PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 19, 2002

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 19, 2002.

Closed Session

4:00 p.m. Personnel

Work Session

4:45 p.m. Council questions/comments
5:15 p.m. RAP Tax applications
5:30 p.m. Review of regular meeting

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 MEETING OF AUGUST 22, 2002**

V **CONSENT AGENDA PUBLIC HEARINGS**

1. Amendment to Title 4 - Licensing, Chapter 3 - Peddlers and Solicitors, Section 5(g) of the Park City Municipal Code

2. Ordinance approving the amended record of survey to combine all of Lot 33 and part of Lots 32 and 34 of Block 73, Millsite Reservation to the Park City Survey into one lot of record located at 199 Daly Avenue plat

3. Ordinance approving a one year extension for an amendment to Snyder's Addition to the Park City Plat to subdivide Lots 15, 16 and 17 of Block 18 into two lots, located at 1259 Norfolk Avenue

4. Master Festival License application for Annual National Specialty to be held on September 15 - 19, 2003 - Portugese Water Club of America, Inc.

VI CONSENT AGENDA

1. Amendment to Title 4 - Licensing, Chapter 3 - Peddlers and Solicitors, Section 5(g) of the Park City Municipal Code

2. Ordinance approving the amended record of survey to combine all of Lot 33 and part of Lots 32 and 34 of Block 73, Millsite Reservation to the Park City Survey into one lot of record located at 199 Daly Avenue plat

3. Ordinance approving a one year extension for an amendment to Snyder's Addition to the Park City Plat to subdivide Lots 15, 16 and 17 of Block 18 into two lots, located at 1259 Norfolk Avenue

4. Master Festival License application for Annual National Specialty to be held on September 15 - 19, 2003 - Portugese Water Club of America, Inc.

5. Award of construction contract to Thiede construction in the amount of $62,419 for the Meadows Drive trail

6. Authorization to staff to enter into a contract with Wilbur-Smith in the amount of $24,000 for a parking supply analysis

7. Authorization to staff to enter into a contract with Tasco Engineering in the amount of $37,000 for a utility analysis

VII ADJOURNMENT

Posted: 09/16/02
See parkcity.org

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
SEPTEMBER 19, 2002

Present: **Mayor Dana Williams; Council members Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier; and Fred Jones**

Toby Ross, City Manager and Tom Bakaly, Assistant City Manager

Dean Schulman, Chairman of the Parks and Recreation Board; Joanna Charnes, RAP Tax Committee member; and Elizabeth Swank; Summit County Arts Council President

1. **Council questions/comments.** Candace Erickson reported that the regional ice facility committee met last week; a proposal was made to the Summit County Commission about a potential site. There is a concerted effort to bring down costs to fit within the budget. She thanked Myles Rademan for organizing the selection process for this year's Leadership class; there were 76 applicants. Ms. Erickson reported that the Board of Health is searching for interpreters. The food code has been updated to meet the 1999 standards and the West Nile Virus, because of our climate, will not present a problem until next year. On the last day of the ULCT conference, she was elected to the Board of Directors and she discussed a public relations program informing cities what they receive as members. This is similar to what the City Council is currently producing and a sample of this publication may prompt some thoughts on our effort.

Jim Hier reported on the interagency meeting where the communications consolidation proposal was discussed; it appears that it will considered after the upcoming election when the County can take the lead. He continued that Bill Malone of the Chamber updated the group on the softball tournament coming to Park City this July where 80 teams will be invited, bringing families and fans. This should be a popular event with significant positive impacts. There was also an update on the Quinns Junction planning effort, which is anticipated to be completed in six months. The Mayor stated that the recycling committee has completed a plan which will be presented to the County Commission in early October. A consortium is proposed, consisting of independent haulers and BFI working together to implement a County-wide curbside program. He thanked Red Barn Nursery and staff for completing the beautiful berm project in Prospector along SR248. The Mayor added that he attended the Silver Meadows street party and had lunch with a Russian delegation and Bill Malone, interested in our Olympic venues.

Dana Williams continued that at last night's Parks and Recreation Board meeting, there was discussion on the confusion of the role of the Friends of the Farm. He suggested that recommendations from the Friends go to the Parks and Recreation Board and then to the City Council. Ms. Erickson believed this process was followed, but information *fell through the cracks*, during the transition when the reporting staff person took on other responsibilities. Peg Bodell pointed out that much of the programming at the Farm is associated with recreation, but because of its cultural and historical significance, the Historical Society should have stewardship over the buildings and facilities. The Mayor clarified that he felt it important that the Friends of the Farm and the Parks and Recreation Board members work on improving communication. Toby Ross indicated that the Friends will be meeting with the Parks and Recreation Board and there will be a report back to Council.

Chairman Dean Schulman explained that the issue arose because of the success of the Friends' event programming and the Board is extremely proud of its accomplishments. The discussion last night was strictly about a strategy to improve communication, specifically with regard to planning. Peg Bodell suggested that the Board also involve the HDC or Historical Society on decisions. Fred Jones interjected that that may be appropriate with regard to the structures but not programming.

2. RAP tax applications. Tom Bakaly referred to a list of possible recreation projects which was presented to the Parks and Recreation Board last night. The RAP tax committee is taking a master plan type of approach and is asking entities to identify needs projected for the next ten years. With that information, the committee will decide the best way to meet those needs, i.e., bonding, or funding on a year-to-year basis. The course of action will then be rendered to the Summit County Commissioners. Staff referred to the 2000 Recreation Master Plan, the joint facility study with the Basin completed in April 2002, and the Council's strategic plan to compile a list of projects. If this list is supported by Council, applications will be submitted. There was discussion about the City's estimated annual share forecasted at $90,000 and in response to a question from Kay Calvert, Tom Bakaly explained that requests must be specific and evaluated by the RAP Tax committee according to criteria, i.e., need and number served. He understood that the Commissioners will award grants based on permanent population which would result in 25% to Park City, 50% for the Basin, and 25% for the east side. Jim Hier pointed out that Commissioner Schifferli stated that this is a guideline in an effort to achieve some balance.

Joanna Charnes clarified that with regard to population, consideration will be given to where the *arts* take place; activities may originate in Park City, but the beneficiaries may be County-wide. The goal of recreation is not to piece-meal projects and because bonding may be used to fund capital improvements, it is important to look at a long-range planning. The committee is interested in leveraging revenues. She added that Salt Lake County doesn't conduct an annual process for recreation, but do for arts. It is hoped that long-term planning will lead to better informed decisions and leveraging dollars with a bond for capital improvements makes that money much more valuable. Ms. Calvert felt that identifying population served may be subjective and Ms. Charnes agreed that grant writers have become savvy about inflating numbers. As a result, a proven way of substantiating the information is required the following year.

Elizabeth Swank stated that the County Attorney advised the Commissioners that legally any one can apply for these funds if it benefits the Summit County. Local art organizations are very upset about this interpretation of bond initiative language and feel that distribution of funding should be restricted to organizations who apply within the County. There are many local grass roots organizations who desperately need this money. Jim Hier encouraged Ms. Swank to approach the County Commission with this plea, and Ms. Charnes felt that the County Commission is adhering to the advice of its legal counsel. Fred Jones stressed that the RAP Tax committee is composed of citizens making decisions on criteria so there is some control. The County Commission could override the recommendations, but again, the Commission has the best interest of its constituents in mind. Joanna Charnes added that Salt Lake County receives outside applications but does not grant money to a non-local based entity. It is a little more complex here because of the restaurant tax and the number of non-Summit County based organizations which have a tremendous impact on tourism dollars, like Sundance and the Symphony. Fred Jones expressed that he still didn't see a problem, and Elizabeth Swank pointed out the potential of lawsuits from out-of-town applicants who are not funded. Mark Harrington stated that he will be meeting with the County on this issue next week.

In response to a question from Council member Jones, Mr. Bakaly explained that there have been joint applications with the Basin in the past and a joint facilities needs report was submitted. There are separate applications for complimentary facilities, i.e., field house and ice, to meet mutual interests. Fred Jones suggested that there be joint applications for ice, which would free up money for both the City and the County to pursue other projects. If funds are distributed by population, it would behoove the City to partner with the Basin on a large significant recreation project, not necessarily the field house. Tom Bakaly suggested that ice could be moved up the priority list, but if the County provides the land, it may not be interested in supporting the City's portion of funding the project. Mr. Jones expressed his concern for submitting applications for several small projects; Salt Lake County has accomplished significant projects with this funding source like pools and recreation centers through bonding on the RAP Tax. He hoped that Park City has something to show in ten years with this opportunity for the broader community. If there is consensus on the projects, Mr. Bakaly recommended combining a few in one request and referred to the project list. There was discussion on the application for continuous golf cart paths which accommodates play in wet weather and lessens the potential for damage to the course. Peg Bodell agreed with Mr. Jones' comments and felt that regionally beneficial projects and partnerships will be better received. Ice and trials could be moved up the list with fields; this is only a general plan and the Wikstrom Report is a good resource to illustrate need.

There was discussion regarding the flexibility to make changes to projects or priorities the following year, as needed. There was additional discussion on a joint application with the School District on restrooms and the potential for partnering on a second pool for the community, which was identified in the Wikstrom Report. Candace Erickson explained that the SBSRD has already set aside some money for a second pool and Peg Bodell believed the more partners the better.

Fred Jones commented on whether there is any flexibility on the upcoming deadline of October so that there can be further discussions with SBSRD about partnering on projects. The Parks and Recreation Board hasn't had an adequate opportunity to consider the applications. In response to a question from the Mayor, Joanna Charnes responded that a meeting was held in June to share information on the process and cities were contacted, but only the east side attended. He asked if the deadline could be moved, and Ms. Charnes indicated that she could take the request to the committee. She believed that Parks and Recreation Board member Kris Beer updated the Board in early summer. Ms. Erickson recalled that no one on the Parks and Recreation Board or staff received an invitation to the meeting, there wasn't an application available, and the information shared seemed second-hand. Nor at that time was there a decision on bonding or whether there would be individual applications each year. Up until less than a month ago, she didn't believe the City had any idea how to apply. Jim Hier interjected that the tax has been collected for almost a year, and the City should have had a general concept of our interests. Fred Jones stated that if the money isn't spent by January it isn't going anywhere, and he would prefer spending more time on preparing a meaningful request. The Mayor pointed out that we could lose the funding if a bonding proposal is sought.

Jim Hier questioned Ms. Bodell's direction about partnering for trail projects and felt it should be just the City; she countered that Mountain Trails would be an appropriate co-applicant and he agreed. He continued that fields should be applied for with the Basin but it is difficult to identify a site at this point. Ice should be a joint project with SBSRD as well. Dean Schulman added that members of the Board will continue to work on a plan, considering the guidance of Council's comments, and will communicate and collaborate with Council member Erickson. Ms. Erickson emphasized that this is a good collection of projects, but would like ice moved up in priority. Tom Bakaly noted that he will keep Council updated during the week.

3. **Reveiw of regular meeting.** See regular meeting minutes.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 19, 2002

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6:30 p.m. at the Marsac Municipal Building on Thursday, September 19, 2002. Members in attendance were Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Mark Christensen, Budget and Grants Manager; Lloyd Evans, Chief of Police; Kevin LoPiccolo, Planner; Ray Milliner, Planner; and Alison Butz, Special Events and Facilities Manager; Matt Twombly, Trails Coordinator; and Colin Hilton, Project Manager.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda.

City Park Host Program - Liza Simpson, volunteer host, provided Council with survey results from park patrons. Since the program's inception five years ago, many problems have been mitigated like speeding, cruising, and consumption of alcohol. Most of the respondents commented on the fantastic job the Parks Department is doing to maintain the park. Negative comments included minor things like momentary closures of the restrooms. She encouraged Council to contact her with questions or comments on the survey.

With no further comments, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

HMBA Special Business District proposal - Tom Bakaly reported that next week Council will consider a petition from the HMBA to form a business improvement district if 10% of the number of businesses in the area are in support. It is likely that the business license will be the mechanism to support the tax. Forming a special improvement district is something Council has not formally discussed. Mark Christensen believed this is the appropriate vehicle and the City is responding to the provisions of state code which outline the process for forming a special district. The resolution accepting the petition triggers the public process. An informal survey was conducted by the HMBA indicating 57% support of the business license tax concept. Only 10% is required for the petition. Mr. Christensen continued that if supported, the City would create a separate fund and the City Council would be authorized to release any appropriations. The HMBA is suggesting a third party contract, representing the businesses, to administer the fund. Tom Bakaly interjected that if the City receives 50% written opposition by the conclusion of the public input process, it would fail.

Neighbors Helping Neighbors Program - The Chief of Police reported that on September 24, the Police Department will be hosting its second session in Old Town. Topics include home security checks, personal safety awareness, watch programs, etc. and everyone is invited.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 22, 2002

Jim Hier, "I move to approve the minutes". Kay Calvert seconded. Motion carried unanimously".

V CONSENT AGENDA PUBLIC HEARINGS

1. Amendment to Title 4 - Licensing, Chapter 3 - Peddlers and Solicitors, Section 5(g) of the Park City Municipal Code - Mark Harrington referred to his staff report recommending repealing a section of the business license chapter, to address concerns about the practices of Westgate solicitors. Hearing no comments or questions from the public or the Council, the Mayor closed the public hearing.

2. Ordinance approving the amended record of survey to combine all of Lot 33 and part of Lots 32 and 34 of Block 73, Millsite Reservation to the Park City Survey into one lot of record located at 199 Daly Avenue plat - Kevin LoPiccolo explained that there is an existing structure that sits on both lot lines, and this amendment will accommodate combining the lots for a future addition. Hearing no comments or questions from the Council or the public, the Mayor closed the public hearing.

3. Ordinance approving a one year extension for an amendment to Snyder's Addition to the Park City Plat to subdivide Lots 15, 16 and 17 of Block 18 into two lots, located at 1259 Norfolk Avenue - Ray Milliner, Planner, explained that this was approved by Council in August 2001 and there are no modifications to the conditions of approval. Ms. Erickson asked why the extension request is for more than six months. Pat Putt explained that this project will involve the relocation of the house and HDC grant funds and staff believes these circumstances are unique to warrant the extension for one year. Hearing no further questions or comments, the public hearing was closed.

4. Master Festival License application for Annual National Specialty to be held on September 15 - 19, 2003 - Portugese Water Club of America, Inc. - Special Events Manager Alison Butz explained that the application proposes holding its annual meeting in September 2003 and to use the north field of the Library campus as the competition area where there will be tents and porta-potties. This year's event will be held in Wisconsin where there will be 375 participants, but competitions only involve up to 70 dogs. The western section of the parking lot will be reserved for Library patrons and tenants. The competitions were discussed. Arrangements have been made at the Prospector Marriott

for participants, including dogs. With no further questions or comments, the public hearing was closed.

VI CONSENT AGENDA

Peg Bodell asked that the Meadows Drive trail and OTIS related contracts be explained. Matt Twombly stated that the City received a petition from neighboring residents over a year ago for a connection to the McLeod Creek trail. Three bids were received and Thiede's low bid was under the City's estimate of $75,000; the other bids were about $79,000. The trail is actually more like a sidewalk and the completion date is identified as October 31.

Colin Hilton explained that these contractors are recommended to provide technical analysis which cannot be accomplished in-house. The staff reports break down the scope of services for each contract. It was felt by the selection committee that Tasco would provide the most objective view of how to underground utilities in a thorough way to project costs. There is an option to proceed with a preliminary level of design for an additional $50,000, but the committee ultimately recommended to stay within the conceptual level of design and felt that projecting the general budgetary magnitude of the project is more appropriate. There will be a unit-cost pricing approach that will be applied for a number of model streets throughout Old Town. Mr. Hilton added that there is community support in proceeding with this contract. There was good response to the RFPs and the selection committee is recommencing Wilbur-Smith who is committed to examining all alternatives before suggesting building a parking structure. Fred Jones, "I move that we approve the Consent Agenda, Items 1 through 7 as presented". Kay Calvert seconded. Motion unanimously carried.

1. Amendment to Title 4 - Licensing, Chapter 3 - Peddlers and Solicitors, Section 5(g) of the Park City Municipal Code - See staff report and public hearing.

2. Ordinance approving the amended record of survey to combine all of Lot 33 and part of Lots 32 and 34 of Block 73, Millsite Reservation to the Park City Survey into one lot of record located at 199 Daly Avenue plat - See staff report and public hearing.

3. Ordinance approving a one year extension for an amendment to Snyder's Addition to the Park City Plat to subdivide Lots 15, 16 and 17 of Block 18 into two lots, located at 1259 Norfolk Avenue - See staff report and public hearing.

4. Master Festival License application for Annual National Specialty to be held on September 15 - 19, 2003 - Portugese Water Club of America, Inc. - See staff report and public hearing.

5. Award of construction contract to Thiede construction in the amount of $62,419 for the Meadows Drive trail - See staff report and discussion above.

6. Authorization to staff to enter into a contract with Wilbur-Smith in the amount of $24,000 for a parking supply analysis - See staff report and discussion above.

7. Authorization to staff to enter into a contract with Tasco Engineering in the amount of $37,000 for a utility analysis - See staff report and above discussion.

VII ADJOURNMENT

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

* * * * * * * *

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 4 p.m. Members in attendance were Mayor Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; and Tom Bakaly, Assistant City Manager. Fred Jones, "I move to close the meeting to discuss personnel". Kay Calvert seconded. Motion carried unanimously.

The meeting opened at approximately 5:15 p.m.

* * * * * * * *

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
MARCH 1, 1884
Seal