PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 24, 1995

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 24, 1995.

AGENDA

Work Session

5:00 p.m. Council questions and comments
5:10 p.m. Demolition of buildings at Osguthorpe Farm
5:20 p.m. Speed limit - High School - Kearns Blvd.
5:30 p.m. Review of regular meeting
- Plat amendments
- Lot line ordinance
- Snyderville Basin Recreation District
- Other meeting questions/comments

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

1. Speed limit - High School - Kearns Blvd.

2. Conflict of interest issue

III MINUTES OF MEETING OF AUGUST 3, 1995

IV PUBLIC HEARING

1. Ordinance approving the Silver Lake East Subdivision plat amendment

2. Ordinance amending Chapter 2 and Section 15.1 of the Land Management Code to create a new lot line adjustment process

3. Ordinance increasing the elected and appointed officials' compensation and adopting travel and meeting expense guidelines

V CONSENT AGENDA

1. Ordinance approving the final condominium plat of Summit Watch located at 780 and 804 Main Street, Park City, Utah

2. Ordinance approving the Silver Lake East Subdivision Plat amendment

3. Resolution of Intent of the Summit County Board of County Commissioners, Park City Board of Education, the Park City Council, and Snyderville Basin Recreation District Board of Directors to cooperate on the development and management of recreation facilities and programs

VI COMMUNICATIONS FROM COUNCIL AND STAFF

1. Ford Construction lawsuit

2. General Plan update meeting

VII ADJOURNMENT

Posted: 8/18/95
Revised: 8/23/95

Note: It should be noted that the entries under public input and communications from council and staff were added after the meeting for reference purposes.

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
AUGUST 24, 1995

I ROLL CALL

Mayor Pro Tem Miller called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, August 24, 1995. Members in attendance were Ruth Gezelius, Roger Harlan, Lou Hudson, Shauna Kerr, and Leslie Miller. Mayor Brad Olch was excused. Staff present were Toby Ross, City Manager; Peter Staks, Planner; Rick Lewis, Community Development Director; Bob Stephens, Administrative Services Director; and Mark Harrington, Assistant City Attorney.

II PUBLIC INPUT

The Mayor Pro Tem invited the public to comment on any matter not scheduled o the agenda.

<u>Speed limit - High School - Kearns Blvd.</u> - Linda Kreider urged the City Council to request UDOT to perform a speed survey on Kearns Blvd. She stressed that the request should contain certain factors pointing out that the road is heavily traveled, that there is construction activity and vehicles, and that there are young student drivers at the high school with an open campus policy. She described an accident of a young driver that she believed occurred because the speed limit is too high. She felt that a survey should be conducted during school hours. Jeannie Daugherty added that UDOT may not be aware of the number of high school drivers on the road. Ms. Kreider again stressed the variety of characteristics on Kearns Blvd. and that the request should be forwarded to Mr. Leonard at UDOT. The Council concurred that it would cooperate and Ms. Kerr requested that a stop light consideration be part of the request. Ms. Gezelius felt that information from the school regarding the open campus situation, the number of driving students and employees, and the number of school bus trips would be helpful to the state. Ms. Kerr pointed out that the future location of the District office would add to this problem if it is next to McPolin. Discussion ensued regarding the location and length of school zones. Nancy Johnson, resident in Prospector, felt that Kearns should be treated as a residential street and the speed limit should be lowered before it is widened.

<u>Conflict of interest issue</u> - Todd Gabler, Council candidate and resident, referred to comments made in the *Park Record* and on the radio regarding Ms. Miller's potential conflict of interest in the Fransden subdivision application. He stated that he has investigated this matter and it is his opinion that no conflict of interest exists and it is incumbent upon those who have made such an accusation and those who have reported that accusation not only to retract their comments but to issue a formal, official, and public apology to Ms. Miller. Mr. Gabler commended Ms. Miller on her public service to the community over the years and would hate to see her work maligned by these baseless and untrue comments. Roger Harlan asked if Mr. Gabler discussed this with the City Attorney. Mr. Gabler responded that he has not but didn't think that Ms. Hoffman has cited an authority which would be valid in supporting her position that a conflict exists. Mr. Gabler added

that the position of the City Attorney is completely unfounded and the legal opinion was made without research. Roger Harlan stated that the legal staff sees the matter differently. Leslie Miller stated that this issue is scheduled next week and invited the media, and specifically the editor of the *Park Record*, to the meeting as it will be discussed with the City Attorney as well as other attorneys.

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

III MINUTES OF MEETING OF AUGUST 3, 1995

Shauna Kerr, "I move approval". Ruth Gezelius seconded. Motion carried unanimously.

IV PUBLIC HEARING

1. Ordinance approving the Silver Lake East Subdivision plat amendment - Planner Peter Staks explained that this is a lot combination; Lot 2 is a development parcel and Lot 3 is an open space parcel. The project facilitates the development of a 14-unit town home development. The Planning Department has received no objectives from surrounding property owners and the Planning Commission is recommending approval. He pointed out that there is an amendment to the property description and asked that this be approved with that correction. See attached staff report. With no questions or comments from the public or the Council, the public hearing was closed.

2. Ordinance amending Chapter 2 and Section 15.1 of the Land Management Code to create a new lot line adjustment process - Rick Lewis, Community Development Director, explained that this amendment will make the process less cumbersome for applicants desiring to combine two parcels into one buildable parcel. The state legislature made amendments to accommodate this process and the Planning Commission held four public hearings where there has been some public input. The City will be requiring noticing to 300 feet, where state law only requires notice to adjacent property owners. There is also a provision for appeal of an administrative decision and assurances requiring subdivision action, when appropriate.

With no comments or questions from the public or the Council, the public hearing was closed.

3. Ordinance increasing the elected and appointed officials' compensation and adopting travel and meeting expense guidelines - Bob Stephens explained that the ordinance was drafted with all of the options discussed by the City Council previously. Discussion and action is scheduled next week.

Hugh Daniels, Council candidate, business owner and resident, encouraged Council to keep its salary the same and raise the Planning Commission stipend to $100 and the Historic District Commission to $60.

With no further comments, the public hearing was closed.

V CONSENT AGENDA

Ruth Gezelius, "I move approval of Consent Agenda Item 1, as presented; Item 2 with the amendment to the language to be subject with the approval of the City Attorney and City Engineer; and Item 3, as presented". Shauna Kerr seconded. Motion carried unanimously.

1. Ordinance approving the final condominium plat of Summit Watch located at 780 and 804 Main Street, Park City, Utah - See staff report.

2. Ordinance approving the Silver Lake East Subdivision Plat amendment - See attached staff report.

3. Resolution of Intent of the Summit County Board of County Commissioners, Park City Board of Education, the Park City Council, and Snyderville Basin Recreation District Board of Directors to cooperate on the development and management of recreation facilities and programs - See attached staff report.

VI COMMUNICATIONS FROM COUNCIL AND STAFF

1. Ford Construction lawsuit - Assistant Attorney Harrington explained that this was a ten-year old contract claim which stemmed from a construction project in 1985. The City fired Ford for a number of reasons and was sued by Ford for breech of contract. Although the City has prevailed there is an appeal period.

2. General Plat update - Rick Lewis reported that the Planning Commission, City Council and General Plan Citizen Advisory Committee will hold a joint meeting on October 12 and the open space plan, land use plan, and growth management tools will be addressed.

VII ADJOURNMENT

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

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

Prepared by Janet M. Scott

Deputy City Recorder

PARK CITY COUNCIL WORK SESSION
SUMMIT COUNTY, UTAH
AUGUST 24, 1995

Present: **Roger Harlan, Lou Hudson, Shauna Kerr, Ruth Gezelius, Leslie Miller, Toby Ross, Jodi Hoffman, Jerry Gibbs, Frank Bell**

Absent: **Mayor Brad Olch**

1. **Council questions and comments.** Ruth Gezelius relayed her conversation with Rob Sletta regarding the King Road/Daly Avenue project and a complaint from a resident on Aerie Drive regarding manholes. As a member of the Post Office task force, Ms. Gezelius reported that a passport service will be available in the future. The Kimball Junction post office is scheduled to open in February; the Main Street and Emporium outlets will remain in operation. Lou Hudson stated that the sidewalk project on Monitor is going well and the controversy of its location has subsided. Ms. Kerr added that she has received no calls on the sidewalk. She congratulated staff on the Ford Construction litigation.

Council member Kerr added that she attended the School District board meeting where the busing issue was discussed. The District has revised its policy and reduced the busing fee to $180 per child; Ms. Kerr believes that City residents are more comfortable with this plan and don't feel as if they are subsidizing Jeremy Ranch residents. She felt it prudent to look at the bigger transportation picture as it relates to the availability of City's buses in neighborhoods, educating and encouraging our youth to use public transportation, and coordination with the School District's transportation plan. This discussion will be scheduled on an October or November work session.

Ms. Miller asked about the status of Council priorities. The City Manager responded that he is working on a report which can be discussed on September 7. Ms. Miller stated that she found the Lake Tahoe visit both enjoyable and informative and commended staff for organizing the trip. She relayed that a resident informed her that the North Horse contractor was pumping water from Poison Creek. City Engineer Eric DeHaan responded that he would check into this matter.

2. **Demolition of the Osguthorpe buildings.** Jerry Gibbs stated that there are two options (1) have Harper Construction, as UDOT's contractor, complete the demolition of the foundation and buildings or (2) have the City take over the contract for the demolition and grading of the trail and be compensated by UDOT at a negotiated price. He warned that UDOT will only deal with the buildings and not personal property and the City may be responsible for unforeseen work. The miscellaneous artifacsts on the property were discussed.

Jerry Gibbs noted that if the City took over the contract, the work would be accomplished quicker. Lou Hudson suggested that the foundation remain in place to accommodate a future maintenance facility. The City Manager noted that the location would not be desirable. Ms. Kerr pointed out that the slabs could be used for parking, at least for an interim period. Toby Ross commented that the City would have discretion in instances like this if we took over the contract, and if UDOT maintains the contract there would be no way to direct Harper without costly change orders.

Ruth Gezelius stated that Harper's performance has been questionable in the past and it may be less work to do this in-house where there are controls. Jerry Gibbs felt it important to set a minimum amount in negotiating a contract with UDOT. UDOT has estimated a price of $150,000 and has agreed on an amount per load with Harper. Jerry Gibbs stated that this project will entail his time in getting contracts together. Shauna Kerr felt that there are uncertainties about what the City may find on the property, and unless UDOT agrees to a higher number, she didn't feel the City should assume the responsibility. Jerry Gibbs emphasized that it is UDOT's position that if the demolition is not related to the buildings, it is not its responsibility. Lou Hudson felt the City should take over the project and Roger Harlan agreed that the City should negotiate the highest dollar amount from UDOT. Leslie Miller instructed the Public Works Director to proceed.

3. **High School speed limit - Kearns Blvd.** See regular meeting minutes. Chief Frank Bell explained that the City doesn't have the authority to adjust the speed limit on Kearns because it is a state road, but the Council is in a position to make a recommendation to UDOT. He didn't feel that the roadway is dangerous solely because of speeding cars and there isn't a high accident rate. Accidents are generally at intersections. He suggested that the lanes could be marked better, there could be improved signage and the speed limit could be more consistent. Eric DeHaan explained that UDOT has hired an environmental consultant, but improvements to the road are five years out. For the benefit of Shauna Kerr, the Chief responded that there has never been a proposal for a stop light at Comstock. Frank Bell emphasized that the state very carefully regulates the length and location of school zones and high schools don't warrant school zones. Ms. Kerr felt that a stop light would be effective because it would interrupt the 55 mph traffic and preferred this to implementing temporary solutions.

4. **Review of regular meeting.** See regular meeting minutes and back-up.

Prepared by Janet M. Scott