PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 12, 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 12, 2002.

Closed Session

3:30 p.m. Property disposition and personnel matters

Work Session

4:30 p.m. Council questions/comments
5:00 p.m. Dissemination of strategic plan
5:20 p.m. Review of regular meeting
- Open space bond
- LMC amendments - Olympic legacy projects
- 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 MEETING OF AUGUST 8, 2002

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving a plat amendment for 15 Eagle Pointe Court, Eagle Pointe III Subdivision, Park City, Utah

2. Ordinance approving 186 Main Street Subdivision to combine two metes and bounds parcels of the Park City Survey into one lot of record located at 186 Main Street, Park City, Utah

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VII PUBLIC HEARING - Olympic Legacy Projects

Ordinance amending Title 15 of the Municipal Code of Park City, Utah, Land Management Code, Chapter 15 Definitions; Chapter 2.6 Historic Commercial Business (HCB) District; Chapter 2.13 Residential Development (RD) District; Chapter 2.14 Residential Development-Medium Density (RDM) District; Chapter 2.16 Recreation Commercial (RC) District; and Chapter 2.17 Regional Commercial Overlay (RCO) District

VIII NEW BUSINESS

1. Ordinance amending Title 15 of the Municipal Code of Park City, Utah, Land Management Code, Chapter 15 Definitions; Chapter 2.6 Historic Commercial Business (HCB) District; Chapter 2.13 Residential Development (RD) District; Chapter 2.14 Residential Development-Medium Density (RDM) District; Chapter 2.16 Recreation Commercial (RC) District; and Chapter 2.17 Regional Commercial Overlay (RCO) District

2. Resolution providing for the holding of a special bond election in Park City, Summit County, Utah, at the same time as the statewide regular general election, for the purpose of submitting to the qualified electors thereof the question of the issuance of General Obligation Bonds of the City in an amount not to exceed $10,000,000 and providing for related matters

3. Resolution to appoint a citizen's committee to advise the Council on community priorities for open space acquisition, methods to permanently preserve open space, and to account for expenditure of open space bond proceeds should voters approve a General Obligation Bond to preserve open space

IX ADJOURNMENT

Posted: 09/09/02
See parkcity.org

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
SEPTEMBER 12, 2002

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

Toby Ross, City Manager; Tom Bakaly, Assistant City Manager; Myles Rademan, Public Affairs Director; Linda Cook, Special Projects Manager; and Patrick Putt, Planning and Zoning Administrator

Absent: Council member Jim Hier

1. **Council questions/comments.** There was discussion about the meeting notice on the feasibility study for the Heber airport. Ms. Bodell stated that she and Candace Erickson attended the annual ULCT convention and referred to comments made by speaker Lyle Sumek, particularly staff communicating anticipated issues to elected officials. She also obtained information about UDOT guidelines for bus shelters and using and retaining volunteers. Ms. Bodell asked for Council support on working with staff on a program to keep Olympic volunteers involved in the community. There was discussion about this being addressed as a part of Council's visioning effort, but not listed as an action item; there was no Council direction. Ms. Bodell added that another workshop dealt with better incorporating the Hispanic community. Fred Jones expressed that this is one of the recommendations rendered from the resort visioning group, including compliance with immigration laws and integration in the community. Ms. Bodell complimented Mark Harrington's and CARG's presentation on public hearings. It was very helpful and producing a video may be another way to share this information with the public.

Fred Jones stated that 32 people volunteered to serve on the Olympic Legacy Task Force. The whole group will meet weekly to generate and prioritize ideas and will bring recommendations back to Council at the end of October.

With regard to Council goals, he expressed concern about *communications* being ambiguous and not clearly defined. Kay Calvert felt that it is addressed as customer service, communications coming from the Marsac Building, and sharing Council's strategic plan. Council member Jones suggested that communication be included in the Mayor's responsibilities as he believes staff is receiving conflicting information from individual Council members. In reviewing the form of government ordinance, he expressed his surprise at its clarity and quoted *"Neither the Council, its members, the Mayor, nor any Council committee shall dictate the appointment by the City Manager of any person to office except as otherwise provided in this Code or in any way interfere with the City Manager or other city officer to prevent him from exercising his judgment in the appointment or employment of officers and employees in the administrative service. Except for the purpose of inquiry, the Council, its members, the Mayor. . .shall deal with the administrative service solely through the City Manager, and neither the Council, its members, the Mayor, nor any Council committee thereof shall give orders to any of the* *subordinates of the City Manager."* Mr. Jones clarified that with regard to a communication plan, the Council needs to reach consensus so that the City Manager and staff receive clear direction. He also encouraged Council to thoroughly review the quarterly report to determine if there are differences on business approaches. It is imperative during this transition to be unified in proceeding with our approach.

Kay Calvert continued that the role of liaisons to boards is somewhat unclear; is it appropriate actively participate or just report back to Council? Mr. Jones believed that Council should share information and if there are concerns, direction based on Council consensus, should be provided to staff or committees. The City Manager should be contacted rather than dealing directly with staff. This does not preclude talking to managers about issues which is different than telling them what to do. In response to comments made by Mr. Jones, Toby Ross agreed that staff has the obligation to present alternatives to Council and it is Council's obligation to arrive at some consensus or make it clear to staff that there is no consensus.

There was discussion about public support of the Ridgeview trail project which will be before Council next week. Candace Erickson commented on the installation of the tot lot fence and the overall great appearance of City Park. Kay Calvert commented on the quality and appropriateness of the 9-11 event. She added that the taxi group is making progress on monitoring unlicensed operators and will have recommendations sometime next month. The Mayor thanked the Fire District, Ecumenical Council, local performers, and City staff for their participation in the 9-11 activities. He reported that he received a couple of favorable comments on paid parking and several negative comments on the old sewer site being used for affordable housing. He explained to complainants that affordable housing at this location has not been formally considered. Newsweek is doing an article on businesses on Main Street, particularly the influx of real estate offices. The Mayor reported on an organ donation program.

2. Dissemination of strategic plan. Myles Rademan discussed the power point shows which have been presented to a couple of groups by the Mayor and available to all members of Council. He distributed a draft of the *Citizen Guide to Park City* containing visions, goals and action agendas as an approach to disseminate the strategic plan as well as a users guide including phone numbers and other information. The draft was produced in-house, but could be contracted to a graphic designer, if so desired. He added that Council members may have different ideas on the scope of the piece and level of funding. There has been a significant effort to enhance our website to attract and direct the public to information. Mr. Rademan asked for direction on the guide. Kay Calvert liked the content and suggested that it be translated in Spanish. The Mayor noted that he participated in its preparation and discussed the evolution of the project. He pointed out the budget summary; if a citizen wants more detailed information, there in information on those documents and how to obtain them. On-going projects are also described as well as contact information. There was discussion on hiring a marketing consultant versus in-house production. Candace Erickson felt that she needs more time to review the content, but the layout looks good. Peg Bodell noted that it would be helpful to her to see the power point show presented by Mr. Rademan and the Mayor before she presents it to groups. Fred Jones and Kay Calvert agreed that the format of the piece is adequate and should be produced in-house. Mr. Jones is reluctant to suggest adding much more information because the piece would get *tossed*. Mr. Rademan discussed mailing the guide and there was discussion about box holders discarding mailers. Discussion ensued regarding including this in the *Park Record* and having a supply available at key locations.

3. Review of regular meeting.

Open space bond. Linda Cook suggested a change to the ballot language to read, "*and to make improvements to land so preserved to protect the natural amenities and to provide for public access and use*". It is hoped that this amendment will distinguish the parks bond last year and this year's open space issuance. November 14 has been identified as the best date for the Council to canvass the votes. There is a second resolution which sets forth the appointment of a citizens advisory committee and to provide for an annual audit of the open space fund. If approved, the ballot language will be delivered to the Summit County Clerk tomorrow.

LMC amendments. Pat Putt explained that these amendments relate to accommodating Olympic legacy structures and/or displays. Council has expressed an interest in maintaining Olympic flag poles, banners, banner standards and way-finding towers which were allowed under the master festival license. The amendments forwarded by the Planning Commission address existing Olympic displays in their present location provided for in the MFL, by identifying them as allowed uses in certain zones. Relocating displays from their existing locations require a conditional use process. There was considerable public input before the Commission. The resorts, lodging and restaurant associations, and Chamber/Bureau expressed support these amendments. Two Board of Adjustment members expressed concern about relocating towers in the entry corridor or in recreation open space without the opportunity for public input. The Planning Commission forwarded a positive recommendation with a change in the definition section which narrowly defines official SLOC way-finding towers, flag poles, banner poles, and banners located in Park City. This would preclude towers from Ogden or Salt Lake to be permitted, for example. Fred Jones pointed out that if the definition remains as drafted, without the Planning Commission recommendation, a conditional use permit process would still have to occur, including a public process. The City Attorney interjected his concerns of this level of degree of separation as the origin of components of a tower may become questionable, and he recommended maintaining flexibility subject to the appropriate public process. Pat Putt reiterated the distinctions with the draft in the meeting packet and the Planning Commission recommendation and added that in the case of the relocation of a tower, the conditional use process would notify adjacent property owners, create an opportunity for comment, and provide the Planning Commission with the necessary tools to evaluate compatibility. The Council reserves the right to call-up a decision of the Planning Commission, and Toby Ross noted that because these projects involve the use of the City's right-of-way or property, the Council maintains ultimate discretion.

Fred Jones stated that he feels there is adequate protection with the CUP process and is reluctant to preclude an opportunity in the future. Peg Bodell agreed but felt that the Olympic Legacy group should review the ordinance before Council adopts it; the 65 foot tower proposed at the Olympic Welcome Plaza is controversial. There was discussion on the need to amend the ordinance to legally accommodate the 65 foot towers in Deer Valley and PCMR. Ms. Bodell brought up the possibility of Olympic exhibits other than towers or banners, and Mr. Putt explained that there is a provision in the LMC for the display of public art.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 12, 2002

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, September 12, 2002. Members in attendance were Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, and Fred Jones. Jim Hier was excused. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Eric DeHaan, City Engineer; Kent Cashel, Transportation Director; Brooks Robinson, Planner; Derek Satchel, Preservation Planner; and Patrick Putt, Planning and Zoning Administrator.

II PUBLIC INPUT

Affordable housing - Joe Kearnin, Silver Meadows resident, referred to Wednesday's edition of the *Park Record* where editorials from citizens expressed concern about the potential of affordable housing on the City's old sewer site. Like the misinformation on the Chatham Crossing affordable housing project, there are fears of dense rental property with large parking lots, nuisance problems, a drop in property values and undesirable people. However, the Mountainlands proposal was for attractive townhouses in character with the existing neighborhood to be purchased by moderate income people. He referred to the General Plan where this type of housing is exactly what the town needs to attract good employees and invited any concerned residents to visit his affordable housing neighborhood's block party this Sunday at 3 p.m. on Cooke Drive. His neighborhood looks nice and believes that Prospector values have increased since Silver Meadows was built. Park City needs more for-sale affordable housing, and if Council agrees that it is beneficial, please calm the opposition's fears and take proactive steps to support affordable housing or it won't be built. For-sale stock has not been constructed since 1995 before the General Plan element was adopted which supports this effort.

Slurry seal - Resident John Haney referred to the unsuccessful slurry seal project a few years ago and asked why the City still uses this material. It's bumpy and slippery. Council member Erickson responded that she understands that slurry seal maintains the integrity of the street for an additional two to three years. Mr. Haney disagreed and believed that applications actually tear up roads, like chip seal. He alleged that the state uses it to obtain and perpetuate federal funding for projects. Eric DeHaan indicated that Mr. Haney has previously expressed his concerns to him and agreed that both chip and slurry seals have been improperly applied due and as a result City specifications have been strengthened with regard to ambient temperatures. This is a less expensive process than grinding and overlays and road closures are briefer. The rejuvenation agents in the slurry seal are beneficial to maintain the pavement in a satisfactory condition. The seal also provides an improved traction surface. He believed Mr. Haney may be referring to related to sub-grade failures. Staff believes that both chip and slurry seals are cost effective means of maintaining pavements when properly applied.

However, Mr. DeHaan concurred that Type II and III slurries are not ideal for biking and roller-blading.

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

III COMMUNICATIONS FROM COUNCIL AND STAFF

School buses - Kent Cashel relayed that he has received some calls regarding school buses in the Historic District. The School District is legislatively required to limit the number of stops in a given area and began to consolidate them. The District requested use of the transit center for service on Main Street and Marsac Avenue, however, the City there are both operational and legal issues with the use of the transit center. The FTA must issue a letter of approval because it provided 80% of the funding for the project and has indicated that these regulations would apply to this case. In consideration of this hurdle, he has provided the right to travel the transit center access through the round-about and the stop and ride is located at the Olympic walkway. Mr. Cashel explained bus routing on Heber Avenue and how parents can pick up and drop off their kids who can use the transit center. This keeps 40 foot long school buses off of narrow and steep Hillside Avenue and Main Street when it is congested at 3 p.m., which has always been a concern. Mr. Cashel added that the City is working to facilitate the School District and mitigate safety concerns.

Resignation of City Manager - Mayor Williams announced that Toby Ross has resigned to serve as City Manager in West Sacramento. It is expected that he will leave no later than October 11 and the City Council intends to conduct a nation-wide search for a replacement. Assistant City Manager Tom Bakaly will serve as Interim City Manager during the transition. Toby Ross has been City Manager since 1989, and was very instrumental in the success of the 2002 Winter Olympic Games. Prior to coming to Park City, he was the Assistant City Administrator for San Luis Obispo and in 1995 was named *Manager of the Year* by the Utah League of Cities and Towns. On behalf of the Council, Mayor Williams wished Toby Ross and his wife the very best in their new endeavor.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 8, 2002

Peg Bodell commented that on several occasions, the consensus of Council is not clearly defined in the minutes and specifically referred to assigning Tom Bakaly to work with the Arts Council on August 8. Fred Jones suggested that after discussion, that the Mayor summarize direction so it is evident to the City Recorder and reflected in the minutes. Dana Williams agreed that this process would be helpful. Peg Bodell, "I move to approve the minutes". Candace Erickson seconded. Motion carried.

Peg Bodell Aye

Kay Calvert	Aye
Candace Erickson	Aye
Jim Hier	Absent
Fred Jones	Aye

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving a plat amendment for 15 Eagle Pointe Court, Eagle Pointe III Subdivision, Park City, Utah - Planner Brooks Robinson explained that the request is to shift the platted buildings. The Planning Commission held a public hearing on August 28 and forwarded a positive recommendation in accordance with the findings of fact, conclusions of law, and conditions of approval outlined in the staff report. Ms. Erickson disclosed that she walked the site with a representative of the applicant. Hearing no questions or comments from the Council or the audience, the public hearing was closed.

2. Ordinance approving 186 Main Street Subdivision to combine two metes and bounds parcels of the Park City Survey into one lot of record located at 186 Main Street, Park City, Utah - Preservation Planner Derek Satchel explained that the application is to combine two metes and bounds parcels in the Park City Survey to assume one lot of record. The purpose of the amendment is to accommodate future development for the existing historic structure on the property. Approval is recommended in accordance with the findings of fact, conclusions of law, and conditions of approval after conducting a public hearing tonight. Peg Bodell stated that she discussed the easement on the back of the property with Mr. Satchel with regard to parking. Mr. Satchel clarified for the remainder of Council members that parking is allowed on the easement; the property beyond the 20 foot wide easement incorporates City land on which the miner's house memorial is intended to be located. Ms. Bodell pointed out that the property beyond the easement is privately owned by the applicant and the City Engineer explained that the easement does not bifurcate the actual property ownership but simply accommodates the sewer and storm drain lines. Parking is encouraged on the surface above the pipes to avoid regrading east of the property. It is likely that the trail encroaches on the parcel, but Mr. DeHaan continued that there is protection of the trail as a part of this action. In response to a question from Council member Bodell, he stated that Poison Creek could be day-lighted in the easement, but unlikely because of impacts both up and down stream and historically there has been parking on the surface above the culvert. With no further comments or questions from the Council or the public, the public hearing was closed.

VI CONSENT AGENDA

Fred Jones, "I move to approve Items 1 and 2 on the Consent Agenda". Kay Calvert seconded. Motion carried.

Peg Bodell	Aye
Kay Calvert	Aye
Candace Erickson	Aye
Jim Hier	Absent
Fred Jones	Aye

1. Ordinance approving a plat amendment for 15 Eagle Pointe Court, Eagle Pointe III Subdivision, Park City, Utah - See staff report and public hearing.

2. Ordinance approving 186 Main Street Subdivision to combine two metes and bounds parcels of the Park City Survey into one lot of record located at 186 Main Street, Park City, Utah - See staff report and public hearing comments.

VII PUBLIC HEARING - Olympic Legacy Projects

Ordinance amending Title 15 of the Municipal Code of Park City, Utah, Land Management Code, Chapter 15 Definitions; Chapter 2.6 Historic Commercial Business (HCB) District; Chapter 2.13 Residential Development (RD) District; Chapter 2.14 Residential Development-Medium Density (RDM) District; Chapter 2.16 Recreation Commercial (RC) District; and Chapter 2.17 Regional Commercial Overlay (RCO) District - See work session comments and staff report. Patrick Putt explained that these amendments relate to Olympic legacy displays installed within the City limits as part of the Master Festival License for the Games. They would allow the way-finding towers, the flag poles, and banner standards to remain in their existing locations at Park City Mountain Resort and Deer Valley Resort and some or all to be relocated on City's rights-of-way and/or property under a conditional use permit process. The Planning Commission forwarded a positive recommendation with a further amendment to Section 15-15-1 in Definitions, with the effect of prohibiting importing displays from other jurisdictions. He relayed that during work session, the direction of Council was not to include that language and he went on to suggest additional clarifying language to support Council's intent. An ordinance is prepared in the event Council decides to take action. The Mayor invited Council input.

Ms. Erickson asked for clarification about the parameters of the GC zone and Mr. Putt indicated that it exists at approximately the sidewalk area. She pointed out that the GC zone is not included as an allowed zone in the drafted ordinance. City Attorney Mark Harrington recommended that this action be readvertised to address the omission as zoning is considered a substantive matter. However, Council can take action on this ordinance and staff can return with a separate ordinance addressing the GC zone as a part of other pending LMC amendments.

Hearing no further comments or questions from the Council or the audience, Mayor Williams closed the public hearing.

VIII NEW BUSINESS

1. Ordinance amending Title 15 of the Municipal Code of Park City, Utah, Land Management Code, Chapter 15 Definitions; Chapter 2.6 Historic Commercial Business (HCB) District; Chapter 2.13 Residential Development (RD) District; Chapter 2.14 Residential Development-Medium Density (RDM) District; Chapter 2.16 Recreation Commercial (RC) District; and Chapter 2.17 Regional Commercial Overlay (RCO) District - Peg Bodell, "I move to approve the Ordinance with the exception of the deleting February 7, 2002 date as part of the amendment (Definition section)". Fred Jones seconded with the understanding that Council will address the GC zone at a later date. Motion carried.

Peg Bodell	Aye
Kay Calvert	Aye
Candace Erickson	Aye
Jim Hier	Absent
Fred Jones	Aye

2. Resolution providing for the holding of a special bond election in Park City, Summit County, Utah, at the same time as the statewide regular general election, for the purpose of submitting to the qualified electors thereof the question of the issuance of General Obligation Bonds of the City in an amount not to exceed $10,000,000 and providing for related matters - See staff report and work session discussion. Fred Jones, "I move adoption of the Resolution". Candace Erickson seconded. Motion carried.

Peg Bodell	Aye
Kay Calvert	Aye
Candace Erickson	Aye
Jim Hier	Absent
Fred Jones	Aye

3. Resolution to appoint a citizen's committee to advise the Council on community priorities for open space acquisition, methods to permanently preserve open space, and to account for expenditure of open space bond proceeds should voters approve a General Obligation Bond to preserve open space - See work session and staff report. The Mayor requested a motion to approve. Fred Jones, "I so move". Kay Calvert 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 3:30 p.m. Members in attendance were Mayor Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, and Fred Jones. Jim Hier was excused. Staff present were Toby Ross, City Manager; and Mark Harrington, City Attorney, and Tom Bakaly, Assistant City Manager. Fred Jones, "I move to close the meeting to discuss property and personnel matters". Peg Bodell seconded. Motion carried.

Peg Bodell	Aye
Kay Calvert	Aye
Candace Erickson	Aye
Jim Hier	Absent
Fred Jones	Aye

The meeting opened at approximately 4:30 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
Seal
MARCH 1, 1884