PARK CITY 1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 28, 1997

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, August 28, 1997.

AGENDA

Work Session - To be held in Work Session Room - Main Level

5:00 p.m. Council questions and comments
5:30 p.m. Discussion on special improvement districts
5:50 p.m. Review of regular meeting

Regular Meeting - To be held in Work Session Room - Main Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

Paid parking - Mike Andrews

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 14, 1997

V PUBLIC HEARING

Ordinance approving the Landmark Replat, a plat amendment to the Park City Survey, Lot 14, and a portion of Lot 13 of Block 73 of the Millsite Reservation, along with a quit claim parcel located at 97 Daly Avenue, Park City, Utah

VI CONSENT AGENDA

1. Ordinance approving the Landmark Replat, a plat amendment to the Park City Survey, Lot 14, and a portion of Lot 13 of Block 73 of the Millsite Reservation, along with a quit claim parcel located at 97 Daly Avenue, Park City, Utah

2. Approval of change order to reading garden project in the amount of $27,565 for plant materials at the Park City Library and Education Center

3. Resolution declaring September 1 - 7, 1997 as Union Label Week in Park City, Utah

VII NEW BUSINESS

1. Adjustment to Public Works Budget to fund soil mitigation costs and furniture at new Public Works facility

2. Award of contract for construction of Sandridge parking lot

VIII ADJOURNMENT

Note: It should be pointed out that the comment under Public Input occurred during the meeting and was not posted. It appears on the agenda for reference purposes.

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 4, 1997

PUBLIC NOTICE IS HEREBY GIVEN that the Park City Council will **not** hold its regularly scheduled meeting on Thursday, September 4, 1997.

Posted: 8/25/97

PARK CITY
1884

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
AUGUST 28, 1997

Present: Mayor Brad Olch; Council members, Hugh Daniels, Roger Harlan, Chuck Klingenstein; Shauna Kerr; and Paul Sincock

Toby Ross, City Manager; Jodi Hoffman; City Attorney; Eric DeHaan, City Engineer; Hope Bleecker, Transportation Director; Jerry Gibbs, Public Works Director; Myles Rademan, Public Affairs Director; Pat Putt, Planning and Zoning Administrator; Alison Kuhlow, Planner; Pace Erickson, Golf Course and Parks Superintendent

1. **Special improvement districts.** Chuck Klingenstein stated that he was pleased that the request to reconsider the Town Lift special improvement district was withdrawn, and quoted Conclusion of Law No. 6 or the Town Bridge Appeal, "A special improvement district is not an appropriate method to finance, construct, or maintain the bridge or to maintain open space areas within the project". There was discussion about special improvement districts being a public improvement.

2. **Council questions and comments.** The Mayor presented Ms. Kerr with a Sumo Wrestling certificate. Ms. Kerr commented on the success of the City picnic and Council concurred. Hugh Daniels suggested scheduling the City Manager and City Attorney six month evaluations. He requested the National Preservation Trust's report on the Watts property and felt it appropriate to send a thank-you letter to participants. Chuck Klingenstein pointed out the graffiti problem in the tunnel adjacent to Deer Valley Drive. He thanked the Police Department for its patrolling efforts at the schools. Paul Sincock announced that there are tax abatement forms which are available at the City Recorder's office. He pointed out the difficulty in reaching the elderly that may need assistance as not all go to the center, and encouraged candidates to take the forms door-to-door. He reported that the County Commission indicated it would explore financing of the environmental assessment and would pursue recycling services with Recycle Utah. Park City Performances is holding a fund-raising golf tournament on September 7 and Mr. Sincock suggested Leisure Services' participation. He added that the letter to SLOC was good. Roger Harlan reported on the truth in taxation meeting held by the School District and the sound system in the new performing arts center. He was pleased with the intersection improvements at Kearns Boulevard and Bonanza Avenue. Ms. Kerr added that she and Mr. Klingenstein toured the new jail and courtroom facility.

The City Manager distributed information on the parking meter order, including the cost for painting the parking meters black. Another option is to use the $9,900 to fund an incentive grant program for the arts community to design vinyl appliques for the meters. The Mayor insisted that Schlumberger was going to paint the meters as a part of the purchase. There was discussion about whether Schlumberger agreed to the Mayor's demand at the meeting. The Mayor didn't believe they would walk away from a $270,000 contract over $10,000 and stated that he will call them. Ms. Kerr explained her concerns about conformance with the Historic District guide lines and would hate to support graphics if the goal is to make the meters "invisible". Paul Sincock stated that he doesn't have a problem with a gray meter, although it is fine with him if they can be painted black. Chuck Klingenstein felt that in Old Town where colors and signage have been coordinated, it would be foolish not to remain consistent in that effort. He supported painting them black and maybe having graphics for special events. Roger Harlan believed if there are guide lines on color and theme for art work, it may be an effective public relations effort. Ms. Kerr added that she would like to hear from the Historic District Commission; it would be hypocritical if the City has different standards than property owners. The HDC should decide if art work is a public benefit or inconsistent with guide lines. There was a discussion of the timing of ordering and the December 1 dead line. The Mayor indicated that in his discussions with the Schlumberger salesman, it was clear that they had to be black and the $9,900 charge is unacceptable. Ms. Kerr stated that she is willing to split the difference and the Mayor interjected that he will call tomorrow. Chuck Klingenstein pointed out that the meters have an excellent track record. Jerry Gibbs explained that the next bidder is not within the City's range of performance criteria and he would not recommend an inferior product. Hope Bleecker could not predict what Schlumberger would do, but added that they were adamant about the paint issue. The Mayor stated that he will follow-up.

Myles Rademan announced a follow-up meeting on the summer tour on September 7 at 5:30 p.m. at the Miners Hospital. He discussed a memorandum of understanding on the environmental audit which requires the Mayor's signature. Mr. Rademan noted that the City's specific contribution is not indicated, but the total amount would be $25,000 to $30,000. The ski areas, the Chamber/Bureau and Ski Utah will also participate. He suggested that the City contribute $5,000. Paul Sincock requested that a cover letter be written to clarify our commitment, and Roger Harlan voiced his concern that the County follow-through on its financial support. Chuck Klingenstein felt the County Commission is sincerely interested.

Pat Putt reported on the discussion of two projects proposed on Sullivan Road. Currently there are four applications for projects that could potentially access off of the park driveway. The Planning Commission scheduled a joint work session on September 24 with members of the Parks and Recreation Board and staff to formulate recommendations for a policy to be reviewed by the City Council. The Legal Department will be researching this, and Ms. Hoffman added that it appears that most of the area is unplatted and the City owns the road in fee simple. People can not adversely possess from a municipality or a railroad which may be the previous owner. There was discussion about losing density if access is off of Park Avenue rather than Sullivan Road, and in most cases, the issues are complex. Eric DeHaan discussed utilities and the difficulty of finalizing a utility plan without confirming access. Roger Harlan emphasized the strong recommendation from the Parks Board not to provide access from Sullivan.

3. **Review of the regular meeting.** Alison Kuhlow explained that the snow storage is on Daly Avenue, not Park Avenue and will correct the plat amendment ordinance for 97 Daly. In response to a question from Paul Sincock, Pace Erickson explained the Council authorized up to $45,000 for the reading garden. Friends of the Library raised about $23,000 which covered other items like benches which were not a part of the contract. Paul Sincock expressed his surprise that the project total is about $90,000.

With regard to the adjustment of the Public Works budget for the new facility, Hugh Daniels explained that he spent a considerable amount of time on reviewing this issue. He felt that some of the expense should be absorbed by Technical Services, but at some point the Council can not keep adding money to a project. There has been some funding identified in the Transportation reserve which isn't currently earmarked, but ultimately it is specified for transportation. Mr. Daniels also felt the architect has some responsibility for overruns and asked the Public Works Director to formulate options if Council doesn't fund the entire deficit. Roger Harlan commented that no one knew the extent of the soil mitigation, and perhaps there should be larger contingencies set aside for projects. He encouraged the purchase of quality furniture. Ms. Kerr asked if the City should be looking toward the architect for design defects and associated costs. Paul Sincock added that this accounts for about a third of the overage costs. Ms. Kerr encouraged pursuing negotiating design omissions. Jerry Gibbs discussed the incremental costs in including the steel in the original order and ordering additional steel with a change order. In response to question from Roger Harlan about the firm being competent, Jerry Gibbs explained that there is no such thing as a perfect set of plans or specifications. The building is extremely complex with mechanical, structural, and architectural elements which are designed individually. It's difficult to integrate all of these features. The City Manager explained that staff will pursue the architect in areas where there may be responsibility, which will not bear on paying the contractor. If the City gets money back it will go into the capital improvements fund, but that resolution will not occur until the project is finished. Chuck Klingenstein agreed with Mr. Daniels, and emphasized that traffic, circulation and parking is a big issue before Council and was hesitant in using those funds. Toby Ross interjected that is where the money comes from for the balance of the project. He added that if the Council chooses to go with the existing budget, the building can still be completed, but it probably can not be fully equipped. It won't be a dramatic consequence, but there won't be any savings. Chuck Klingenstein felt it important to accommodate employees with furniture. Ms. Kerr believed the building should be finished now as delays will be more expensive. There was discussion about delaying the purchase of the bus washer. Ms. Kerr stated that she wouldn't mind putting off the purchase as long as the price remained consistent. Mr. Daniels believed Council needs options to make a good decision. Mr. Sincock pointed out that the soil mitigation is $230,000 and the question is how much over that amount should the Council authorize.

Prepared by Janet M. Scott

PARK CITY
1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 28, 1997

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, August 28, 1997. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Jerry Gibbs, Public Works Director; Hope Bleecker, Transportation Director; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

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

Mike Andrews, candidate for City Council, understood that the parking meter contract has not been signed which may present a window of opportunity in view of the opposition of the paid parking program. He felt that this program should be delayed because it is a band aid approach for a problem that needs a long-term solution and plan. Mr. Andrews didn't believe that because it works in Aspen, it will work in Park City which is very different. Parking meters should be a part of a total parking and traffic solution and he believed the Council is trying to address it in a sincere manner. There is a commitment to buy the meters, without a plan in place. Chuck Klingenstein asked if his comments are based on discussions of the seven year plan with the Transportation Director and consultants. Mr. Andrews stated that he didn't meet with these people. He proposed that it is time to meet with the citizens of the community in a meaningful way in developing a long-term solution. He suggested forming a citizen task force to report back to the Council no later than February. The committee should have broad representation of the ski resorts, merchants, neighborhoods, etc. and although consultants have their place, the citizens dealing with transportation and parking on a daily basis will develop a solution that works for everyone. The solution may or may not have paid parking or garages, but will be more accepted and supported. He urged Council to give the community an opportunity for involvement and not just input or commentary. Mr. Andrews suggested a delay of three to four months to achieve a workable solution and a plan which is comprehensive in nature is prudent. Spending a quarter of a million dollars is not a good way to go about it; there needs to be a plan.

Chuck Klingenstein pointed out that there has been two years of study on this and encouraged Mr. Andrews to visit with the Transportation Director to become familiar on the public processes employed over that time. He added that the Mayor is in the process of forming a task force and would be willing to attend the meeting with him and the Transportation Director. Mr.

Klingenstein stated that Council has worked extremely hard on this for 18 months to two years. Mr. Andrews did not argue the hard work, but stated that citizens do not believe they were involved in the process. Ms. Kerr added that whenever outcomes are not the desired outcome, one of the best arguments people make is that they weren't involved in the process. She disagreed with Mr. Andrews' statement. People may be on the other side of the decision and that doesn't mean she didn't hear them, it just means that the ultimate decision is contrary to their desires. She continued that this Council has listened and learned for over two years with regard to parking and has made a decision to carry out a long-range goal and plan. With regard to implementation, the fact that the Council didn't make a decision on the pricing and location of the meters is an affirmation that the Council is still listening -- not that the Council will change its mind on the parking meters. Ms. Kerr added that the City can't wait until February to get a parking plan in place and it is unfair to categorize the Council as putting the cart before the horse as this is a phasing process. There was increased enforcement and valet parking and this is just the next level, and paid parking should not catch anyone off guard because it has been in the process for two years or longer. Mr. Andrews stated that if there is a seven year plan, it is one of the best kept secrets in Park City. With regard to comments about the Council not listening, Roger Harlan pointed out the Flagstaff annexation process where meetings were well attended and where the public was engaged in a monumental issue. Mr. Andrews felt that Flagstaff was a model for participatory democracy and involvement. If the same process was followed for the same amount of time and in the same way for parking solutions and traffic control, the Council would have the support of the community, but Council has not done that. The Mayor thanked Mr. Andrews for his comments.

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

III COMMUNICATIONS FROM COUNCIL AND STAFF

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 14, 1997

Shauna Kerr corrected Page 6 of the Minutes to read 1,200 square feet as opposed to 12,000. With no further corrections, the Mayor requested a motion to approve. Paul Sincock, "I so move". Shauna Kerr seconded. Motion unanimously carried.

V PUBLIC HEARING

Ordinance approving the Landmark Replat, a plat amendment to the Park City Survey, Lot 14, and a portion of Lot 13 of Block 73 of the Millsite Reservation, along with a quit claim parcel located at 97 Daly Avenue, Park City, Utah - See staff report. Alison Kuhlow clarified that the snow storage referrals should read Daly Avenue, not Park Avenue, and this will be corrected throughout the ordinance. With no further comments from the public or the Council, the public hearing was closed.

VI CONSENT AGENDA

Chuck Klingenstein, "I move approval of the Consent Agenda, noting the snow storage changes in Item No. 1". Shauna Kerr seconded.. Roger Harlan applauded Mr. Hood's efforts in saving an historically significant building relating to Item 1. Paul Sincock understood that the $71,000 bid for the reading garden did not include the benches, pavers, stones and trees, which brings the project up to $90,000. Motion carried unanimously

1. Ordinance approving the Landmark Replat, a plat amendment to the Park City Survey, Lot 14, and a portion of Lot 13 of Block 73 of the Millsite Reservation, along with a quit claim parcel located at 97 Daly Avenue, Park City, Utah - See staff report.

2. Approval of change order to reading garden project in the amount of $27,565 for plant materials at the Park City Library and Education Center - See staff report.

3. Resolution declaring September 1 - 7, 1997 as Union Label Week in Park City, Utah - Staff recommends approval.

VII NEW BUSINESS

1. Adjustment to Public Works Budget to fund soil mitigation costs and furniture at new Public Works facility - Jerry Gibbs pointed out that instead of $362,000 the request is $368,000; $235,000 is for soil mitigation which was not anticipated as part of the project. There will not be sufficient contingency to purchase furniture and he is asking for an additional $50,000 for contingency to cover anticipated change orders. There are a number of options before Council and staff is requesting the total amount, which would be transferred from the Transportation Fund. The amount could be reduced by the contingency amount, or reduced by the soil mitigation cost. In response to a question from Shauna Kerr, Mr. Gibbs explained that staff has not looked at a transfer from the Risk Management Fund. Ms. Hoffman interjected that she didn't think that this transaction would qualify under GASBY but the City Manager noted that perhaps $40,000 would be available. Jerry Gibbs added that there are a number of change orders requested by Data Processing which can be determined at the completion of the project, but at this point, he determining what is necessary to finish the project. The original contingency was $361,000 and $126,000 has been spent on change orders plus additional design and testing. Hugh Daniels discussed the contingency for furniture, bus washer, fixtures and paint booth totaling $333,000. He concluded that this total would indicate that there really was no contingency. Jerry Gibbs responded that the project management plan includes $240,000. Mr. Daniels then determined that the difference now is $133,000 and if the Council approved the $235,00, the project would be alright. Jerry Gibbs noted that he is off by $80,000 to

$100,000 because there is still $200,000 more in anticipated change orders. Paul Sincock stated that he is not comfortable on voting on this unless it is only to replace the $235,000 for the soils mitigation, as he needs more time to examine the information. The Mayor supported this suggestion and encouraged Council members to meet with the Public Works Director in the mean time. The City Manager added that if the soil mitigation cost is covered, staff will come back to Council for further requests. There is an opportunity for negotiation and transfers from other funds. Paul Sincock, "I move to add to add $235,000 to the Public Works building budget to cover the unexpected soils mitigation costs". Hugh Daniels seconded. Motion unanimously carried.

This following discussion occurred at the conclusion of the meeting, but appears here for ease of reference. The City Manager requested the Council to authorize the purchase of furniture. Chuck Klingenstein, "I move that we allow Jerry (Gibbs) to accept the (furniture) bids". Shauna Kerr seconded. Motion unanimously carried.

2. Award of contract for construction of Sandridge parking lot - The Public Works Director explained that three contractors have indicated an interest in constructing the 80 space lot. The bid came in at $450,000 and staff estimated approximately $240,000 for the same work. He clarified there was an offer to donate soil, but the project manager subsequently decided to charge $80,000 for the soil material. Another area of additional cost involved the retaining wall in the lower section which was $60,000 more than anticipated. The third area involved storm sewer costs which were $20,000 higher than estimated. The Public Works Director recommended that the City enter into a contract with Miller Paving for Phase 1 which is the lower level at $175,000. Staff is proposing coming back to Council at the end of Phase 1 and either request additional money for a change order for Miller Paving or rebid Phase 2 separately. Mr. Gibbs stated that it is hoped that there is an opportunity to negotiate with some of the contractors for fill material which would provide substantial savings. As a part of handling the dirt, the City can also install the storm sewer at a savings. It is proposed to have one entrance in Phase 2, as opposed to a drive-through facility, which will add 18 parking spaces. Ms. Kerr asked if this complies with the Planning Commission approval. Mr. Gibbs explained that Phase 1 is in the residential area, and Phase 2 and 3 is down from the area. In response to a question from Ms. Kerr, Mr. Gibbs relayed that this is only the construction of the parking lot and the landscaping will be bid at a later date. Ms. Kerr encouraged staff to bid early as early as January. Brooks Robinson, planner, added that the neighborhood was most concerned about structured parking, screening landscaping, and the use of the parking lot. He didn't believe that a shift in design was a concern. Chuck Klingenstein asked if fill was available, if Phase 2 could be done in tandem with Phase 1; Mr. Gibbs felt that was unlikely. Paul Sincock pointed out the additional spaces with this plan, and Mr. Klingenstein countered that his concern is the timing as employee parking is integral in the parking plan being implemented this winter. Hope Bleecker explained that there are options if customer parking is decreased. There was discussion about the United Park City Mines property, and Jerry Gibbs relayed that if that can not be used in the future, 12 spaces will be lost. He explained that this is an access area and the City Manager emphasized that the Board will only authorize a one-year lease. Roger Harlan expressed his

disappointment in the lack of follow-through of the individual promising free fill. Mr. Gibbs clarified that constructing in a compressed time frame is resulting in paying a premium on the project.

Paul Sincock believed that Phase 1 should be pursued this year and Phase 2 next year as the City doesn't have a choice if it is to implement a parking plan. Paul Sincock, "I move that we approve $175,000 for the south lot, Phase 1, of the Sandridge parking lot". Hugh Daniels seconded. Motion carried unanimously.

VIII ADJOURNMENT

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

* * * * * * * * * * *

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

Prepared by Janet M. Scott

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1,
1884

Janet M. Scott
Janet M. Scott, City Recorder

PARK CITY

CITY COUNCIL REPORT

DATE: August 28, 1997
DEPARTMENT: Planning Department
AUTHOR: Alison Kuhlow AK
TITLE: 97 Daly Avenue - Plat Amendment
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Adopt the attached Ordinance approving the Landmark Replat which combines Lot 14 and a portion of Lot 13 of Block 73 of the Millsite Reservation, along with a quit claim parcel, into one (1) single family lot, to accommodate the existing single family structure.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Project Name:	97 Daly Avenue - Plat Amendment
Owner:	W. Todd Hood
Location:	97 Daly Avenue
Zoning:	HR-1
Adjacent Land Uses:	Residential
Project Planner:	Alison Kuhlow

B. Background.

The owner, Todd Hood, submitted an application to combine Lot 14 and a portion of Lot 13 of Block 73 Millsite Reservation, along with a quit claim parcel into one (1) single family lot. The applicant's house sits on Lot 14 and the portion of Lot 13 along with the quit claim parcel.

An HDC Design Review Application has also been submitted to the Planning Department for an addition to the existing historic single family structure located at 97 Daly Avenue. Staff has reviewed the application, and it was presented in front of the Historic District Commission at their August 4, 1997 Meeting.

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On August 13, 1997, the Planning Commission voted to forward to City Council a positive recommendation to approve the proposed Plat Amendment.

C. Analysis

This request is to formally combine one and a half (1½) existing lots and a quit claim parcel to create one 8092 square foot parcel for a single family residence. The size of additions to the structure located on the parcel will be limited by the current setback, and height requirements of the Land Management Code for the HR-1 District and an existing facade easement on the north, west and south facades of the home (obtained by the City in exchange for the quit claim parcel from prior owner, Virginia Deffern). This Plat Amendment was required as part of the exchange for the preservation easement.

Lot combinations which result in larger than standard lots have been allowed in the past, in areas where the ownership pattern is one of several lots and surrounding houses are larger than typical old town houses. In the surrounding area, the lot ownership pattern is typically one and a half contiguous lots or more. Lots, in the area, range in size from approximately 2,812 square feet to subdivisions incorporating five (5) or more standard old town lots.

D. Notice

Notice of the Planning Commission hearing was sent to property owners within 300' on July 29, 1997. Staff did not receive comment at the time of the public hearing.

E. Department Review.

The Community Development Department has reviewed this request. The City Attorney's Office will review the plat prior to recordation. The request was discussed at a Staff Review Meeting on August 5, 1997, where representatives from local utilities and City Staff were in attendance and found it to be in conformance with all requisite City development codes.

ALTERNATIVES

A. Approval of the proposed subdivision plat amendment by combining Lot 14 and a portion of Lot 13, Block 73, Millsite Reservation, along with a quit claim parcel and thereby removing the common lot lines between the lots.

B. Deny the subdivision plat amendment and retain the original Record of Survey.

C. Continue the item and request further evaluation from the Staff.

SIGNIFICANT IMPACTS:

The proposed amendment will result in one (1) lot which is larger than the standard "Old Town" lot measuring 25' x 75'. The plat amendment will allow for an addition to the existing historic residence. Given the required setbacks, the historic district height restrictions, and the predominant ownership pattern and house size in the area, the lot combination results in proposed structure which is compatible in mass and scale with the immediate neighborhood.

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CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:
If the plat amendment is not approved as proposed, the existing single family residence would remain non-conforming, which would limit the scope of any additions and rehabilitation to the existing historic structure.

RECOMMENDATION:
Staff recommends that the City Council approve the Landmark Replat based on the following findings with the following conditions;

Findings of Fact:
1. The proposed Plat Amendment will combine one (1) lot and a portion of another into one (1) along with a quit claim parcel in order to allow for an addition to an historic structure.

2. The proposed plat amendment rectifies the existing non-conforming condition of a structure that crosses property lines.

3. The Plat Amendment will allow for an addition and renovation to an historic home.

4. Dedication of a ten (10) foot non-exclusive snow storage easement along Park Avenue is necessary to provide adequate snow removal services.

5. The property is located in the HR-1 District.

6. The applicant agrees with the conditions of approval

Conclusions of Law:
1. There is good cause for the amendment.

2. Neither the public nor any person will be materially injured by the proposed plat amendment.

3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

Conditions of Approval:
1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. A ten (10) foot non-exclusive snow storage easement along Park Avenue shall be dedicated to the City on the plat.

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3. A note referencing the historical preservation easement shall be added to the plat.

4. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).

5. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

6. A Building Permit for 97 Daly Avenue may not be issued until the Plat Amendment is recorded.

7. Only one (1) single-family home is permitted on the newly-created lot.

EXHIBITS:

Attachment A - Location Map
Attachment B - Ordinance
    Exhibit A - Proposed Plat
    Exhibit B - Standard Project Conditions

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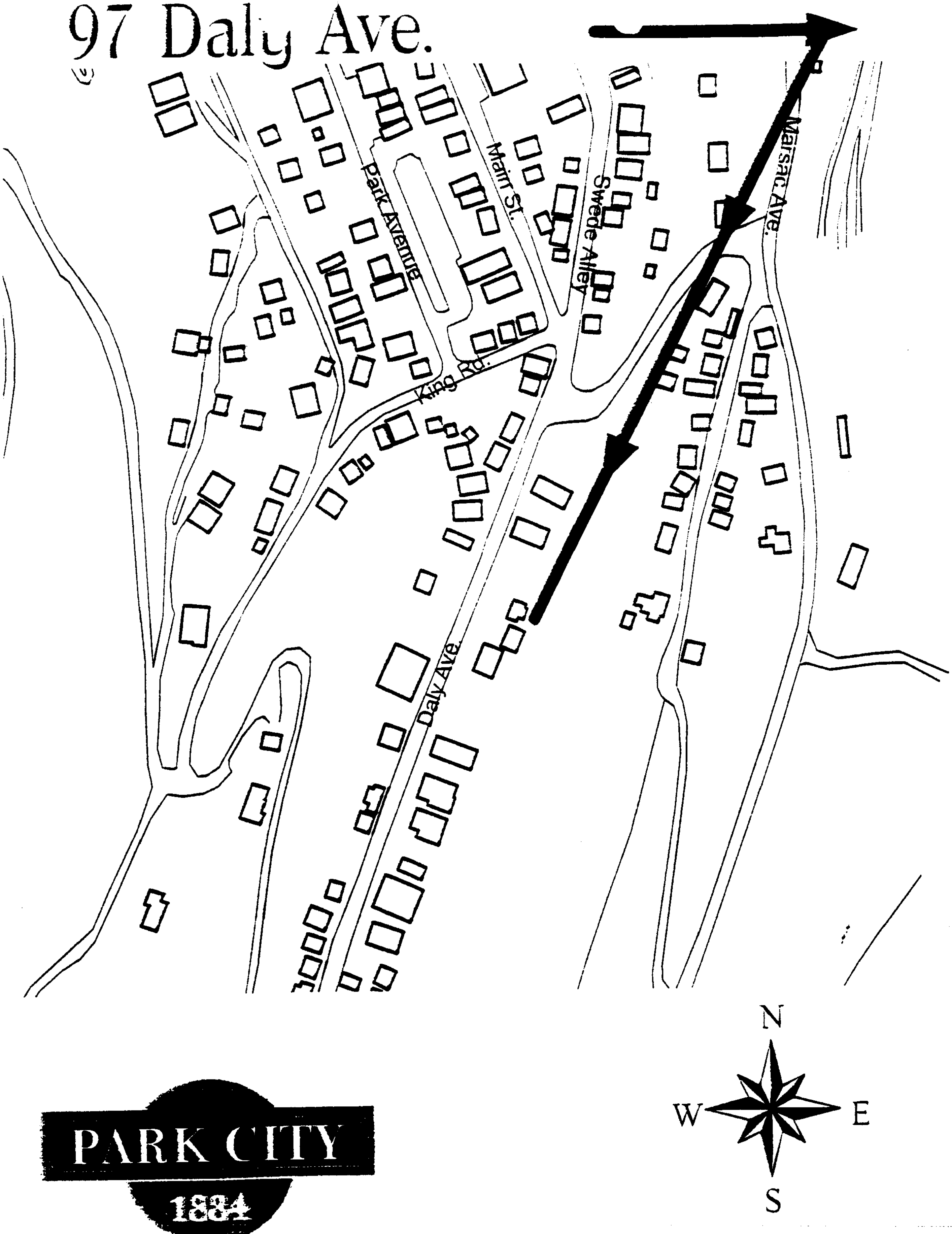
97 Daly Ave.



PARK CITY
1884

Attachment A - Location Map

Ordinance No. 97-

AN ORDINANCE APPROVING THE LANDMARK REPLAT, A PLAT AMENDMENT THE PARK CITY SURVEY LOT 14 AND A PORTION OF LOT 13 OF BLOCK 73 OF THE MILLSITE RESERVATION, ALONG WITH A QUIT CLAIM PARCEL LOCATED AT 97 DALY AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Park City Survey Lot 14 and a portion of Lot 13 of Block 73 of the Millsite Reservation, along with a quit claim parcel have petitioned the City Council for approval of a revision to the final plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on August 13, 1997, to receive input on the proposed condominium plat;

WHEREAS, the Planning Commission, on August 13, 1997, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 28, 1997, The City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the record of survey and plat amendment.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The proposed Plat Amendment will combine one (1) lot and a portion of another into one (1) along with a quit claim parcel in order to allow for an addition to an historic structure.

2. The proposed plat amendment rectifies the existing non-conforming condition of a structure that crosses property lines.

3. The Plat Amendment will allow for an addition and renovation to an historic home.

4. Dedication of a ten (10) foot non-exclusive snow storage easement along Park Avenue is necessary to provide adequate snow removal services.

5. The property is located in the HR-1 District.

6. The applicant agrees with the conditions of approval

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey for Lot 14 and a portion of Lot 13 of Block 73 of the Millsite Reservation, along with a quit claim parcel, to be known as the Landmark Replat, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. A ten (10) foot non-exclusive snow storage easement along Park Avenue shall be dedicated to the City on the plat.

3. A note referencing the historical preservation easement shall be added to the plat.

4. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).

5. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

6. A Building Permit for 97 Daly Avenue may not be issued until the Plat Amendment is recorded.

7. Only one (1) single-family home is permitted on the newly-created lot.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.
PASSED AND ADOPTED this 21st day of August, 1997 .

PARK CITY MUNICIPAL CORPORATION

____

Bradley A. Olch, MAYOR

ATTEST:

____

Jan Scott, City Recorder

APPROVED AS TO FORM:

____

Mark Harrington, Deputy City Attorney

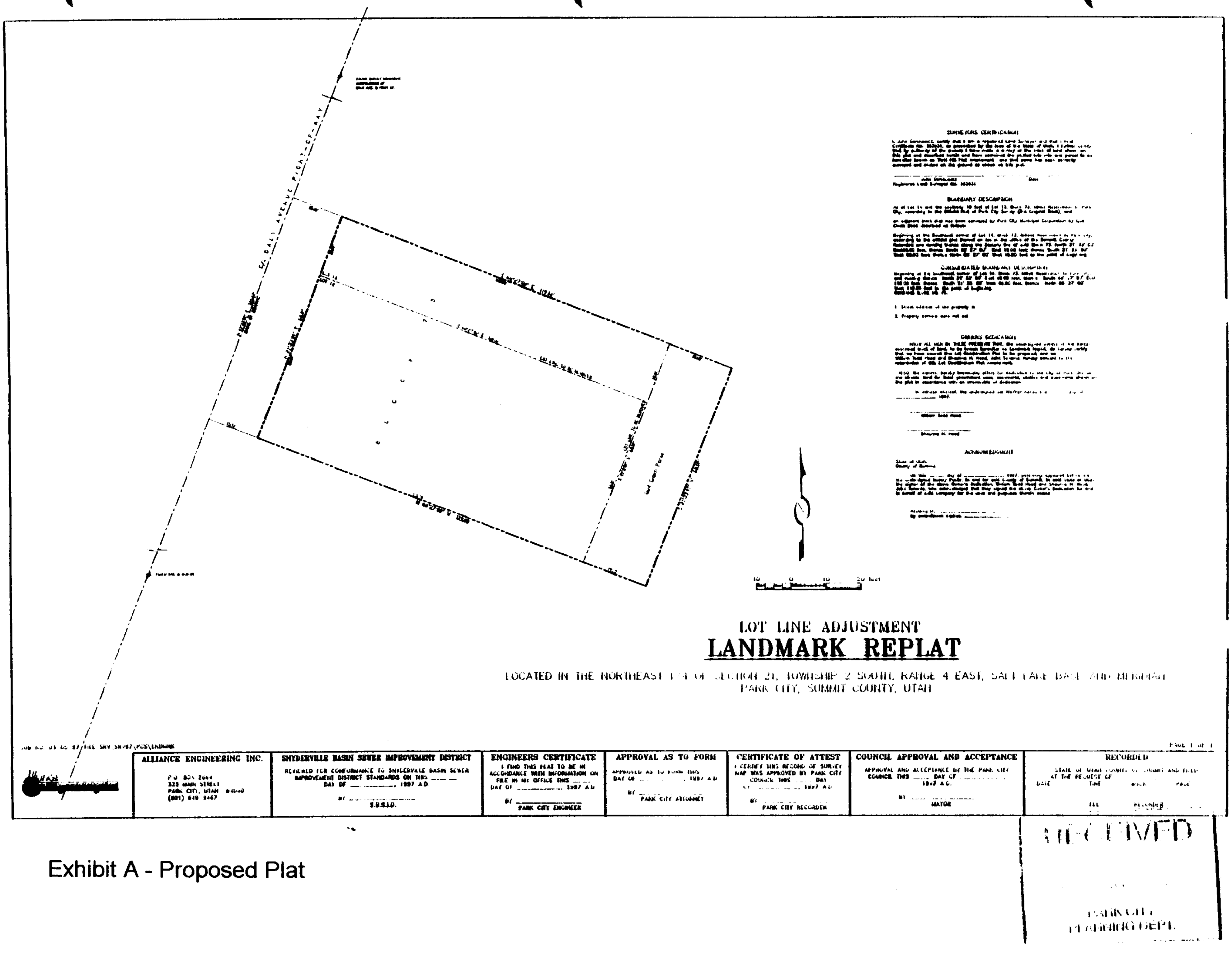


Exhibit A - Proposed Plat

1997

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes; the Park City Design Standards, Construction Specifications, and Standard Drawings; and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
2. All modifications to plans as specified by conditions, and all final design details, such as material and color samples, shall be submitted to and approved by the Community Development Department prior to issuance of any building permits.
3. The applicant is responsible for compliance with all conditions of project approval.
4. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
5. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof.
6. Construction staging areas shall also be clearly defined and approved by the Community Development Department, and shall be placed so as to minimize site disturbance. The landscape plans shall include plans for revegetation of all areas disturbed during construction.
7. Final grading, drainage, utility, erosion control and revegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
8. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.
9. All construction shall be completed according to the approved plans on which building permits are issued. The approved plans include all site improvements shown on the site plan. "Site improvements" shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grades, walls, landscaping, lighting, planting, paving, paths, and trails, and similar improvements, as shown on the set of plans on which final approval and building permits are based.
10. Any desired modifications to approved plans, after the issuance of a building permit, must be specifically requested and approved in writing prior to execution.
11. Plans shall conform to all design standards for persons with disabilities as required by any applicable federal, state and local laws.
12. Access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
13. The required utility easements along street frontages shall include language to allow for these areas to be used for snow storage. Typically, a 10-foot snow storage easement is required above Deer Valley Drive (approximate elevation of 7,200 feet). A five feet easement is necessary below this elevation.
14. Lockout units are not permitted unless specifically approved.
15. The infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or termination of the permit as specifically conditioned.

Exhibit B - Standard Project Conditions

DATE:	August 21, 1997
AUTHOR:	Pace Erickson, Parks & Golf Superintendent
DEPARTMENT:	Leisure Services
TITLE:	Approval of Reading Garden Change Order
TYPE OF ITEM:	Administrative

SUMMARY RECOMMENDATIONS:

Approve change order for plant material at the Library and Education Center Reading Garden in the amount of $27,565.00.

DESCRIPTION:

A. Topic.

Additional funds were allocated in July to complete the Library and Education Center Reading Garden Project. The Parks Department asked the contractor to submit a change order to supply and install the plant material that was not part of the original scope of work approved by City Council.

B. Background.

In May, City Council rejected the bid submitted for the reading garden by Warren Construction. Council asked the Parks Department to solicit proposals from other contractors who had not bid on the project. We received three proposals with Spectrum Construction being the low bidder with a bid of $ 71,065.00. Since there was only $ 45,000.00 budgeted for the project, Council approved the Parks Departments request to enter into an agreement with Spectrum Construction for the Phase One improvements on the Library and Education Center Reading Garden in the amount not to exceed $ 45,000.00. Phase one improvements included all hard scape construction, electrical conduit and paving. The Friends of the Library have raised approximately $23,000.00 to help fund the project and include; benches, paver stones, and six trees. Phase one improvements are now completed with the exception of the bench installation.

C. Analysis.

In July Council approved additional funds to finish the Reading Garden. Staff asked Spectrum Construction to submit a change order on the original contract for the remainder of the project which is the remaining potion of the original $ 71,065.00 bid. Spectrum submitted a change order in the amount of $27,565.00 to complete the planting around the Reading Garden and the North side of the building. This compared favorably with the earlier bids. This work would essentially finish the project. Staff has reviewed the change order with the Friends of the Library, and they were unanimous in their support of the change order.

D. Department Review.

Leisure Services has reviewed the proposal as well as the Friends of the Library.

ALTERNATIVES:

A. Approve the change order in the amount of $27,565.00.
B. Re-bid the plant material portion of the project.
C. Deny the change order.

SIGNIFICANT IMPACTS:

The necessary funds have already been approved by Council and are in the CIP budget.

CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION:

The Reading Garden project has considerable public support, not only in terms of enthusiasm, but in the form of public donations. Delaying action may require planting be postponed until next year.

RECOMMENDATION:

Staff recommends that the City Council approve the change order with Spectrum Construction in the amount of $27,565.00.

Resolution No.

RESOLUTION DECLARING SEPTEMBER 1 - 7, 1997 AS UNION LABEL WEEK IN PARK CITY, UTAH

WHEREAS, a strong American and Utah economy depends on good jobs; and

WHEREAS, buying union-made goods and services helps to establish and maintain the integrity of family, family values and promote a sense of community by preserving quality jobs that strengthen the economy; and

WHEREAS, products and services identified by a Union Label, Union Shop Card, Union Store Card or Union Service Button are guaranteed to be the best quality, American-made products and services;

NOW, THEREFORE BE IT RESOLVED that September 1 - 7, 1997 be known as Union Label Week in Park City, Utah, in recognition and in honor of these distinguished emblems which signify commitment to quality and dignity in the American and Utah workplace.

PASSED AND ADOPTED this 28th day of August, 1997.

PARK CITY MUNICIPAL CORPORATION

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Mayor Bradley A. Olch

Attest:

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Janet M. Scott, City Recorder

PARK CITY
1884

DATE: 28 August 97
DEPARTMENT: Public Works
AUTHOR: Jerry W. Gibbs P.E.
TITLE: Public Works Facility
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Authorize an additional appropriation of $362,000 for the Public Works Facility Project.

DESCRIPTION:

A. Topic: Public Works Facility Project Budget Increase.

B. Background: The City Council awarded the construction of the Public Works Facility to Garff Construction for $3,172,000. The total project budget was $3,970,000 ($3,900,000 from bond proceeds and $70,000 from the general fund for the police bay and extended dressing area). The budget included the contractor's original bid of $3,172,000; the Richardson design fee of $196,010; money for equipment to be purchased by the city which was estimated to cost $240,000 (vehicle lifts, bus wash & paint booth); and a project contingency of $361,990. Staff had hoped to use part of the contingency to pay for incidental testing and architectural expenses; furniture; and necessary changes to the plans (change orders). As of August 5, 1997, we have had nine change orders, engineering and testing which total $141,542.

The largest of the unanticipated expenses relates to mitigation of contaminated soil found on the site. The site was examined for contamination prior to construction and nothing unusual was found. However, when excavated material from footings and foundations was tested prior to removing it from the site, the majority exceeded 10,000 parts per million (ppm) of lead and had a leach ability in excess of 5. These were far in excess of what has been found on adjoining sites and during original site testing. All excavated material was covered and the area was fenced.

Subsequent investigation determined an area 80 feet by 140 feet contained high concentrations of lead. The remaining areas were divided into levels less than 2000 ppm (this material could be hauled to the Summit County Landfill) and levels greater than 2000 ppm and less than 10,000 ppm.

The project had originally anticipated hauling approximately 5,000 yards of material from the site. A new grading plan was developed that reduced the hauled material by 50%. The area in front of the existing bus barn had lead levels below 100 ppm. Approximately 2000 cubic yards of this clean material was removed and hauled to the city owned Wortley site to cover exposed mine tailings.

C. **Analysis:**

SOILS MITIGATION

The Bevel amendment to the Federal Hazardous Waste Law exempts certain mine waste. Still, the material is considered hazardous. Approximately 1100 cubic yards of material was hauled to an approved landfill by Laidlaw at a cost of $157,000.

AGRA, the soils engineer, performed extensive testing to profile the site and developed a site safety and a soils removal plan. The estimated cost for these activities is $32,000. Staff hired Daley Excavation to dig and haul the 2,000 cubic yards of clean material from the site. The total cost of this effort is $26,000. All work is being done in a manner consistent with the City's Landscape Ordinance.

The contractor has fenced the site, developed a new grading plan and experienced additional labor and equipment cost. These costs are estimated at $20,000. The total cost of the soils mitigation is estimated at $235,000.

FURNITURE

Offices and work areas will use systems furniture similar to what has been installed in Marsac. Additional furniture will include table and chairs for the lunch room and conference area. All items are being purchase through the State contract process or comparison bidding. The total cost is approximately $83,000.

ADDITIONAL PROJECT CHANGE ORDERS

The project team of staff, architect and contractor has developed a list anticipated additional project change orders. The responsibilities and cost will be negotiated in the next three months. These cost could total $200,000.

The contractor has been delayed by the soils mitigation effort from completing certain site improvements including parking areas, material storage for streets and landscaping. Additional cost are not anticipated if the weather allows the improvements to be built this fall. If the efforts are delayed until next spring an additional $50,000 to $100,000 could be anticipated.

D. **Department Review:** Public works has worked closely with the Building Department and the Legal Department on soils mitigation. The Finance Manager has reviewed the budget impact of the requested adjustment to the project budget.

ALTERNATIVES:

A. **Approve the staff request to expand the project budget by $312,000.** The soils problem was unanticipated and not included in the project cost. The furniture was proposed to be purchased from the contingency amount. It does not appear the contingency amount will be sufficient to pay a portion of the proposed furniture cost. Expanding the budget by $312,000 would meet the requirements as we currently understand them.

B. **Expand project budget by $362,000.** This option would provide an additional project contingency of $50,000 to allow for unidentified costs or changes. A twelve bay bus storage building, a drive through bus washer bay, a paint bay, impound lot, three material storage bunkers, landscaping and parking remain to be completed on the project representing approximately $800,000. Fifty thousand dollars would be about a 6% contingency on the remaining work.

C. **Deny the Request.** This option would seriously jeopardize completion and final utilization of the facility. The project scope would need to be modified to be completed with the same budget.

C. **Modify the Request.** The Council could expand the budget by any amount. The impact would depend on the amount of the expansion.

SIGNIFICANT IMPACTS:

Approval of Alternative A would allow for the completion of the project and would reduce the potential for delays. The Transportation Fund, which has a current balance in excess of $1.5 million, would be the primary source for the expanded budget. The risk management fund could be used to cover some of the design, testing and legal costs associated with the soils mitigation.

The amount of the expansion proposed in Alternative A would be insufficient to pay for additional costs associated with delays caused by an early winter or change orders in later buildings. Alternative B should provide an adequate contingency to complete the project. Alternative C would require a modification in the project scope to complete work within the current budget.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

Alternative C would seriously jeopardize completion and final utilization of the facility. Alternative likely would delay the purchase of the bus washer and other city equipment. Both Alternatives C and D would require staff to return to council for an additional appropriation within the current budget year or move into an incomplete facility.

RECOMMENDATION:

Authorize an expansion of the Public Works Facility Project Budget to include soils mitigation and furniture and appropriate $362,000 from the Transportation (about $315,000) and Risk Management Funds.

PARK CITY
1884

DATE: 28 August 97
DEPARTMENT: Public Works
AUTHOR: Jerry W. Gibbs P.E.
TITLE: Sandridge Parking Facility
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Review the bids received and award the contract to the lowest responsible bidder.

DESCRIPTION:

A. Topic: Sandridge Parking Facility.

B. Background: Council directed staff to develop parking alternatives for the Sandridge lot. Due to the limited width, a one way, 80-space design was chosen that allowed a larger landscaped buffer area between the edge of the formal parking lot and the adjacent homes.

Staff met with the residents many times to identify special needs or concerns. The plan was modified to include a driveway at the midway point of the parking area which allows better access to the Sandridge neighborhood; the alternate southern access was accommodated; and a one year renewable lease was approved by UPMC.

A Conditional Use Permit is required for the site. The Planning Commission held a public hearing to receive comment. The neighborhood was pleased with the design and the added features. They requested the UPCMC parcel be landscaped and irrigated similar to the City owned portion. The Planning Commission agreed and included landscaping and irrigation as a condition of their approval.

C. Analysis: Evergreen Engineering has completed the design of the physical parking lot with lighting. Bids are currently being requested for August 27. Five contractors have expressed an interest. Because of the time of the year, landscaping will be bid as a separate contract in the spring of 1998.

An analysis of the bids will be presented to Council on August 28. The contract allows 60 days from the Notice to Proceed to complete the construction. The engineers estimate for this construction is $240,000. The budget available, including landscaping and irrigation, is

$306,910 in accounts 34-49099 and 31-42997.

D. Department Review: The Planning Department has participated with Public Works in the development of the concepts, meeting with the neighborhood and taking the lead during the public process.

ALTERNATIVES:

A. Approve the Request: Staff will present their recommendations at the August 28, 1997 City Council meeting.

B. Deny the Request:

C. Continue the Item:

SIGNIFICANT IMPACTS: The Sandridge Parking Lot is a key facility of the paid parking program. It is anticipated that employees will use this lot instead of paying fees in Swede Alley. The project will provide 80-spaces, a pedestrian access to Swede Alley and the Marsac Building and have a lighting scheme conforming to the new city lighting standards. This project is a lower cost alternative to building a fifth level to China Bridge or a new structure.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: The lack of adequate, lighted employee parking alternatives could hinder the implementation of the paid parking program.

RECOMMENDATION: Review the bids received and award the contract to the lowest responsible bidder. Authorize staff to enter into a contract for the construction of the Sandridge Parking Facility.