating to Paul Jakobowski's request.

Grant Subcommittee Recommendation: The Grant Subcommittee preliminarily met and discussed this issue. The Subcommittee had concerns about awarding a grant to an individual (Paul Jakobowski) as recommended as that was contrary to the City's grants policy which requires that grant recipients be non-profit organizations (attached). On August 24th, City Council concurred with the subcommittee and asked if Mr. Jakobowski's request could come through a program sponsored by either the Arts Council or the School District. The Arts Council has complied with that request and the School District is in support of the program. Please see the attached letters.

3) Disbursement of one-time grant contingency funds for the English as a Second Language (ESL) program of the Park City School District (PCSD).

On January 20, 2000 the City Council provided a one-time contingency grant to the ESL program in the amount of $3,333. This grant was part of an intergovernmental cooperation effort with the School District and Summit County. The ESL program is requesting another contribution from the City for this fiscal year. Please see attached letter.

Grant Subcommittee Recommendation: The Grant Subcommittee preliminarily met and discussed this issue. The Subcommittee asked for an explanation of the City's Hispanic outreach Library program as well as the program administered by Holy Cross Ministries. The subcommittee was curious as to whether there would be an opportunity to perhaps combine the programs. The City's Library Services Director, who also serves on the Board of the Holy Cross Ministries, explained that the School District and Holy Cross Ministries ESL programs provided different services and supplemented each other well. Holy Cross Ministries provides their ESL instruction services using the Park City Library as their place of instruction at no charge to the City.

D. Department Review:

This request has been reviewed by the Office of Capital Management and Budget, the Police Department, the Public Works Department, the Office of Olympic Planning and Special Events, the Community Development Department, the Leisure Services Department and the City Manager's Office. Again, in regards to the Recycling Center request, the Police Department, Public Works Department, and Office of Olympic Planning and Special Events are very concerned about the possibility of losing valuable storage space for City operations, especially during the Olympics.

ALTERNATIVES:

1) Provide direction regarding the three grant requests and either approve or modify the requests.

2) Deny the request (in total or partially): This action relating to the disbursement of Arts, Culture and Humanity grants would most likely necessitate further City Council direction concerning the grants policy and its implementation.

3) Continue the Item: Delaying the requests for more than a few weeks could cause some issues.

4) Do Nothing: Same as Continuing the item.

SIGNIFICANT IMPACTS:

Implements the City's grants policy which to do date has worked well. Funds for the recommended action are in the grants budget. Approving the additional space for the recycling center would decrease the annual contribution to the contingency fund from $4,457 to $3,457. The available balance of the grant contingency fund is approximately $19,500. Approving the entire Recycling Center request for one-time improvements to the old bus bay ($4,500) and the same ESL grant amount as last year ($3,333) would leave roughly $11,667 in the grant contingency fund until next July when the next annual contribution would occur.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The City Council would need to provide further direction and perhaps make modifications to the Grants policy.

RECOMMENDATION:

Provide direction concerning grant requests from the Recycling Center, Arts Council and the ESL program.

PUBLIC SERVICE CONTRACTS- Amended 5/11/00

As part of the budget process, the City Council appropriates funds to organizations and endeavors whose services are consistent with the needs and goals of the City. Depending upon the type of service category, grants payment terms of the contracts may take the form of cash payment, one-time capital project joint participation, and/or offset of fees or rent relating to City property in exchange for value-in-kind services. The use of the public service contracts will be for specific services rendered in an amount consistent with the current fair market value of said services.

Public Service Fund Distribution Criteria: Organizations or projects must meet the following criteria in order to be eligible for a public service contracts in Fund Categories 1-5 below: 1) Accountability and Sustainability of Organization; 2) Program Need and Specific City Benefit; 3) Fiscal Stability and Other Financial Support; and 4) Fair Market Value of the Service.

> **Criterion #1** - Accountability and Sustainability of Organization or Endeavor: The organization or endeavor must have: 1) Quantifiable goals and objectives; 2) Non-discrimination in providing programs or services; 3) Cooperation with existing related programs and community service; 4) Compliance with the City contract; and 5) Not-for-profit status.
>
> **Criterion #2** - Program Need and Specific City Benefit: The organization or endeavor must have: 1) A clear demonstration of public benefit and provision of direct services to City residents; and 2) A demonstrated need for the program or activity.
>
> **Criterion #3** - Fiscal Stability and Other Financial Support: The organization or endeavor must have: 1) A clear description of how public funds will be used and accounted for; 2) Other funding sources that can be used to leverage resources; 3) A sound financial plan that demonstrates managerial and fiscal competence; and 4) A history of performing in a financially competent manner.
>
> **Criterion #4** - The scope of services included in the public service contract must equal or exceed fair market value of any form of payment from the City.
>
> Fund Category 6 has its own criteria as set forth below.

Total Public Service Fund Appropriations: The City appropriates a total of 2.25% of its annual General Fund budget each year for public service contracts in Fund Categories 1 - 5 as described below. In addition, the City appropriates specific dollar amounts from other funds specifically related to Fund Category 6 as described below. The General Fund budget is defined as total departmental operations not including the "carry-forward" of unspent balances.

Fund Categories and Percentage Allocations: For the purpose of distributing Public Service Funds, service contracts are placed into the following categories: 1) Special Services; 2) Arts, Culture, Humanities; 3) Youth; 4) Rent Contribution; 5) Contingency; and 6) Historic Preservation. A percentage of the General Fund budget (whose sum does not exceed 2.25 %) is allocated to each of the first five individual categories by the City Council. A specific dollar amount is allocated to category 6.

The General Fund category percentage allocation does not vary from year-to-year. However, as the City's budget fluctuates (up or down) due to economic conditions, the dollar amounts applied to each category will fluctuate proportionally. In years when the budget decreases, the City Council may choose to reduce the contingency fund appropriation to the extent possible in order to hold public service fund amounts constant. In the case of categories 2, 3, and 5 (Arts, Youth and Contingency), unspent fund balances from a prior fiscal year are reappropriated on a one-time basis to the upcoming fiscal year. The unspent prior year balance is added to the new fund amount for the upcoming fiscal year.

1) Special Services: An amount not to exceed 1.19 % of the General Fund budget will be designated for service contracts relating to services that would otherwise be provided by the City. Special services that fall into this category would include, but not be limited to; sustaining economic development, historical preservation, marketing/sales, public safety, affordable housing and recycling.

To the extent possible, individual special services will be delineated in the budget. Any amount not specifically designated in the budget for special services will be placed in the Contingency Category. Each special service provider will have a special service contract with a term of one year. If a special service contractor wishes to increase their budgeted payment amount, they must justify why a change is needed. Funds used to increase individual special service contracts must come from within the Special Services Category or the Contingency Category.

2) Arts, Culture, Humanities: .30% of the total General Fund budget will be designated for support to a representative organization of the arts, culture, and humanities community. The representative organization will propose a plan by June 1 of each year as to how the support funds will be distributed to organizations in the arts, culture, and humanities community. The representative organization may establish a reasonable contingency balance for requests specific to the Arts, Culture and Humanities category that may arise throughout the year. Individual grant awards less than $500 per grant do not require City Council approval as long as they are approved by the representative organization.

The proposal must be consistent with UCA § 10-7-85, as amended, and the criteria listed in this policy. In particular, criterion 1-3: (cooperation with existing related programs and community services) will be closely monitored. Failure to comply with this criteria may result in loss of representative organization status. Criterion 4 shall be evaluated, but need not be a disqualifying factor.

Upon being designated by the City Council as the representative organization, the representative organization will enter into a contract prior to July 1 with the City for the distribution of support funds for a one year period. If a representative organization is not identified by City Council, the support funds will be held in a City trust fund until a representative organization is identified.

3) Youth: .25% of the total General Fund budget will be designated for support to a representative organization for youth services. The proposal must be consistent with the criteria listed in this policy, in particular criterion 1-4. All of the other policies relating to category #2 also apply to the youth category.

4) Rent Contribution: An amount not to exceed .48% of the General Fund budget will be used as a rent contribution for organizations occupying City-owned property and providing services consistent with criterion 1-4 pursuant to the needs and goals of the City. To the extent possible, individual rent contributions will be delineated in the budget. Any amount not specifically designated in the budget will be placed in the Contingency Category.

The City is required to make rent contributions to the Park City Building Authority for buildings that it occupies. Qualified Organizations may enter into a lease with the City to occupy City space at a reduced rental rate pursuant to criterion 1-4. The difference between the reduced rental rate and the rate paid to the Park City Building Authority will be funded by the rent contribution amount. The City Council may make long-term lease commitments for reduced rental rates under this policy. Please note that this policy only applies when a reduced rental rate is being offered. This policy does not apply to lease arrangements at "market" rates.

5) Contingency: .04% of the General Fund budget will be designated as a contingency reserve for organizations, programs or endeavors that arise throughout the year. Use of the Contingency fund requires City Council approval. The policies stated above will be applied to requests from the Contingency Category. City Council will review contingency fund balance every two years and make decisions for appropriations based on recommendations from the Public Service Committee.

6) Historic Preservation: Each year, the City Council will appropriate a specific dollar amount relating to historic preservation. The City Council will designate the funding for these expenditures during the annual budget process. The funding source for this category is the Lower Park Avenue and Main Street RDA. The disbursement of the funds shall be administered pursuant to applications and criteria established by the Community Development Department, and awarded by the Historic District Commission, consistent with UCA § 17A-3-1303, as amended. The total amount of historic funds available is $200,000 ($100,000 from each RDA project area). In instances where another organization is involved, a contract delineating the services will be required.

It is at the discretion of the City Council as to which categories individual organizations or endeavors are placed. Any percentage changes to the General Fund categories described above must be approved by the City Council. All final decisions relating to public service are at the discretion of the City Council.

RK CITY MUNICIPAL COPRPORATION
RANTS FY 2001 - Revised - May 18, 2000
Does not include Carry Forward from FY 1999-00 for Youth or Contingency

CATEGORY/DESCRIPTION	GRANT $ FY2000 Budget	% of BUDGET GENERAL FUND	FY 2001 Budget Recommended	% of BUDGET GENERAL FUND	FY 2001 Budget 5% Reductions	% of BUDGET GENERAL FUNI
SPECIAL SERVICES						
Recycling	$10,828		$10,828		$10,287	
Mountainlands Community Housing Trust	$20,000		$20,000		$19,000	
Arts Council			$14,500		$13,775	
Chamber Bureau	$81,210		$81,210		$77,150	
Historical Society	$25,121		$25,121		$23,865	
Domestic Peace Task Force	$27,405		$27,405		$26,035	
Sub-total Special Services	$164,564	1.19%	$179,064	1.30%	170,111	1.30%
ARTS/CULTURE/HUMANITIES						
Sub-total Arts	40,928	0.30%	26,428	0.19%	25,107	0.19%
YOUTH						
Sub-total Youth	33,871	0.25%	33,871	0.25%	32,177	0.25%
RENT CONTRIBUTIONS						
KPCW	25,172		25,172		23,913	
State Liquor Store	15,320		15,320		14,554	
Recycling	9,000		9,000		8,550	
Historical Society	16,800		16,800		15,960	
Sub-total Rent Contribution	66,292	0.48%	66,292	0.48%	62,977	0.48%
GRANT CONTINGENCY FUND	4,692	0.03%	4,692	0.03%	4,457	0.03%
TOTAL GRANTS - GENERAL FUND	310,347	2.25%	310,347	2.25%	294,830	2.25%
GENERAL FUND BUDGET	13,800,000		13,800,000		**13,110,000**	
HOUSING/RDA						
Mountainlands Community Housing Trust	5,000		5,000		5,000	
Sub-total Housing	5,000		5,000		5,000	
HISTORIC PRESERVATION						
Sub-total Historic Preservation	200,000		200,000		200,000	
TOTAL GRANTS - All FUNDS	**$515,347**		**$515,347**		**$499,830**	

Recycle
PARAMETERPARK CITY
Utah

September 1, 2000

Public Service Contracts Committee
Park City Municipal Corporation
445 Marsac Avenue, P.O. Box 1480
Park City, UT 84060-1480

Dear Committee Members:

Recycle Utah has prepared the following to address questions raised during your work session on Thursday, August 31, 2000, regarding Recycle Utah's request for Rent Contribution and Contingency Funding to support plastics recycling services. The program would include PET plastic (#1) soda and water bottles and HDPE plastic (#2) milk jugs. The Rent Contribution would be for one additional bay at the facility to house the baler and plastic containers sorted for baling. One-time start-up Contingency funding of $4,500 for tenant improvements in this bay include a wall erected between the bays, installing a garage door opener for the adjacent bays to be used by the City, installing a 240 volt circuit with switching, two overhead, high-voltage lights, and power to the new garage door opener.

As stated in our previous request, Recycle Utah has met with the various contractors to refine the cost estimate for tenant improvements. The following presents the estimated cost for the tenant improvements:

• Construction of a wall between the bays with sheet rock on both sides	$1,840
• Installation of a 240 volt circuit, two overhead, high voltage lights, and Power to the new garage door opener	$1,840
• Installation of garage door opener with remote and electronic key pad	$ 814
TOTAL	**$4,494**

It is critical that the plastic recycling be co-located with the other recycling services because of shared staffing and supervision. Also, the general public will not want to go to two different locations to drop off their recyclables. We would like to welcome you at the Park City Recycling Center the week of September 11th. We will call you to set up a mutually convenient time and arrange for access to the police garage.

Please contact Alyson Burleigh at 658-4966 or me if you have any questions regarding this request.

Sincerely,

Insa Riepen
Executive Director

cc: Tom Bakaly, Fred Jones

1951 Woodbine Way • P.O. Box 682998 • Park City, Utah 84068 • Phone 435-649-9698 • Fax 435-658-1530

August 18, 2000

Public Service Contracts Committee
Park City Municipal Corporation
445 Marsac Avenue
P.O. Box 1480
Park City, Utah 84060-1480

Dear Committee Members:

Recycle Utah receives requests from the public to recycle plastics on a daily basis. Currently, Recycle Utah accepts any color of glass containers, any paper products, including paperboard and corrugated cardboard, aluminum and tin cans. With the Good Wood project we also accept "good" wood, and other building materials such as doors, windows, and fixtures from remodel projects. Recycle Utah's ultimate goals are to preserve landfill space and to conserve natural resources.

Recycle Utah would like to expand the existing operations at the center to provide plastics recycling service to Park City residents and businesses. The plastics recycling program would include PET plastic (#1) soda and water bottles and HDPE plastic (#2) milk jugs. Due to the light weight and volume of uncompacted plastic containers, these materials would have to be baled to make the program economical. The baler would have to be installed indoors to protect it from the elements. Because the two different types of plastic need to be baled separately and be contaminant free, Recycle Utah also needs to have a secured area where separated bags of PET and HDPE can be stored prior to baling. The baler would produce 48" x 48" x 30" bales of PET or HDPE plastics. Once eight to ten bales are accumulated, the bales would be transported to markets in Salt Lake City.

This program would not be in conflict with the existing pilot curbside recycling program provided to approximately 2,000 single family homes in Summit County. Lamar Richins, Director of Public Works for Summit County recently indicated that Summit County will decide in the next few months whether the pilot program will be expanded to serve additional single family homes. If the County were to expand the pilot curbside recycling program to all single family homes in Summit County, Recycle Utah anticipates that it would still be receiving a considerable amount of plastics from multi-family residences and commercial establishments.

1825 Woodbine Way • P.O. Box 682998 Park City, Utah 84068 • Phone: (435) 649-9698 • Fax: (435) 658-1530
e-mail: director@recycleutah.com • http://www.recycleutah.org

To implement this service, Recycle Utah is requesting Rent Contribution on an ongoing basis for the use of an additional bay at the facility to house the baler and plastic containers sorted for baling. Recycle Utah is also requesting one-time start-up Contingency funding for tenant improvements in this bay including having a wall erected between the bays, installing a 230 voltage electric line to operate the baler, and relocating the electronic key pad that is currently used to open the bay door to access the three bays. The Department of Public Works has estimated the costs for these tenant improvements as follows:

• Construction of a wall between the bays with sheet rock on one side	$4,500 - $6,500
• Installation of a 230 voltage electric line (This does not include a transformer or additional panels, if required.)	$6,000 - $9,000
• Door control (electronic key pad) change out	$4,000 - $6,000
TOTAL	**$14,500 - $21,500**

Recycle Utah is working to refine these cost estimates prior to the City Council meeting.

Recycle Utah will rely on other funding sources for the on-going operational costs of the plastics program including the baler lease, baling wire, gaylord bags, pallets, pallet jack, staffing and transportation. Given the considerable costs associated with plastics recycling relative to the market value of baled PET and HDPE, the plastics recycling program would only be economically feasible with the increased Rent Contribution and the one-time Contingency funding for tenant improvements from the City.

Recycle Utah is a non-profit 501(c)(3) organization dedicated to preserving the environment. Recycle Utah's mission is to promote, strengthen, and provide leadership in waste reduction, reuse, recycling, hazardous waste collection, and composting in Summit County. Recycle Utah is governed by a Board of Trustees. Current Trustees are John Ray, Laynee Jones, Marc Estabrook, LaMar Richins, Jeff Louden, Fred Jones, Michael O'Hara, Joe Kernan, and Alyson Burleigh.

Please feel free to contact me or Alyson Burleigh at 658-4966 if you have any questions regarding this request.

Sincerely,

Riepen

Insa Riepen
Executive Director

September 22, 2000

Tom Bakaly
Capital Improvements Manager
Park City Municipal Corporation
PO #1680
Park City UT 84060

Park City Arts Council

Dear Tom:

Pertaining to the matter of Paul Jakobowski and his Cultural Arts Grant request to paint a MINING MURAL in the Poison Creek Tunnel, the following is an update for your clarification:

On September 5th 2000, Paul Jakobowski requested that the Park City Summit County Arts becomes the Fiscal Sponsor for his Mural project.
(See attached.)

Said issue was presented for approval by Grant Committee Chair Deb Corrigan & discussed in our General Board Meeting on September 6th, 2000. Joanna Charnes Added that said project still needs Design Review Committee approval, & Charnes reviewed letter of support from Park City School Superintendent Nancy DeFord (See attached.) who was present for Board Meeting discussion.

Deb Corrigan spoke about the educational merits of the project & how Paul will work with students.

Frances Umlauf moved to approve Paul's request.

Frank Normile seconded, all approved.

On September 13th ,2000, Paul Jacobowski presented same proposal to Park City Arts Council's Design Review Committee. Lengthy discussion was held.
Design & concept were approved.

Please let me know if you need any more information.

Sincerely,

Joanna Charnes

Joanna Charnes
Executive Director
Park City Summit County Arts Council

Attachmts.

Post Office Box 4455
Park City, Utah
84060
801▲647▲9747

PARK CITY

SCHOOL DISTRICT

NANCY DEFORD, Ed. D., SUPERINTENDENT

2700 KEARNS BOULEVARD
PARK CITY, UTAH 84060

435/645-5600
435/645-5609 FAX

September 6, 2000

Ms. Joanna Charnes
Park City Art Council
Park City, Utah 84060

Dear Joanna:

I had an opportunity to speak with Deb Corrigan regarding the public mural to be located in the Poison Creek tunnel. The proposal was from Paul Jakobski, and included student involvement in the completion of the mural.

I have provided the information to the teachers at Park City High School (Linda Barnes and Susan Galusha) and Treasure Mountain Middle School (Andrea Hage) and asked them to contact Deb to get involved. I know that Andrea Hage is eager for the middle school students to have this opportunity.

The proposal sounded like a great way to provide art students with a chance to be involved in a project to benefit the community. While I do not know Mr. Jakobski, the proposal looked feasible and appropriate, and I know that Deb Corrigan's support will ensure that student involvement is positive.

If I can be of further assistance, please feel free to let me know.

Sincerely,

Nancy

Nancy DeFord

From: Paul Jakubowski
Muralist Extraordinaire
PO. Box 428
PC. UT. 84060
Phone 435-940-9536

9/5/2000

To: The Board of Director s Park City Arts Council:
Park City Utah

I am a professional artist living in Park City and have recently been approved to receive grant funding by the Park City, Summit County, Arts Committee. A copy of the original proposal is enclosed.. This project will enhance our Community by involving a broad spectrum of volunteers from the community and creating a long lasting piece of public art. In order to receive the grant I require a not for profit organization to be my sponsor.. Please accept this memo as my formal request for the Park City, Summit County, Arts Council to be my official sponsor. I will do the best I can to represent you and myself in the most professional manner possible. If the board has any questions please feel free to call me at the phone number listed above.

RESPECTFULLY YOURS

Paul Jakubowski

Paul Jakubowski

approved 9/7/00
Arts Council Bd. Mtg

CITY/COUNTY CULTURAL ART GRANT REQUEST SUMMARIES FY 2000-2001

1. **Paul Jakobowski** **city request only $5,500.00 recommendation** design/paint mural depicting Park City's mining history in Poison Creek Tunnel. This project must be approved by Arts Council Design Review Committee & needs to utilize local students to work with Paul to paint mural.

2. **Mountain Town Stages** **city request only $2,000.00 recommendation** Randy Barton's request to fund the marketing of free concerts for six weeks during the summer at three Park City locations: Marriott Summit Watch, Town Lift, Park City Mountain Resort. This money is regarded as seed money for a new project that the community accepts & appreciates. Grant Committee stipulation Park City Arts Council must authorize & co-sign each check.

3. **Egyptian Theatre Youth Program** **$5,000city/$5,000county $10,000 total recommendation** request to continue to fund youth theatre program which includes outreach to North & South Summit,Jeremy Ranch & Parley's Park Elementary Schools in addition to McPolin Elementary School. This program not only teaches youth about drama, but it allows local youth to take part in theatrical productions. Grant Committee impressed with number of youth served. This program increases in scope & breadth of what it accomplishes each year.

4. **PC Performing Arts Foundation Pillow Box Theatre** **$1,500city/$1,500 county recommendation, $3,000 total** request to sponsor children's theatre matinee performances in small, 150 seat intimate theatre at Eccles Center for the Performing Arts. Foundation needs to track how many locals attend. Grant Committee interested to see percentage returned on the dollar-off coupons that are made available for students & teachers to measure outreach effectiveness.

5. **PC Intl Chamber Music Festival** **$1,500 city/$1,500 county $3,000 total recommendation** request for general project support. This group has grown dramatically over the past five years, audience has increased, so has sponsorship, so has operating budget. Performances are given for free in Coalville, with significant numbers of locals in attendance. Amount requested is very modest in relationship to entire budget which is $200,000.00.

PARK CITY
SCHOOL DISTRICT

EDUCATIONAL EXCELLENCE

2700 KEARNS BOULEVARD
PARK CITY, UTAH 84060

435/645-5600
435/645-5609 FAX

August 15, 2000

Toby Ross
City Manager
Park City Municipal Corp.
Park City, UT 84060

Dear Mr. Ross:

Everyday in Park City, you hear Spanish spoken. Your support last year was critical in helping us provide an English language program for adults, and we are asking for your help to make this happen again.

In the 1999-2000 school year, the Park City School District registered 215 adults in our E.S.L. program, with almost 2000 of student attendance hours recorded for the year. It is apparent that the Latino population in Park City and Summit County is increasing and is a permanent part of our community.

We ask our adult students about employment when they register in our program. We found that about 70% indicated that they are employed. Of that group, 39% were in construction, 38% work in hotels and restaurants, and 19% worked at ski resorts. We also have students who work with retail stores and other businesses. People who do not speak English are employed in almost every type of business and are heavily represented in service industries. Most, who were not employed at the time they registered, were looking for work.

The enclosed information and budget sheet gives more data on our adult student population and financial needs for this year. We are changing our program format to provide what we hope will be a better service.

We face a difficult financial situation for serving our adult non-English speaking population. Our state grant money, funds only about 15% of our program costs, with restrictions attached to its use. Our program employs three part time staff members and we are lucky to have some very committed and qualified volunteers. Students pay a small registration fee to cover the cost of books and materials. The difference is made up through school district funds and donations. Donations from the public and private sectors have made it possible for us to serve every student who wants to learn English.

I'm asking again this year for your financial support. We need to raise about $16,000 to run the program this year. We do not want to restrict the size of the program, or who can attend. So your continued support is very important and appreciated. With your support, the Park City School District will have a place for these community members to learn English with qualified professional staff in a structured school setting.

Please call me at the Park City School District, 645-5600 ext. 147 if you need additional information. I would be happy to share more information about the program or present this information in a meeting.

Thank you very much for your help. Our classes begin in September.

Sincerely,

Judy Tukuafu
Director of Community Education

Nancy DeFord
Superintendent of Schools

Park City School District
Adult E.S.L. Program

Judy Tukuafu
July, 2000

Background:
Facts on the 1999-2000 program

1. 223 were listed on the rolls - came at least one time
2. We have some information from 158 students
   a. About 1/3 were female and 2/3 male
   b. 134 were from Mexico
   c. 57 were married and 92 were single
   d. Total number of children indicated was 142
   e. Employment - 111 listed where employed or name of company
   f. 46 were in construction, 43 in restaurants or hotels, 22 at ski resorts, 6 other
   g. Students had been in Park City from a few days to many years

We also had an ESL program with an evening Head Start program which helped ten mothers learn to speak English.

There were 63 (one and a half hour) classes held with an average attendance of 21 per night. Total student classroom hours was almost 2000.

The program was held at McPolin Elementary School. The small satellite program at Ecker Hill Middle School was discontinued due to lack of student attendance. The McPolin ESL program gets new students almost every week. This is an on-going program, held every school year.

The program in 1999-00 had one paid, part-time lead teacher, two paid part-time teachers, and some volunteers. The school district provides meeting space, access to miscellaneous materials and photocopying. Judy Tukuafu serves as the Director of Community Education and manages the program as part of her overall job duties.

State grant funding provides only about 15% of the funds needed pay for the part time teaching staff needed to run the basic program. The other funding for the 1999-2000 year was provided by donations, grants, and school district funds.

Program Needs and New Directions:
Park City School District will continue to provide this program in the evening, two nights per week for the entire school year. We want to change to a two hour class period because our student surveys indicated that students want more instruction.

We are going to restructure the program into two month time blocks in hopes of adding some continuity to the learning process. This has been an open entry program where students can register any time during the year. An open entry program is nice for newcomers but difficult for continuing students and for the teachers. With this new system, we plan to register new students every other month and have a more structured curriculum planned for the entire year. This may negatively affect the total number of students we have in the program, but it should help dedicated students to progress at a faster pace and, ultimately, be a better learning experience and program.

Budget:
The Park City School District will continue to provide administrative staff, facilities, copying, and advertising as well as opportunities for teacher training. We have community volunteers involved in the program as teaching aides. The school district has funded the shortfalls in the budget for the adult ESL program, however community support is essential to continuing this program now.

ESL Program Budget

Staffing	
1 Lead Teacher at 40 hours/month for 10 months/year at $20/hr.	$ 8,400
2 Teachers at 30 hours/month for 10 months/year @ $14/hr.	$ 8,400
FICA for teachers	$ 1,285
Materials	
Books at $15/student for 150 students	$ 2,250
Total Program Cost:	**$19,935**
Funding Available	
State grant	$ 2234
Student fees @ $10/student for Regular program	$ 1,500
Funding needed for ESL Program:	**$16,101**

Other PCSD Support
PCSD provides as in-kind: Administrative staff (Judy Tukuafu) at approximately 200 hours per year, secretarial support at approximately 100 hours/year, facilities (classroom space and utilities), copy machine use and paper for forms, tests, reports, etc., and advertising.

Park City Municipal Corporation
P.O. Box 1480, Park City, UT 84060
(435) 615-5200 Fax (435) 658-8998
myles@parkcity2002.com

Office of Public Affairs

Myles C. Rademan, Director

To: Mayor & City Council
Date: September 21, 2000
Re: Community Participation Strategies Update

Background
Involving citizens in shaping Park City's future has been a long standing goal of many city councils. Over the years the city has employed a wide variety of strategies, tools and techniques to further this goal (see attached memo).

If the council wishes to reemphasize certain aspects of public participation it is important to determine what the council wants to accomplish prior to implementing any new strategies for either informing or involving the public.

Rationales for Involvement Strategies
Rationales often overlap, but a primary motivating emphasis determines what involvement strategies to implement:

1) Sharing Information
2) Gathering information
3) Demonstrating public accessibility
4) Organizing citizens, groups, neighborhoods
5) Creating community
6) Training leaders
7) Seeking volunteers & fostering involvement
8) Governmental oversight
9) Others ???

Analysis
Park City is probably the most news-saturated community of its size in the entire country. With an award winning local public radio station broadcasting literally hundreds of hours of community affairs programming monthly, in addition to several hometown newspapers and a television station, it is hard to imagine citizens having difficulty staying informed. The city also sponsors an impressive array of programs, meetings, seminars, updates and other opportunities to inform, involve, and motivate the public. And few communities boast as many volunteer and non-profit organizations also providing ready access to community life and decision-making.

On the other side of the coin is the fact that today's citizens are extremely busy and distracted; they suffer 'information overload' and 'time poverty', making it difficult to keep them focused and committed on broad community issues. Most often citizens respond to immediate

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Office of Public Affairs

Myles C. Rademan, Director

problems and threats impacting their neighbors, and find it difficult as they juggle jobs, families and the host of other personal commitments to devote the time and/or energy needed to immerse themselves in the difficult issues facing a growing community.

What this means is the city should be extremely selective in its involvement strategies and modest in its expectations. While we cannot hope to overcome the many distractions of modern life, we can by carefully defining our participation goals and strategies achieve a modicum of success.

Potential Strategies

1) Council Couch
   Goals: Accessibility, Gathering Input, Sharing Information
2) Neighborhood Meetings
   Goals: Gathering Input, Sharing Information, Accessibility, Creating Community
3) Presentations to Community Groups
   Goals: Sharing Information, Educating, Accessibility
4) Leadership Training
   Goals: Training Leaders, Sharing Information, Educating, Creating Community
5) Others Strategies for accessibility agreed upon by the council: talking to citizens in the grocery stores, at ski swaps, in the lines as they get their ski passes, at the schools, etc. And others.
   Goals: Defined by the Council

Action Required

The city council can engage in a policy discussion on public participation philosophy and needs, determining where the city falls short and what goals and strategies they would like to implement in the coming year. By reviewing the January 2000 memo on **Public Participation, Information & Outreach Efforts**, the council will get an idea of the numerous participation strategies the city has employed in the past to involve the public, and can determine whether any of these deserve additional attention and resources.

The Public Affairs Department stands ready to assist and will implement any participation goals and strategies agreed upon by the council..

Park City Municipal Corporation
P.O. Box 1480, Park City, UT 84060
(435) 615-5200 Fax (435) 658-8998
myles@parkcity2002.com

Office of Public Affairs

Myles C. Rademan, Director

Memorandum
January 2000

Overview of Public Participation, Information & Outreach Efforts

a partial listing of initiatives & programs over the past decade

Major Community-Wide Efforts

CommunityVisions '89 & '95
Neighborhood Meetings '95-'98
Olympic Updates
Transportation Symposium '96
Downtown Design Charrette '97
Y2K Updates
Hispanic Outreach Programs

Project Specific Efforts

Landmark Symposium
Growth Management Commission
Olympic Updates
Downtown Improvement Plan Meetings & Open House
Envision Utah Community Meetings
Transit Center & Roundabout Meetings & Open House
Environmental Issues / EPA

Departmental Efforts

(many departmental efforts are interdepartmental in nature and execution)

Community Development

Comprehensive Plan Revisions
Land Management Code: dozens of public meetings & Open House
Growth Management
Historic District Revisions
Building Code Revisions

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Downtown Improvement Plan: Open Houses at Marsac & Miners
Woodside Avenue Improvement Neighborhood Meetings

Public Affairs

SummerTours '88 - '99
Leadership Park City 2000 ('95 - '2000)
Public Policy Forums
Leadership 101
Council Television Show on TV 45 '91 - '95
Downtown Design Charrette '97
Liaison to Citizens Open Space Committee, Chamber/Visitors Board, Lodging Association, Board of Realtors, Utah Ski Association, Main Street Alliance, Prospector Square Business Association

Office of Budget & Capital Improvements

Transit Center & Roundabout Meetings & Open House
Downtown Plan Meetings & Open House
Budget Hearings
CIP Project & Open Houses
Trails Master Plan Meetings
Skateboard Park Meetings
Barn & Farm Master Plan

Special Events & Olympic Services

Olympic Public Meetings
Group & Organization Briefings
City Staff Briefings
Newspaper Column
Public Input Meetings on Motorcycle Week

Leisure Services

Barn & Farm Master Plan
Skateboard Park Meetings

Library

Hispanic Outreach Program: ESL classes, story time at Aspen Villas and City Park, work with KPCW on new weekly Hispanic radio show

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Public Works
- Traffic Calming
- Sidewalk Plans
- Transportation Symposium '96

Police
- Y2K
- Hispanic Outreach
- City Park Host Program
- Newspaper & Radio spots on speeding & pedestrian safety
- Sub for Santa & Shop with a Cop
- Business Alert Phone Tree
- Neighborhood Clean-Up Project Teams (Affordable Housing areas)

Administrative Services
- Y2K Meetings
- City Web Page
- Valuing Employees Program
- Taxi-Cab & Shuttle Meetings

Council/Mayor- Initiatives

- Council Office Hours
- KPCW Council & Mayor Interviews
- Regular Public Meetings & Hearings
- Published Phone Numbers & E-mail Addresses
- Mayor's Office

Board & Commission Efforts

(Most departmental public outreach efforts are coordinated through the appropriate boards and commissions when appropriate)

- Planning Commission
  - General Plan Revisions
- Historic District Commission
  - HDC Revisions

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Office of Public Affairs

Myles C. Rademan, Director

Parks, Recreation & Beautification Board
- Trail Master Plan
- Farm & Barn Plan

Citizen Open Space Advisory Committee
- Hearings on Mission & Criteria
- Coordination with Utah Open Lands, COOL, Swanner Park to host Open Space Open House

Council/Candidate - Initiatives

- Campaigning Door-to-Door
- Radio, TV & Newspaper Interviews
- Candidate Debates

Miscellaneous Efforts

- Park City Web Page
- Periodic Citywide Newsletters
- Special Notice Mailings in Water Bills
- Newspaper & TV Updates
- KPCW Updates

Potential Future Efforts ***(depending on City Council priorities & support)***

- CommunityVision 2000 - OlympicVision & Beyond
- Specific Neighborhood Meetings/Briefings
- Council Television Show
- Newsletters
- Mobile City Hall (Council Couch in Public Places)
- Local Cable Access of City Council, Board & Commission meetings
- Others ????

Council Agenda Report

DATE:
DEPARTMENT: Golf Course
AUTHOR: Craig Sanchez
TITLE: Pro Shop Interior
TYPE OF ITEM: Contract

SUMMARY RECOMMENDATIONS:

Authorize the Golf Course to enter into a contract, in a form approved by the City Attorney, with Design Masters.

DESCRIPTION:

A. Topic:

Eight R.F.P. packets were sent out for the interior work for the Pro Shop space within the Hotel. Three responses were received.

B. Background:

The Golf Course staff prepared and distributed a Request for Proposal for the design, build, and installation for the interior space of the new Pro Shop. The development agreement with Talon Development calls for them to provide 2000 square feet of space within the Hotel project. The Golf Course at time of completion will lease or buy the space from Talon. The space will be finished and painted. The Golf Course is responsible for the cabinetry, displays, lighting, flooring, and window coverings. The R.F.P. that was sent out covered everything but the cost and installation of the lighting, flooring, and window coverings.

C. ANALYSIS:

The three R.F.P.'s that were received were from Pro Craft ($110,000), Design Masters ($63,123.98), and Barr Display ($48,900). Pro Craft was eliminated from contention because of the cost. Barr Display, although being the lowest bid received was also eliminated. Their proposal did not include a site visit, overall design plan (no electrical),or a cost for freight and installation. Their price was also not a bid but an estimate. The group (Denise Payne, and Craig Sanchez) decided to choose Design Masters. Their cost was within our Budget and their packet was clearly superior. Their bid includes a site visit to meet with staff and Hotel designers, a full design plan including electrical, freight and installation. Their references were outstanding as they have designed and built some of the finest Golf Clubs in the U.S., including Park Meadows.

D. REVIEW:

The City Manager's Office, Legal Department, and OCMB have reviewed this contract.

ALTERNATIVES:

A. Approve the contract with Design Masters.

B. Solicit more proposals for the space.

C. Deny the contract with Design Masters.

SIGNIFICANT IMPACTS:

Within the development agreement with Talon development it states: City will provide Talon with it's proposed interior layout and any desired partitions within 60 days of the commencement of the construction on the phase of the project that includes the Pro Shop unit. To get a designer on board at this time would be positive as to get all approvals for the interior work completed. Design and build firms are usually busiest during the mid summer months. It is our plan to have this completed and in the shop by April 15, 2001.

RECOMMENDATION:

Authorize the Golf Pro Shop to enter into a contract with Design Masters, to design and build the interior of the Golf Pro Shop.

PARK CITY
1884

CITY COUNCIL REPORT

DATE: September 28, 2000
DEPARTMENT: Planning Department
AUTHOR: Jonathan Weidenhamer
TITLE: 1500 Kearns Boulevard (Adolph's Restaurant)
TYPE OF ITEM: Appeal

<u>SUMMARY RECOMMENDATIONS:</u> Staff requests that the City Council adopt the enclosed findings and conclusions which memorialize Council's decision on September 14, 2000 to grant the appeal.

DESCRIPTION:

A. <u>Topic.</u>

Project Name:	Ratification of Findings of Facts, Conclusions of Law, and Conditions of Approval to grant an Appeal of a Planning Commission Decision.
Applicant:	Adolph Imboden, Adolph's Restaurant
Location:	1500 Kearns Boulevard
Zoning:	General Commercial District (GC)
Adjacent Land Uses:	Commercial

At its regular meeting on June 28, 2000 the Planning Commission voted to deny this application. The applicant appealed this decision to the City Council. At their regular meeting on September 14, 2000, the Council approved a motion to grant the applicant's appeal.

The following Findings, Conclusions and Conditions were drafted to reflect the City Council's approval of the amendment to remove a condition of approval from a previously approved Conditional Use Permit which would allow the enclosure of the existing roof overhang, at 1500 Kearns Boulevard:

<u>Findings of Fact:</u>

1. At its regular meeting on June 28, 2000, the Planning Commission voted to deny this application. The applicant appealed this decision to the City Council, and the Council

reviewed this matter de novo and conducted a site-visit on September 14, 2000.

2. Adolphs Restaurant is within the General Commercial Zone and is a Non-Complying Structure.
3. The south facade, roof overhang, and deck of Building D, 1500 Kearns Boulevard are located within the first 30 feet of the Frontage Protection Zone.
4. The Frontage Protection Zone establishes that construction can not take place within 30 feet of the Kearns Boulevard right-of-way.
5. The Frontage Protection Zone establishes that any construction between 30 and 100 feet from the nearest right-of-way requires a conditional use permit.
6. The proposed changes will add an approximately 200 square feet of additional commercial square footage to the existing building.
7. A Conditional Use Permit was approved on November 4, 1998 to allow the construction of a "patio screen fence" on the existing, non-conforming deck. A condition of approval is, "The deck shall remain open and shall not be enclosed by a roof or any other structure." The proposed enclosure does not violate this condition of approval.
8. A roof eave overhang and cement post currently exist outside the existing building envelope at the location of the proposed construction.
9. The proposed construction is not an expansion into the Frontage Protection Zone because the area was within the building's roof eaveline at the time of its original approval.
10. The proposed construction will not increase the degree of non-compliance with the Frontage Protection Zone because the proposed changes are rendered barely noticeable due to their proximity to the corner of the building, the size of the area in question, the compatibility to the existing architecture, and the fact that other existing improvements in the Frontage Protection Zone shield this proposal from the highway sight-line, including the sign, deck, landscaping, and glass bar area (middle punch out).
11. The proposed construction will consist of filling in of the existing roof overhang on the southwest corner of the building with glazing.

<u>Conclusions of Law:</u>

1. The application complies with all requirements of Section 15-1-10, Standards for Review for a Conditional Use Permit, of the Land Management Code.
2. The proposed construction will not violate the Frontage Protection Zone or the Park City General Plan.
3. The application complies with Section 15-9-6(A) of the Land Management Code.

<u>Conditions of Approval:</u>

1. A building permit is necessary prior to any construction.
2. This approval shall expire on September 28, 2001 if a building permit has not been issued.
3. The final building plans and construction details shall reflect substantial compliance with the plans reviewed by the City Council on September 14, 2000. Any changes, modifications, or deviations from the approved design shall be reviewed and approved by the Planning Commission prior to their construction as an amendment to the CUP.
4. Any future change must be reviewed according to the Code in effect at the time of application. This approval is based upon the unique findings herein and in no way creates

a precedent for the rest of the roof overhang or like structures. The City expressly reserves the right to deny any proposed further expansion of any type to this facade.

5. All exterior lighting at 1500 Park Avenue shall be reviewed and approved by the Planning Department for compliance with the Land Management Code prior to issuance of final building permits.

EXHIBITS:

Exhibit A - Report from September 14, 2000 City Council Meeting

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PARK CITY

1884

CITY COUNCIL REPORT

DATE: September 14, 2000
DEPARTMENT: Planning Department
AUTHOR: Jonathan Weidenhamer
TITLE: 1500 Kearns Boulevard (Adolph's Restaurant)
TYPE OF ITEM: Appeal of Planning Commission Denial of a Modification to an Approved Conditional Use Permit

---

SUMMARY RECOMMENDATIONS: Staff requests that the City Council review the project within the context of the Appeal and Reconsideration Process, hold a public hearing, consider any public input and deny the proposed modification to an approved Conditional Use Permit to allow construction within the Frontage Protection Zone.

DESCRIPTION:

A. Topic.

Project Name:	Appeal of a Planning Commission Denial to Allow a Modification to a previously approved Conditional Use Permit to enclose an existing roof overhang within the Frontage Protection Zone
Applicant:	Adolph Imboden, Adolph's Restaurant
Location:	1500 Kearns Boulevard
Zoning:	General Commercial District (GC)
Adjacent Land Uses:	Commercial

B. Background.

Park Meadows Plaza, Building D (Adolphs), was approved by the Planning Commission on January 24, 1979 as part of the Park Meadows Plaza MPD. At that time the Land Management Code required all structures proposed to be located within 100 feet of the Highway 248 right-of-way be reviewed by the Planning Commission. The structure met all requirements at that time. The FPZ was adopted with the Sensitive Lands Ordinance in September 1992.

On November 4, 1998, the Planning Commission approved a Conditional Use Permit (CUP) to allow construction of a "patio screen fence" along the south western most edges of the existing deck of Building D. This fence is within the Frontage Protection Zone (FPZ). The applicant also received approval from the Board of Adjustment for an expansion of this non-conforming structure in the FPZ.

At this time, the applicant wishes to modify the existing CUP by removing a condition of approval which states, "The deck shall remain open and shall not be enclosed by a roof or any other structure". The applicant proposes to expand his building footprint and increase commercial square footage approximately 136 square feet by enclosing a portion of the existing ten foot roof overhang that extends over part of the existing deck.

At its regular meeting of June 28, 2000 the Planning Commission held a public hearing and voted to deny this application (see Exhibit I). The applicant has appealed this decision to the City Council. Council will hear this application/appeal *de novo*.

A site visit has been arranged during the work session of the Council meeting tonight.

C. Analysis.

The Land Management Code specifies the FPZ as the first 100 feet from certain public right-of-way lines. All construction in the setback between 30 to 100 feet from the nearest right-of-way is a conditional use. The Land Management Code also specifies that 0 - 30 feet from the right-of-way, in the Frontage Protection Zone, is a no build area. Staff's review of the Park Meadows Plaza survey showed both the existing building and deck, where the construction is proposed, are located within the first 30 feet of the Kearns Boulevard FPZ (see Exhibit D).

At the time of original approval, the building complied with all code requirements. The subsequent adoption of the FPZ applied new restrictions within the 100 foot setback from the right of way. Because the location of the proposed expansion and existing building and deck violate the 30 foot no build zone, Staff has determined that the proposed enclosure of the existing roof overhang would be an expansion of a non-conforming use. The LMC allows for repair, maintenance, alterations, and enlargement, but any non-complying structure may be repaired, maintained, altered, or enlarged provided that such enlargement shall neither create any new non-compliance nor increase the degree of existing non-compliance.

The proposed enclosure of the existing roof overhang would result in the addition of commercial square footage. Reference to further expansion was specifically noted in the minutes from the original CUP. Not only was a condition of approval crafted to prevent this, but many references were made throughout the original CUP approval process regarding the Commissions' desire to prevent construction and additional floor area in the FPZ (see Exhibits D&E). The Planning Commission denied this proposal at their June 28, 2000 meeting.

All construction within the Frontage Protection Zone, is subject to the Conditional Use review process, including design review. Listed below is Staff's analysis of the Conditional Use Permit Standards for Review.

1. <u>Size and location of the site:</u> The proposed construction will increase the footprint of the existing structure by approximately136 square feet. It would be located within the 30 foot no build zone as stipulated by the FPZ.

2. Traffic considerations: The increase in floor area will add additional traffic flow, the results of which are undetermined at this time.

3. Utility capacity: This standard is not applicable to the proposal.

4. Emergency vehicle access: This standard is not applicable to the proposal.

5. Location and amount of off-street parking: The proposed increase of floor area by 136 square feet would trigger the need for additional parking space(s). The existing parking associated with Park Meadows Plaza is required to meet principally daytime demand capacity. Adolph's is the only business which would place a demand on parking at night, of which there is an ample amount.

6. Internal circulation system: This standard would be addressed at the time of full building permit submittal.

7. Fencing, screening and landscaping to separate uses: The proposed construction will be in the 30' no build area as established by the FPZ. No additional landscaping/screening is proposed.

8. Building mass, bulk, orientation and the location on site, including orientation to adjacent buildings or lots: The proposed addition will increase the footprint of the building, enclose open space, violate the 30 foot no build setback, and otherwise compromise the intent of the FPZ, which was established to preserve view corridors, buffer areas, and allow for improvements of the highway.

9. Usable open space: This standard is not applicable to the proposal.

10. Signs and lighting: There are no additional signs or lighting included within the proposal to construct the fence.

11. Physical design and compatibility with surrounding structures in mass, scale and style: Although the expansion would be in the 30 foot no build zone, an existing roof overhang and cement post already exist. At this time building plans have not been submitted, however, by enclosing open space, the proposed construction would be physically obtrusive to the view corridor and buffer area along Kearns Boulevard.

12. Noise, vibration, odors, steam, or other mechanical factors that might affect people: There will be no additional noise, vibration, odors, steam, or other mechanical factors emitted by the proposed addition.

13. Control of delivery and service vehicles, loading and unloading zones, and screening of trash pick up areas: This standard is not applicable to the proposal.

14. Expected ownership and management of the property: This property is part of Park

Meadows Plaza commercial condominium project. If this project were to move forward, a review of the condominium plat would be necessary to determine whether an Amendment to the Record of Survey is necessary.

15. Architectural and Uniform Building Code review: The applicant will need to submit for a Building Permit to construct the addition. At this time, the applicant has not submitted plans for review.

16. Sensitive Lands Review: The proposed site for the addition is in not located within the Sensitive Lands Overlay Zone, and has no impact on lands that are environmentally sensitive.

D. Notice.

Notice of this hearing was sent to property owners within 300' on September 1, 2000. No formal comments have been filed at the time of this report.

ALTERNATIVES

A. Approve the amendment to the existing Conditional Use Permit, at 1500 Kearns Boulevard. Specific Findings of Fact, Conclusions of Law and Conditions of Approval would have to be created to allow this.

B. Deny the amendment to the Conditional Use Permit, preventing the construction of an addition in the FPZ.

C. The City Council may continue the hearing for more information and discussion.

RECOMMENDATION:

Staff recommends denial of the amendment to a previously approved Conditional Use Permit which would allow the enclosure of the existing roof overhang which sits within the Frontage Protection Zone, at 1500 Kearns Boulevard based on the following:

Findings of Fact:

1. The findings discussed in the Analysis section are incorporated herein.

2. Adolphs Restaurant is within the General Commercial Zone

3. The south facade, roof overhang, and deck of Building D, 1500 Kearns Boulevard are located within the first 30 feet of the Frontage Protection Zone.

4. The Frontage Protection Zone establishes that construction can not take place within 30 feet of the Kearns Boulevard right-of-way.

5. The proposed changes will add an approximately 136 square feet to the existing building envelope.

6. A Conditional Use Permit was approved on November 4, 1998 to allow the construction of a "patio screen fence" on the existing non-conforming deck. A condition of approval is, "The deck shall remain open and shall not be enclosed by a roof or any other structure."

7. The Frontage Protection Zone establishes that any construction between 30 and 100 feet from the nearest right-of-way requires a conditional use permit.

Conclusions of Law:

1. The application does not comply with all requirements of Section 15-1-10, Standards for Review for a Conditional Use Permit, of the Land Management Code.

2. The proposed construction does not comply with the conditions of approval for the existing Conditional Use Permit.

3. The use is not consistent with the Frontage Protection Zone and the Park City General Plan.

EXHIBITS:

Exhibit A - Location Map
Exhibit B - Photograph Elevation
Exhibit C - Applicant's request for appeal
Exhibit D - Survey of Park Meadows Plaza
Exhibit E - Proposed area of construction
Exhibit F - Minutes from 10/21/98 Planning Commission Meeting(work session & regular mtg.)
Exhibit G - Minutes from 11/4/98 Planning Commission Meeting(work session & regular mtg.)
Exhibit H- Planning Commission Report 6/28/00
Exhibit I - Minutes from 6/28/00 Planning Commission Meeting

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PARK CITY

1884

COUNCIL AGENDA REPORT

DATE: September 28, 2000
DEPARTMENT: Office of Capital Management and Budget
AUTHOR: Tom Bakaly, Director of Capital Programs and Budget TBB
TITLE: Authorization to Execute a Line of Credit with Zions Bank for $3 million
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Authorize the City Manager to execute a line of credit with Zions Bank in the amount of $3 million for Old Town Transit Center Construction.

DESCRIPTION:

A. Topic: Line of Credit with Zions Bank in the amount of $3 million.

B. Background:

On January 20, 2000, City Council formally reaffirmed its commitment to the Old Town Transit Center and Roundabout project and directed staff to request bids for the project in such a manner so that it could be either completed in 2000 or phased over two years. City Council expressed a general preference that the project be completed in one year and use City debt to fund gaps in the project budget. On March 30, 2000, City Council authorized a contract with Herm Hughes and Sons for the entire construction of the Transit Center and Roundabout. On March 30, 2000 City Council also formally signaled their intent to borrow funds to complete the project. As of September 28, 2000 the City has roughly $3 million to be paid against that project.

The City currently has a grant with the Federal Transit Administration (FTA) in the amount of $6.5 million for the Transit Center. The City has applied for the remaining $3 million in needed federal funding as part of Utah's and the Salt Lake Olympic Organizing Committee's FY 2001 Federal Transportation request. Please see the attached draft letter from SLOC confirming the inclusion of the Transit Center in their current federal request. Staff is hopeful that a signed letter from SLOC will be received within the next few days. Formal notification regarding the City's request should be available in October of 2000. The City is not certain how much of the $3 million will be funded in the FY 2001 federal budget. It will take a few months to actually receive the funds from the federal government through the drawdown process.

C. **Analysis:**

Reimbursement of Interest Costs: The City currently has a Letter of No Prejudice and Grant from the federal government. This means that eligible grant expenses related to the project will be reimbursed by the FTA once funds are appropriated. The City's Letter of No Prejudice was recently extended until September 30, 2005 (attached). The City's grant with the FTA is being amended to include interest costs associated with borrowing funds to complete the project.

Borrowing Alternatives: On March 30, 2000, City Council (through the Municipal Building Authority or MBA) formally indicated their intent to borrow funds needed to complete the construction in 2000 by adopting a bond parameters resolution. Since that time, Staff has analyzed various alternatives to a formal bond issue that would have large associated issuance costs.

Line of Credit: The City's bank, Zions, has a line of credit product that Staff believes better addresses the City's needs in this instance. The Line of Credit is a borrowing vehicle that does not have associated issuance costs. The Line of Credit (document attached) acts as an unsecured lease against the transit building. Zions understands that the Federal Transit Authority (FTA) is in first position against that lease because they are funding 80% of the transit center. The following are key technical components of the Line of Credit:

Amount: The total amount of the Line of Credit is $3 million. In exchange for a lower interest rate, the City would drawdown $2 million in early October. The City would reinvest the $2 million in the State Treasurer's Pool at a rate equal to the interest cost and spend the money as needed. The remaining $1 million would be drawn down if needed.

Interest Rate: The interest rate for the Line of Credit is 68.4% of the Prime Lending Rate. This is a variable interest rate. Today, that rate would be 6.5%.

Payments: The first payment on the Line of Credit would be in August of 2001.

City Fund: The City's Transportation Fund would make any payments on the Line of Credit, not the City's General Fund.

Term: The term of the Line of Credit is for 10 years.

D. Department Review: The Line of Credit has been reviewed by the City Manager's Office, the Office of Capital Management and Budget and the Legal Department.

ALTERNATIVES:

A. Authorize the execution of a line of credit with Zions Bank for $ 3million: This is Staff's recommendation because of the lower issuance costs. If funding is not received within a year from the federal government, the City may want to refinance the debt into a longer term, lower interest rate bond. It is Staff's intention to drawdown $2 million immediately. Staff is obviously willing to regularly inform Council of subsequent drawdowns.

B. Issue MBA debt: City Council could proceed as originally planned and issue longer term MBA debt. This would cost more in the short term, but could produce a lower interest over a longer period of time.

C. City Funds: The City could use fund balance in the Transportation Fund and the Capital Improvement Program (CIP) to pay for construction until the remaining amount of the FTA grant is awarded. City Council expressed a reluctance to do this in January and March of 2000 when the issue was brought before them. Use of fund balance may preclude the use of those funds for other projects and would reduce reserves/contingencies in the funds referenced.

D. Deny the Request: Denying the request and not pursuing one of the other alternatives listed would cause the City to violate the contract payment terms with Herm Hughes in the near future.

E. Continue the Item: The item could be continued until early October, but not much further without causing cash flow and contractor payment issues.

F. Do Nothing: Same as continuing and eventually the same as denying the request.

SIGNIFICANT IMPACTS:

The proposed Line of Credit is just like issuing bonds and incurring debt. The City's auditors will need to list this in their review of the City's financial statements. The City will also need to inform the bond rating agencies of this Line of Credit when Staff discusses the City's Open Space General Obligation Bonds with them in October. Staff is recommending the Line of Credit because of the low issuance costs and its relative flexibility. Staff is basing this recommendation on timely receipt of federal funds. If federal funds do not arrive within a year, Staff would recommend possibly refinancing the Line of Credit into a longer term bond with a lower interest rate.

Listed below is a table that shows the amount of the federal grants relating to this project.

FTA Grant Request Detail

Federal Grant Request	$9.5 Million
Federal Funds Received	$6.5 Million
Difference Request v Received	$3.0 Million

Expected Expenditure of Funds: Since the project is still scheduled for completion by mid December 2000, most of the funds are expected to be spent by the end of the calendar year.

CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION: Not taking the recommended action or an alternative would cause the City to be delinquent on bills related to the construction of the transit center in the near future.

RECOMMENDATION: Authorize the City Manager to execute a line of credit with Zions Bank in the amount of $3 million for Old Town Transit Center Construction.

DRAFT

September 25, 2000

The Honorable Bradley A. Olch
Mayor of Park City
P. O. Box 1480
445 Marsac Avenue
Park City, UT 84060

Dear Mayor Olch:

This letter describes the current status of Federal transportation appropriations for the Olympic Winter Games of 2002.

As you know, the Salt Lake Organizing Committee (SLOC) submitted its transportation funding request for federal fiscal year 2000 in February of this year. The funding request totals approximately $77.5 million for transit projects. It includes, among other projects, a line item requesting $3,000,000 for the Old Town Intermodal Center located in Park City. The Intermodal Center request is included in a category of projects known as Project B, Venue Load and Unload.

Over the last few months, the funding request has been under consideration by the Senate and the House of Representatives as part of the annual Congressional appropriations process for fiscal year 2001. The House and Senate have both completed work on their respective versions of the FY 2001 Appropriations Act for the Department of Transportation and Related Agencies and a Senate/House Conference Committee will soon work out the differences between the two bills. The House included $72 million for Olympics related transit projects; the Senate listed all our projects as eligible for funding. Should the funding levels in the House version of the appropriations bill be maintained in the final bill, and should the project be determined to be eligible for funding by the U.S. Department of Transportation (USDOT), we would expect that Park City would be able to receive $3,000,000 in fiscal year 2001 federal funding for the Old Town Intermodal Center. It is our understanding that Park City currently has a grant agreement with USDOT and that funds obtained for the Intermodal Center could be added to the existing agreement.

If you have any questions, please do not hesitate to contact Michael Huerta, Director of Transportation Programs at (202) 204-3038.

Sincerely,

Grant C. Thomas
Senior Vice President

U.S. Department
of Transportation
**Federal Transit
Administration**

REGION VIII
Colorado, Montana,
North Dakota,
South Dakota,
Utah, Wyoming

Columbine Place
216 Sixteenth Street Suite 650
Denver, CO 80202-5120
303-844-3242
303-844-4217 (fax)

August 18, 2000

Mr. Toby Ross
City Manager
Park City Municipal Corporation
445 Marsac Avenue
Park City, Utah 84060

Re: Approval to Incur Costs
Prior to Grant Approval

Dear Mr. Ross:

The Federal Transit Administration (FTA) has completed its review of the Park City Municipal Corporation's (PCMC) request, dated July 19, 2000, for a Letter of No Prejudice (LONP) allowing the PCMC to incur costs for the purchase of land, design, and construction of the Old Town Intermodal Terminal in Park City and the purchase of rolling stock and related equipment, in the total amount of $8,751,480.

This approval allows the PCMC to incur costs for the projects described above and to retain the projects' eligibility for future FTA grant assistance. As with all pre-award authority, all Federal requirements must be met prior to incurring costs in order to retain eligibility of the costs for future FTA grant assistance. The authority to incur costs provided in this letter does not constitute an FTA commitment that future Federal funds will be approved for these projects. This LONP expires on September 30, 2005.

Should you have any questions regarding this action, please contact Don Cover at (303) 844-3242 for assistance.

Sincerely,

Lee Waddleton

Lee O. Waddleton
Regional Administrator

PARK CITY
1884

DATE: 09/28/2000
DEPARTMENT: Transportation
AUTHOR: Kent Cashel, Transportation Director
TITLE: Ordinance Amending Title 9, Chapter 5 ,Section 3 and Title 9, Chapter 8, of the Municipal Code of Park City.
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Discuss, hold a public hearing and adopt the attached ordinance which amends Title 9, Chapter 5, Section 3 and Title 9, Chapter 8 of the Municipal Code of Park City to remove the current restriction which requires commercial delivery vehicles to utilize 30 minute loading zones on Main Street & Swede Alley. This amendment will restrict delivery vehicles from parking on Park Avenue (Heber Avenue to King Street) and will also require delivery drivers to shut off their vehicle engine when making deliveries in the Main Street core. This item was discussed at work session on Sept 14, 2000 and public comment was taken at the public hearing held on the same date. Additional public comment will be taken at a public hearing scheduled on September 28.

DESCRIPTION:

A. Topic: Ordinance amending the Park City Municipal Code Title 9, Chapter 5, Section 3 and Title 9, Chapter 8 (Parking Code).

B. Background: On Dec 11th, 1997 staff recommended and Council adopted an ordinance that amended the Parking Code to restrict commercial deliveries to 30 minute loading zones located along the west side of Main Street & Swede Alley. To accommodate deliveries, four loading zones were designated along the west side of Main Street and the entire west side of Swede Alley was designated as a loading zone. After 12:00 noon the loading zones on Main Street converted to customer parking. Staff believed, at the time, that restricting commercial deliveries to loading zones would not seriously inconvenience delivery drivers or merchants and would reduce vehicle congestion on Main Street.

Shortly after implementing the new regulations it became evident that restricting delivery vehicles to loading zones was not workable in the Main Street core. Loading zones were not a workable solution for the following reasons:

- Loading Zones were difficult for motorists to differentiate from public parking. This difficulty was exacerbated by confusing signage that resulted from the dual use of this space (loading zones on Main Street were converted to free public parking after 12:00 noon) Several attempts to improve identification of these zones with clearer signage, including barricades which were removed each day at 12:00 noon, failed and the loading zones continued to be occupied by cars.

- Motorists seeking free parking frequently abused the loading zones. The result of this abuse was loading zones filled with cars.

- Effective loading zone enforcement required immediate removal of violating vehicles (towing) to free up space for delivery vehicles. Towing would have required a continuous presence of tow trucks on Main Street. This approach was not pursued by staff because of the administrative impact and liabilities associated with towing, storing and releasing a high volume of vehicles. Staff also believed that the public relations impact of wide spread towing would be significant.

During the Winter of 1998, after wrestling with the issues identified above, staff came to the conclusion that the loading zones were placing an unwarranted hardship on delivery vehicles, merchants and enforcement officers. Staff decided to allow Main Street\Swede Alley delivery vehicles to operate in a similar fashion to what was allowed prior to the December 11, 1997 code amendment. This approach, still being followed, allows commercial vehicles to:

- Make commercial deliveries anywhere along the west side of Main Street and the west side of Swede Alley.
- Make deliveries between the hours of 7:00 a.m. to 12:00 noon. on Main Street, and from 7:00 a.m. to 4:00 p.m. on Swede Alley.
- Double park on the west side of Main Street, when no curbside parking is available and the double parked vehicle does not restrict traffic flow or block a legally parked vehicle from leaving the curb.

After enforcement of loading zones on Main Street was abandoned, the four loading zones on Main Street were reduced to two zones. These two zones now serve as multi-purpose 30 minute parking spaces. These spaces continue to be heavily used by both automobiles and delivery vehicles.

Parking Services has allowed Main Street\Swede Alley delivery vehicles to operate in this fashion since 1998. Park City's Municipal Code has not been amended to reflect this change in enforcement.

On September 14, 2000 the Upper Park Avenue Property Association requested that delivery vehicles be restricted from parking on upper Park Avenue to make deliveries to businesses with a Main Street address (letter attached). Staff has reviewed this request and has included this restriction in the attached ordinance. This restriction will apply to delivery vehicles parked on Park Avenue only. The amended Parking Code will not restrict delivery vehicles from using private parking facilities accessed from Park Avenue.

C. Analysis: Park City's Main Street core has many specific characteristics that should be considered when developing a solution to manage commercial deliveries in this area. Those characteristics include:

- Main Street Businesses, for the most part, do not have access to loading docks or off-street delivery.
- Main Street is home to a wide variety of businesses with a wide variety of delivery needs.
- Main Street has a steep grade (approximately 8%).
- Main Street is not wide enough to accommodate commercial vehicle parking on both sides of the street.
- Main Street is very busy with both vehicular and pedestrian traffic.
- Main Street pedestrians are very sensitive to noise and air pollution.

Each of these characteristics is covered in more detail below.

Access to loading docks or off-street delivery.
Most businesses in the Main Street core do not have access to loading docks or off-street delivery space. The only delivery access available to these businesses is from street or curbside parking. Eliminating deliveries from Main Street or Swede Alley is not a workable solution to managing commercial deliveries in the Main Street core.

Wide variety of businesses and delivery needs
The Main Street core has a wide range of business types (e.g., architects, art galleries, restaurants, furniture stores, hotels, property management companies, accountants, travel agencies, florists, night clubs and etc.). The delivery needs of these businesses are as varied as the different business types. Some businesses such as bakeries and restaurants open very early in the morning, others such as night clubs not until late afternoon. Some businesses such as architects may only require deliveries of office supplies while others such as furniture stores require routine deliveries of bulky and heavy items. These varied hours and delivery types need to be considered when developing a solution to managing commercial deliveries in the Main Street core.

A steep thoroughfare
Main Street is a steep thoroughfare with an approximate 8% grade. This grade creates safety issues for delivery drivers, particularly those picking up or delivering bulky or heavy items. Safety becomes a larger concern when the road and sidewalks are wet, snow packed or icy. Due to these conditions it is important that delivery drivers are able to park reasonably close to the business they are delivering to.

Street width will not accommodate commercial vehicle parking on both sides of street
This width of Main Street & Swede Alley is not adequate to allow for the parking of commercial vehicles on both sides of the street without severely impacting traffic flow. Any solution to manage commercial deliveries in the Main Street core should seek to restrict the parking of commercial vehicles to the west side of Main Street and Swede Alley.

A busy thoroughfare
Main Street is a very busy street, often congested, particularly after 12:00 noon. Commercial deliveries inhibit traffic flow and contribute to congestion. Any solution to manage commercial deliveries in the Main Street core should seek to mitigate the impact commercial deliveries have on traffic flow and congestion particularly during peak hours.

Noise and Air Pollution
Idling engines on delivery vehicles contribute to air and noise pollution in the Main Street core. These impacts are very apparent, and often annoy, visitors and locals strolling the sidewalks of Main Street.

Delivery vehicles parked with their engines idling also present a safety hazard. When delivery drivers leave their vehicle idling they must put the vehicle transmission in neutral (manual transmission only) and rely on the parking brake to hold the vehicle from rolling downhill. This is not a safe practice on a heavily loaded truck. Many trucking companies restrict their drivers from leaving their vehicle idling to avoid runaway vehicles. Any solution to manage commercial deliveries in the Main Street core should consider restricting delivery drivers from leaving their vehicle engine idling while parked.

After considering the issues detailed above, staff has drafted the attached ordinance that, if adopted by Council, will provide a Parking Code that will enable enforcement officers to effectively manage commercial deliveries in the Main Street core. The attached ordinance will amend the Parking Code to:

- Eliminate curb loading zones (30 minute short term parking spaces would remain)
- Restrict commercial deliveries to morning hours on Main Street (7:00 a.m. to 12:00 noon) and to daytime hours on Swede Alley (7:00 a.m. to 4:00 p.m.). These time restrictions limit the traffic impact caused by deliveries to off -peak hours, while still offering delivery options for those businesses that open later in the day.
- Restrict deliveries to the west side of Main Street and Swede Alley. This restriction eliminates disruption to traffic flow that results when large delivery vehicles are parked on both sides of the street.
- Allow double parking on the west side of Main Street when curb parking is not available provided this double parking does not restrict traffic flow or block legally parked vehicles from leaving the curb. This allows delivery vehicles to unload heavy & bulky items within a reasonable and safe distance from the business they are delivering to, while not giving delivery vehicles license to park in a manner that impedes traffic flow.
- Restrict delivery drivers from idling their vehicle engine while making a delivery. This restriction will mitigate the environmental and safety issues associated with delivery vehicles left idling while parked.
- Restrict delivery vehicles from parking on upper Park Avenue (Heber Avenue to King Street) to make deliveries to businesses with a Main Street address. This restriction would apply to delivery vehicles parked on Park Avenue only. The amended Parking Code will not restrict delivery vehicles from using private parking facilities accessed from Park Avenue.

Staff recommends Council review and adopt the attached ordinance.

D. Department Review:
This report has been reviewed by the City Manager, Police Department, City Attorney's Office and the Public Works Director.

ALTERNATIVES:

A. Pass and Adopt the Ordinance: Adoption of the ordinance will amend the Park City Municipal Code to allow delivery vehicles to operate in a fashion that has proven to be effective and acceptable over the past two and a half years. Additionally, adopting the ordinance will restrict idling of delivery vehicle engines on Main Street and Swede Alley.

B. Do Not Pass and Adopt the Ordinance: Failure the pass the ordinance will require staff to either:

> **Enforce the current Parking Code** which has already proven to be unworkable in the field. The increase in space designated for commercial delivery will not promote a "customer friendly parking environment"; or
>
> **Manage commercial deliveries in some manner not reflected in the current Parking Code.** Without an amendment to the current parking code this alternative does not provide a long term solution.

C. Continue the Item: Council could delay decision on this item. The Police Department and Parking Services will continue to manage commercial deliveries as they have in the past (not reflective of the current Municipal Code).

D. Do Nothing:
This alternative will have the same impact on staff as Alternative B

SIGNIFICANT IMPACTS: If adopted by Council the attached ordinance would codify the manner in which commercial deliveries have been managed by Police and Parking Services over the past two and a half years. Staff is not aware of any significant problems that have been created by this approach, other than those caused by enforcing the code as it is presently written, and does not anticipate any significant impacts to arise as a result of adoption of the ordinance.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:
Not taking the recommended action will require Police and Parking Services to follow one of the following enforcement approaches based on Council direction:

- Enforce the current Parking Code. Enforcement of this ordinance would require staff to re-designate an adequate number of loading zones along Main Street.

- Continue to manage commercial deliveries as they have in the past (not reflective of the current Municipal Code).

- Manage commercial deliveries in a manner directed by Council (not reflective of the current Municipal Code).

RECOMMENDATION: Adopt the attached ordinance that amends the Park City Municipal Code. **This item was discussed at work session on Sept 14, 2000 and public comment was taken at the public hearing held on the same date. Additional public comment will be taken at a public hearing scheduled on September 28.**

Ordinance 00-__

AN ORDINANCE AMENDING TITLE 9, "PARKING CODE," OF THE MUNICIPAL CODE OF PARK CITY TO ADDRESS COMMERCIAL DELIVERIES ON MAIN STREET

WHEREAS, in December of 1997, Park City attempted to address commercial delivery issues on Main Street by designating curb loading zones and establishing a delivery vehicle permit system; and

WHEREAS, despite signage designating curb loading zones, motorists have consistently had difficulty differentiating such zones from public parking; and

WHEREAS, the curb loading zones are consistently occupied by automobiles, thereby rendering such zones unuseable by delivery vehicles as intended; and

WHEREAS, the only effective measure for enforcing the curb loading zones is immediate removal of vehicles in violation of the Code (towing), which entails the continuous presence of tow trucks on Main Street as well as the administrative impact and potential liabilities of towing, storing, and releasing a high volume of vehicles on a regular basis; and

WHEREAS, due to the narrow and steep character of Main Street, delivery vehicles need to unload heavy & bulky items within a reasonable and safe distance from the business they are delivering to, without obstructing or otherwise impeding traffic flow; and

WHEREAS, On September 21, 2000, Park City Council held a public hearing on the proposed amendments; and

WHEREAS, clear and current code provisions are a priority of the City Council;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

SECTION I. AMENDMENT. Title 9, Chapter 5, Section 3 of the Municipal Code of Park City is hereby amended as follows:

9- 5- 3. TYPES OF PERMITS.

The following permit types are established and shall be issued by the City upon payment of the appropriate fee, if any, as designated in the Fee Resolution:

(A) RESIDENT PERMIT. One resident permit shall be issued for each Vehicle owned by a person residing within a Residential Permit Zone (RPZ). If more than two permits are requested for one residence, the owner(s) of the Vehicles of the residence must make a formal application to the City for additional permits. In no case shall the number of resident permits issued to one residence exceed five. Permits will only be issued to the extent that the number of Vehicles registered at the dwelling exceeds the off-Street Parking available at that dwelling to encourage the use of all available off-Street Parking. An applicant for a permit shall present: (a) current Utah Motor Vehicle registration, (b) a current operator's license with the application, and (c) proof of residence; and shall certify the application with his or her signature.

No permit shall be issued in the event that either the registration or license shows an address not within the RPZ unless the applicant demonstrates to the satisfaction of the City Manager or designee that the applicant is, in fact, a resident of the RPZ and that the Vehicle is used primarily by the applicant.

The resident permits shall be valid: (a) until the expiration date shown on the permit, or (b) until the resident, business, or qualified non-profit organization relocates outside of the RPZ, or (c) until the permitted Vehicle is sold, whichever occurs first.
Resident permits shall be valid only in the same residential permit Parking zone in which the residence, business, or qualified institution is located.

(B) RESIDENT GUEST PERMIT. One resident guest permit shall be provided to each residential, business or qualified non-profit institution address receiving at least one resident permit within an RPZ, subject to the following conditions:

(1) Resident guest permits shall be issued for the exclusive use of the resident permit holder's guests only during periods when the guests are actually visiting a resident permit holder's address. Resident guest permits shall display the host resident's resident permit number. Residents shall instruct their guests in the proper display and use of the guest permit.

(2) Resident guest permits issued to business or non-profit institution guests within an RPZ shall be valid only while the guest is actually engaged in business at a resident permit holder's business or institution address. Resident guest permits issued to businesses or institutions within an RPZ shall display the host business's or institution's resident permit number. Businesses or institutions shall instruct their guests in the proper display and use of the guest permit.

(3) Resident guest permits may also be issued directly to guests by the Transportation & Parking Department subject to reasonable conditions imposed by the City Manager or designee.

The resident guest permits shall be valid: (a) until the expiration date shown on the permit, or (b) until the holder of the host permit relocates outside of the RPZ, whichever occurs first.
The resident guest permit shall be valid only in the same residential permit Parking zone in which the host residence, business, or qualified institution is located.

(C) LODGING GUEST PERMIT. Lodge guests permits shall be issued to, or approved for, lodges within a non-metered RPZ for the exclusive use of lodge guests during their period of stay at the lodge. Lodge owners shall fill out the lodge guest permit completely, using permanent ink, and instruct their employees and guests in the proper display and use of the lodge guest permit. Passes shall not be available for transient lodging units with available off-Street Parking for their guests and/or employees, or for lodging units located within a metered Parking zone. Lodge guest permits may also be issued to individuals with unusual or special needs at the discretion of the City Manager or designee.

The lodge guest permit shall be valid either: (a) only during the guest's stay at the lodge, or (b) for seven (7) days from the date of issue to the guest, whichever is less. The lodge guest permit shall be valid only in the same residential permit Parking zone in which the host lodge is located.

(D) EMPLOYEE PERMIT. If the City Manager or designee deems necessary, employee permits may be made available upon payment of the prescribed fee, if any, to Main Street area businesses that have inadequate off-Street Parking for Parking in designated Public Parking Facilities.

~~(E) DELIVERY VEHICLE PERMIT. Business Vehicle permits shall be made available to allow Delivery Vehicles to Park in designated loading zones in the Main Street core. Businesses shall be required to justify a Delivery Vehicle permit for business delivery use and adhere to strict regulations of this Title. Delivery Vehicles shall also be required to use the designated loading zones in the Main Street core before the hour of 12:00 a.m., or otherwise pay the hourly fee for Parking.~~

~~(F)~~ (E) SERVICE VEHICLE PERMIT. Service Vehicle permits shall be made available to allow building maintenance and cleaning functions for buildings in the resident permit zones. Applicants shall possess a valid Park City business license. Service Vehicles shall be required to use short-term zones, or Park in metered spaces and pay the hourly fee while conducting service calls in the metered parking areas (Main Street core).

SECTION II. AMENDMENT. Title 9, Chapter 8 of the Municipal Code of Park City is hereby amended as follows:

CHAPTER 8 - DELIVERIES AND SHORT-TERM USE

9-8-1. DELIVERY AND SHORT-TERM SPACE DESIGNATIONS.

The City Manager of designee shall designate, where necessary, ~~curb loading zones and/or~~ short-term zones.

~~**9-8-2. CURB LOADING ZONES.**~~

~~No person shall stop, stand, or Park a Vehicle for any purpose or length of time, other than for expeditious unloading and delivery, or pick-up and loading of materials, in any place marked as a curb loading zone, during the hours posted on curb loading zone signs. In no case shall the stop for loading and unloading of materials exceed the posted time limits. It shall be unlawful for any person to use the curb loading zones during the posted hours without properly displaying a delivery Vehicle permit.~~

9-8-~~3~~2. SHORT-TERM ZONES.

In any area designated as a short-term zone, it shall be unlawful for any person to Park any Vehicle longer than the posted time limit during the hours posted on designated signs.

9-8-~~4~~3. DELIVERY VEHICLES IN THE MAIN STREET CORE.

~~In addition to the curb loading zone requirements, all~~ All Delivery Vehicles Parked on Main Street or Swede Alley shall observe the following restrictions;

(A) Delivery Vehicles shall utilize the ~~thirty (30) minute zones on the~~ West side of Main Street during the hours from ~~9:00 a.m.~~ 7:00 a.m. to 12:00 noon, after which time no Delivery Vehicle shall be Parked on Main Street. Delivery Vehicles may utilize any parking space on the west side of Swede Alley from 7:00 a.m. to 4:00 p.m..

(B) ~~No Delivery Vehicle shall double Park on Main Street.~~
Delivery Vehicles may double park on the west side of Main Street from the hours of 7:00 a.m. to 12:00 noon, provided that: the double parked vehicle is in the course of an expeditious delivery, there is no other curb parking available, the double parked vehicle does not inhibit traffic flow or block a legally parked car from leaving the curb.

(C) Delivery Vehicles shall utilize parking on the west side of Swede Alley for deliveries to Main Street after the hour of 12:00 ~~a.m.~~noon.

(D) No Delivery Vehicle shall Park on the east side of Swede Alley.

(E) No Delivery Vehicle shall be Parked in such a manner to impede the flow of traffic.

(F) No Delivery Vehicle shall be Parked with its engine left idling.

(G) No Delivery Vehicle shall Park on Park Avenue (between Heber Avenue and King Avenue) to make deliveries to a business with a Main Street address.

SECTION III. EFFECTIVE DATE. This ordinance shall become effective upon adoption.

PASSED AND ADOPTED this 14th day of September, 2000

PARK CITY MUNICIPAL CORPORATION

____
Mayor Bradley A. Olch

Attest:

____
Janet M. Scott, City Recorder

Approved as to Form:

____
Mark D. Harrington, City Attorney

September 14, 2000

To: City Council, Park City Municipal Corporation

From: The Upper Park Avenue Property Association, UPAPA

Re: Proposed Amendments to the Parking Code

Dear Council members:

On behalf of the residential property-owners of upper Park Avenue, we respectfully request that you include the following amendment to Title 9, Parking Code that is scheduled for public hearing tonight:

9-8-43. Delivery Vehicles in the Main Street Core.

(G) No Delivery Vehicle shall Park on upper Park Avenue to make deliveries to Main Street businesses.

Background:

Last year our organization asked City Council to enforce the parking code requiring Main Street deliveries to be made on Main Street or Swede Alley only, because a small number of Main Street merchants had begun to encourage their vendors to deliver from upper Park Avenue instead. Staff looked into the issue and reported back to Council that Park City's code was 'silent' on the issue, and therefore there was no means of enforcement.

We then requested that it be made explicit in the LMC rewrite, that Main Street deliveries cannot be made from upper Park Avenue. That language has since been included in the rewrites of the HCB and HR-1 codes forwarded to you by the Planning Commission, but unfortunately was left out of the Parking Code.

Therefore, both to make it explicit and to make it consistent with the HCB and HR-1 codes, we request you add this amendment.

Sincerely,

The UPAPA Steering Committee:

Chris Brand	Mike Guetschow	John Plunkett
201 Park Ave	325 Park Ave	557 & 561 Park Ave

Thirty-six Park Avenue residents, who own thirty homes between Heber Avenue and King Road, formed the group in July of 1999 to preserve and improve the Residential, Historic, and pedestrian-friendly character of our neighborhood. As the city works to accomodate the needs of Main Street parking and merchants, we've banded together to remind the city that Main Street's problems can't be solved at Park Avenue's expense. We intend to work with the Planning Commission, City Council, and the Main-Street Merchants Association to make Main Street and upper Park Avenue better places to visit and to live.