PARK CITY COUNCIL MEETING MINUTES - DRAFT
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060

August 22, 2023

The Council of Park City, Summit County, Utah, met in open meeting on August 22, 2023, at 2:45 p.m. in the City Council Chambers.

Council Member Doilney moved to close the meeting to discuss advice of counsel and property at 2:45 p.m. Council Member Toly seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Dickey, Doilney, Gerber, Rubell, and Toly

CLOSED SESSION

Council Member Doilney moved to adjourn from Closed Meeting at 3:00 p.m. Council Member Toly seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Dickey, Doilney, Gerber, Rubell, and Toly

STUDY SESSION

Joint City Council and Summit County Council Roundtable with U.S. Representative John Curtis

Mayor Worel introduced Representative Curtis and noted his accomplishments in Washington D.C. Representative Curtis discussed climate issues and stated Congress was more aligned with climate issues than the media reported. He spent a lot of time working on natural resources.

Mayor Worel explained there were challenges with water due to the mining history of the area, but the City had constructed a new water treatment plant. She heard debates on who was responsible for the cleanup of polyfluoroalkyl substances (PFAS), and asked if it was government or business. Representative Curtis stated PFAS was discussed in his committee and there were thousands of types. That made it difficult to do a blanket ban. He noted not all forms of PFAS had been proven harmful, but he would keep them posted on updates.

Council Member Dickey stated he was impressed that Representative Curtis was vocal on climate issues. He felt Congress was broken, with extremes in both parties. He asked for Representative Curtis' perception on this. Representative Curtis admitted there was dysfunction, but there was also a lot of good. He explained suspension votes to fast-track bills and stated it took two thirds of Congress to pass those bills. Eighty percent of the bills that went through Congress were suspension bills and most passed.

Summit County Council Member Hanson stated she spoke with Representative Curtis about childcare and asked if inroads had been made on this issue. Representative Curtis stated there were bills that dealt with eliminating some of the regulations, helping faith-based organizations to offer childcare, allowing more in-home childcare providers, and dealing with conditions in the workplace that would allow childcare.

Council Member Gerber expressed concern for the childcare regulations and she thought costs could be reduced if it was deregulated. She stated it was necessary to have high quality programs for early childhood education. The COVID grants helped stabilize the economy and now it was being taken away. She thought federal funding for childcare was important to enable parents to get children into quality programs. Representative Curtis stated less regulation didn't mean no regulation, but some regulation was necessary.

Council Member Doilney stated there was a debate and conflict over aquifers on the border of southern Utah and Nevada. He asked if there was an update on that issue and if other states dealt with similar issues. He indicated he wanted Utah to take care of its communities. Representative Curtis stated Colorado Water Users announced an agreement several months ago and noted people needed to be careful not to villainize groups such as agriculture. Agriculture groups were needed to help the situation. Council Member Doilney thought Utah was successful with the Great Salt Lake and changing behaviors with the agricultural groups.

Summit County Chair Armstrong stated wildfires were a threat to the community. Congressman Moore helped obtain federal funding to fight wildfires in Weber Canyon. He asked Representative Curtis to help smaller communities access federal funding, and also to look at watershed mitigation efforts. He also discussed the transit needs of the county and the federal grants that helped accomplish that project. Representative Curtis stated he would host a Conservative Climate Summit on September 8 and the presenters could meet with this group to discuss the wildfire issues facing Utah.

Summit County Council Member Robinson stated the Summit County Public Lands and Open Space Manager was working on the watershed resilience issue with other entities and he invited Representative Curtis to take a tour of the area.

Summit County Council Member Stevens thanked Representative Curtis for his support on land acquisitions and transit grant applications. She asked how local government could engage with the federal government to get things done. Representative Curtis stated Provo worked on clean air and they built a website listing groups and people and their associated responsibilities. He thought people were more effective when they were given a list with their responsibilities.

Council Member Gerber indicated another big issue that needed collaboration was affordable housing. This community was not affordable, and that created traffic issues. Efforts had been made to increase affordable housing. The City collaborated with the county and some nonprofit organizations, but there was not a lot of funding coming in to help with that issue. Representative Curtis stated housing authorities were experts at finding funding sources. There were not a lot of new funding sources but there were many current funding sources for affordable housing.

Summit County Council Member Robinson asked what the City and County should be looking to Representative Curtis for, such as the war in Ukraine and economic issues. Representative Curtis stated inflation and the supply chain were issues that were being discussed nationally. Inflation impacted transit, childcare and everything else. These were serious problems the country was facing and solutions were not forthcoming.

Representative Curtis ended the session expressing gratitude for the United States and noted the worst day for the U.S. was still better than the best day for many other countries.

WORK SESSION

Discuss the Childcare Working Group's Childcare Stipend Program Recommendations:
Michelle Downward, Resident Advocate, proposed two phases of childcare support: Phase One was emergency needs-based scholarships and Phase Two was childcare industry support. She reviewed a working group was formed to establish a way to utilize the $1 million in funding provided by the City. The funds would be allocated on a first come first served basis and funds would be given directly to the childcare provider. She displayed a proposed program and reviewed the program criteria.

Downard stated the focus of Phase Two would be to build capacity and noted an early childcare provider RFP had been issued and a lease agreement would come to Council soon. Jed Briggs, Budget Manager, stated an RFP would be issued to administer the program, but he wanted to be clear on what Council and the committee were looking for.

Mayor Worel stated she was pleased to see the outline and thought it was critical to set criteria to determine the success of the program as they moved forward. Council Member Gerber stated the goal was not to lose capacity (childcare facilities shutting down). She thought it would be difficult to know success.

Council Member Toly stated there were at least 32 City employees who had a childcare need and $100,000 was allotted to that group for childcare. She asked how that amount would be divided up. Sarah Mangano, Human Resources Manager, stated a survey was distributed and 34 employees had responded. She was following up with them for more information. Council Member Toly asked what the timeline was to establish a taskforce for building capacity, to which Mayor Worel stated within a month.

Council Member Gerber asked if the Park City funds should go to childcare centers in different counties since it was meant to help local childcare centers. Council Member Toly thought it was an employee benefit and it would help employee retention. Council Member Doilney stated more money should be allocated for childcare and he wanted to build a fund for employees and the community. Childcare for City employees should be a benefit and more funds should be allocated for the community. Council Member Dickey indicated the funds were allocated to stabilize the local community. He suggested the funding could go out of the county for now and then it could be reviewed in the future.

Council Member Rubell supported childcare as an employee benefit. He indicated a basis of the scholarship was that applicants had to exhaust the requirements for the Division of Workforce Services (DWS) subsidy first. Council Member Dickey also asked for clarification on the navigator as well. Council Member Gerber stated if families qualified for DWS they would get that money first and then the City would subsidize any remaining funds to get the family to the 10% income cap. She stated the workgroup discussed how the navigator money would be used and there was consensus that a better incentive for childcare centers to accept children using the DWS program was to change the incentive from a $500 one-time payment per child to a $300 monthly payment per child.

Council Member Dickey asked if the reason DWS utilization was low was due to childcare centers not taking it, or if it was due to a lack of understanding on how to access the funds. Kristen Schultz, Early Childcare Alliance Director, stated it was both. There was not a lot of marketing for the program so the majority of families didn’t know the program was available. The income limits were a barrier as well as finding providers that accepted the program.

Council Member Rubell asked if the DWS requirement was a firm requirement, to which Council Member Gerber affirmed and indicated if a family’s income qualified them for DWS, they were required to apply for those funds and use them before receiving funds from the City. Council Member Doilney thought that requirement looked good on paper, but it was cumbersome on those families. Council Member Gerber stated PC Tots already implemented that requirement this year. Schultz stated the administrator needed to assess presumptive eligibility and if they determined eligibility, the family would receive a scholarship upfront as they navigated through the DWS application process. Council Member Toly asked if there could be training for families on certain days to help them navigate the application process. Schultz thought that was a good idea.

Mayor Worel indicated qualifying eligible people was a sensitive process, and she praised the workgroup for wanting to outsource it. Council Member Rubell had questions on the 10% of household income and the area median income (AMI). Council Member Gerber referred to different cities' childcare program requirements, and stated the City wanted to keep implementation simple and then get feedback. There was a discussion on moving the scholarship to 120% AMI. Council Member Rubell thought the City was on the low end of the subsidies compared to other cities. He wanted to get the numbers right the first time. He indicated the desired outcome was to help the most at-risk workforce and he thought the focus might have changed from the outcome goal. He also asked if the administration fee would come out of the $1 million. Mayor Worel related the Park City Community Foundation would fund the administrative position for two years. Council Member Rubell indicated he was more comfortable with the position coming out of the $1 million. He didn't want to increase the funding before understanding what was being delivered.

Mayor Worel asked if Park City employee scholarships should come from the $1 million allocation or from a separate fund. Council Member Gerber favored using a separate fund for employees. She would also be okay if the money was used in the City or county. Council Member Toly favored a separate fund because she wanted it to be a continuous benefit. Council Member Rubell agreed it should be a permanent benefit and it should be part of a budget amendment or part of next year's budget. Until the budget adjustment, it should come from the $1 million. Council Member Doilney agreed and indicated the money was to make up a shortfall, whether for a City employee benefit or community benefit, and he wanted to see the program grow. Briggs stated $1 million was budgeted for childcare. If Council wanted to go above that, a budget amendment would need to be made. Council Member Doilney was fine leaving it in the allocated funds and then putting it in the budget for next year. Council Member Dickey wanted to track the allocations to ensure childcare was stabilized. He also supported making this an employee benefit. It was indicated the Council wanted to include City employee childcare in the $1 million funds.

Council Member Gerber asked if the AMI should apply to City staff. Council Member Dickey stated the higher the AMI, the less subsidy that would be received. Downard gave scenarios to help understand the scholarship allocation. After some discussion on administering employee AMI, Matt Dias, City Manager, indicated staff would come back to Council after more information had been gathered from affected employees. Council Member Gerber didn't think it was fair to treat employees differently than the community if it was coming from the same funds. Council Member Doilney thought a budget amendment would be in order if that was the case, but more information was needed.

Mayor Worel asked Council to review and comment on the program criteria. Council Member Gerber proposed two levels of AMI: household incomes less than 100% AMI would get childcare scholarship funds for expenses in excess of 10% of household income. Households up to 120% AMI would get childcare scholarship funds for expenses in excess of 12% of household income.

Council Member Toly wanted those under 100% AMI to receive scholarships first. Schultz stated they had an estimate of those in need. She wouldn't know how many would apply until after they opened the program. Council Member Toly asked if they could start at 100% AMI and then increase AMI as time went on. Dias stated those inquiries could be made during the monthly audits. Council Member Toly was good with the criteria proposal.

Council Member Doilney favored expanding the criteria and program to make it robust. Council Member Dickey stated there was a fixed amount of funds and the goal was to help those most in need. He was fine deferring to the administrator on the AMI. Council Member Rubell agreed with Council Member Dickey but indicated this was analyzed a lot and now at the last minute they wanted to raise it more. He thought it was a good starting point and very generous.

Mayor Worel asked if Council agreed to hire an administrator to which Council affirmed. Dias asked if Council wanted the administrator to have flexibility with regard to AMI. Council Member Dickey supported starting out with 10% with some discretion to expand if needed. Council Member Gerber wanted to start at 120% AMI and 12% income and then refine it as time went on since federal money would expire this year. Council Member Rubell agreed with Council Member Dickey. Council Member Toly agreed to have the administrator determine the AMI up to 120%. Council Member Doilney agreed with Council Member Dickey to have the administrator determine AMI up to 120%. Dias confirmed Council favored starting at 100% AMI and 10% income with the administrator raising it at a later time. Downard asked when the administrator would have the flexibility and suggested an increase to 120% AMI after the first bi-monthly audit if the $100,000 threshold hadn't been reached. Council Member Dickey stated the administrator should have the flexibility to raise it at any time. Council agreed with Council Member Dickey's proposal.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Status
Mayor Nann Worel Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber	**Present**

Council Member Jeremy Rubell via Zoom Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	
None	**Excused**

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Council Member Gerber asked for people to be safe since children had started school. Council Member Toly indicated Park City's history was reflected in current events. She read some excerpts from 1969.

Council Member Rubell stated a business owner requested to activate a corner restaurant during Sundance but there were vibrancy issues. He asked if Council favored discussing this issue. Council Member Gerber felt the City had a good vibrancy code. Council Member Rubell wanted to look at the ordinance to see the intent of businesses who operated year-round. The intent of the ordinance was not to have pop ups for events. He thought permanency was a different issue. Council Member Toly favored discussing it. Council Member Doilney preferred to look at it after the Sundance Film Festival next February with the new Council members. He thought the current vibrancy ordinance worked well. Council Member Rubell noted this business was under new ownership. Council Member Dickey favored discussing the ordinance but did not want to create an exception to the ordinance. Council Member Gerber suggested bringing back the stakeholders who helped draft the current vibrancy ordinance when this item was brought back to Council.

Jen McGrath, Deputy City Manager, asked for clarification on what staff should bring back for this discussion and when they wanted it to come back. Council Member Gerber asked to include the Historic Park City Alliance (HPCA) and some of the commercial business owners to see if they had concerns with the ordinance. Council Member Rubell stated the Planning Department was aware of the issue. McGrath thought the vibrancy issue could be the focus of the discussion. Council Member Rubell stated it should be around the ability to use the space. Vibrancy required using the space for a certain amount of time. If that was not an option, he asked if a bond could be put up or he was open to other suggested solutions. Council Member Gerber stated there was no need to rush because there were exceptions for new businesses. She suggested bringing this back as a staff communication report. Council Member Dickey asked to bring back the ordinance by the end of the year. Council Member Rubell stated this was an anti-vibrancy ordinance. It was about getting a business in there this year. If the entire ordinance was too much, he wanted to at least address the vibrancy part.

Staff Communications Reports

<u>1. Community Engagement Quarterly Update:</u>

III. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda.

<u>Michael Kaplan</u> stated he was on the Main Street Business Alliance and the ad hoc Economic Development Committee, and he participated in the vibrancy ordinance discussion. They did not want a dark building year-round. The ordinance had been thought out and it worked well.

Mayor Worel closed the public input portion of the meeting.

IV. CONSIDERATION OF MINUTES

<u>1. Consideration to Approve the City Council Meeting Minutes from July 13 and 27, 2023:</u>

Council Member Doilney moved to approve the City Council meeting minutes from July 13 and 27, 2023. Council Member Gerber seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Dickey, Doilney, Gerber, Rubell, and Toly

V. CONSENT AGENDA

<u>1. Request to Adopt Resolution 14-2023, a Resolution Proclaiming August 23, 2023, as Arbor Day and Celebrating Park City's 30th Anniversary as a Tree City USA Community</u>

<u>2. Request to Approve Resolution 16-2023, a Resolution Approving an Interlocal Cooperative Agreement between Park City Municipal Corporation and the Utah Division of State Parks for Rail Trail Management</u>

<u>3. Request to Approve a Temporary Real Property Easement Varying in Width from Approximately One to Four Feet along the Southern Border of the City-Owned Homestake Property at 1875 Homestake Drive, in a Form Approved by the City Attorney's Office, in favor of Wintzer-Wolfe Properties, Ltd.</u>

<u>4. Request to Approve the Assignment of the Existing Development Agreement (Executed July 25, 2023, and Recorded July 27, 2023) for the Homestake Affordable Housing Master Planned Development Located at 1875 Homestake</u>

Drive to an Affiliated Entity of the Original Developer, in a Form Approved by the City Attorney's Office:
Council Member Gerber moved to approve the Consent Agenda. Council Member Doilney seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

VI. OLD BUSINESS

1. Consideration to Continue Ordinance No. 2023-17, an Ordinance Amending Land Management Code Section 15-6-8 Unit Equivalents And Section 15-15-1 Definitions Regarding Support Commercial and Residential and Resort Accessory Uses for Master Planned Developments and Sections 15-2.7-2 Uses for the Recreation and Open Space Zoning District, 15-2.18-2 Uses for the General Commercial Zoning District, and 15-2.19-2 Uses for the Light Industrial Zoning District to Clarify Resort Support Commercial is Allowed When Approved as Part of a Master Planned Development:
Rebecca Ward, Interim Planning Director, stated she was doing outreach to get input from developers on this issue. She recommended continuing the item to September 28th.

Mayor Worel opened the public hearing.

Deb Rentfrow read a prepared statement: "I'm quite disappointed this item is being continued once again for the sake of the developers in this town. These amendments went through the proper process, including notice, with the Planning Commission. There was a very thorough and robust discussion on all of the uses and the calculations. Commissioner Sigg, a developer himself, greatly participated in the discussion and the modifications to the existing code. The industry had representation and a unanimous approval was gained. In addition, the minutes from June 12th state Interim Director Ward admitted that these amendments are still not as strict as those in other resort communities. I also participated in the review performed by the Planning Commission which was done over multiple meetings with proper notice. Quite simply, any and all developers had the opportunity to offer public input during that review process just like everyone else. Residents express concern over developers in this town receiving special or preferential treatment. Based on the continuation again to allow for even more developer input, this concern is perhaps validated. Two developers offered public input at the June 12th City Council meeting which largely caused the matter to be continued. Now in today's continuation report, Interim Planning Director Ward indicates 8 developers have now weighed in and they are requesting more time to get additional developers. How many developers is sufficient? 10, 15, 20? Per LMC 15-12-9 the purpose of the Planning Commission is to review those matters designated in Section 15-12-15. Specifically, 15-12-15(B)3 includes the following statement: The Commission shall have the primary responsibility to review amendments to the Land Management Code and shall forward a recommendation to the City Council. Note it states the Commission reviews amendments, not developers. I ask the Council the following: Does the Council believe developers should have the opportunity to collaborate with the Planning Department to overturn unanimously approved LMC amendments? Should developers be afforded more additional time and opportunity to weigh in than the general public? While I can participate this evening and when the item returns before Council, I've not nor am I aware of any other residents unaffiliated with a developer being invited to special meetings with the Planning Department to review the proposed and unanimously approved ordinance. In conclusion, this Planning Commission was appointed by you. The acceptance by this Council to continue this item for further developer input indicates a lack of faith in the Planning Commission's ability to perform one of its primary functions. It usurps their authority and serves to validate resident sentiment that developers matter more as well as the notion bigger is better."

Angela Moschetta agreed with Rentfrow's comment and added the way this was being pursued undermined the Planning Commission and the public process. The Planning Commission asked to prioritize LMC amendments, but constantly adding layers was doing the opposite of what the Planning Commission directed.

Mayor Worel closed the public hearing.

Council Member Toly asked why more time was needed for developer input. Ward stated there was a six month pending ordinance until September 22nd and input would be received until then, and then the item would be brought back for discussion.

Council Member Dickey moved to continue Ordinance No. 2023-17, an ordinance amending Land Management Code Section 15-6-8 Unit Equivalents and Section 15-15-1 Definitions regarding Support Commercial and Residential and Resort Accessory Uses for Master Planned Developments and Sections 15-2.7-2 Uses for the Recreation and Open Space Zoning District, 15-2.18-2 Uses for the General Commercial Zoning District, and 15-2.19-2 Uses for the Light Industrial Zoning District to Clarify Resort Support Commercial is allowed when approved as part of a Master Planned Development to September 28, 2023. Council Member Gerber seconded the motion.

RESULT: CONTINUED TO SEPTEMBER 28, 2023
AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

2. Future Market Special Event Discussion:

Jenny Diersen, Special Events Manager, presented this item and reviewed the Park Silly Sunday Market (PSSM) was a community identifying event and had been in Park City for 17 years. They adjusted their event according to the City priorities over the years. Extensive time was spent talking about how to move forward. The Council asked for specific changes to PSSM, such as having it fewer days, off-season and off Main

Street. PSSM had reduced the number of days it was on Main Street to 11 days, removed importers, shrunk the event scope, etc. The HPCA was concerned about competition with Main Street businesses. HPCA met with PSSM, but they did not recommend the return of PSSM. Diersen stated Council could do nothing and follow the Special Events process. If Council was interested in continuing with a type of market, staff could develop an RFP. The market could also continue in its current form.

Kate McChesney, PSSM Executive Director, thanked the Council for their support. In the past 17 years, they welcomed three million people to Main Street. People created businesses from their start at PSSM. Local musicians were now in bands because of PSSM. She would love to continue their contract on Main Street on Sunday because this was their home and they felt welcome for many years.

Council Member Toly asked if PSSM would continue in 2024 with their current model, to which Diersen affirmed. Council Member Toly reviewed the Council agreed for this event to be reimagined and asked if there were any alternatives for them to consider. Diersen stated staff had some alternatives for Council to consider based on Council feedback and she needed to know how Council wanted to proceed.

Council Member Dickey asked if there was feedback from the merchants on the changes PSSM made this summer. Diersen stated things were going well and HPCA hadn’t met to discuss the PSSM changes. Ginger Wicks, HPCA, stated their understanding was the PSSM business model for this year was not sustainable. If it was sustainable, she would poll the businesses. McChesney stated this model was sustainable, but PSSM could not make any more cuts beyond the changes made this summer. She understood that HPCA wanted 25% fewer days and PSSM could not do that.

Mayor Worel opened the public input.

Chris Dorsey, High West Manager, stated his business had dropped on the Sundays PSSM was not on Main Street. He hoped to see the market continue.

Bill Young, 84060 via Zoom stated he was a homeowner and the market brought congestion and noise and affected the quality of life of the residents. He noted the Follies made fun of PSSM. He promoted the vendors, but he felt the infrastructure was being stretched. He recommended online vending opportunities for the vendors. He suggested PSSM should go to a different City each week.

Tim Wakeling, Business Owner, stated Main Street was dead without PSSM. They already lost Tour of Utah and the soccer leagues. If PSSM was taken away, businesses would be significantly impacted.

Michael Kaplan, 84060, Main Street Business Alliance Member, stated PSSM did an awesome job for 17 years and were great to work with. He stated consistency was key for business success.

Brett Rutter, 84036, via Zoom stated he was disappointed when he came to Main Street last Sunday and discovered PSSM was not there. He hoped PSSM could remain on Main Street.

Lauren Henley indicated she worked with the soccer club and had conversations with others around town. These events made the town what it was. She knew things had changed, but this was part of the soul of Park City. PSSM was an asset to the community.

Diadra Lafferty, 84060, favored PSSM staying in Park City for as long as possible. She thought the inconveniences could be worked through. This event positively impacted the town and was very important. Everyone talked about it and knew about it.

Dana Williams 84060 stated downtown was everyone's space. It should be loud and noisy. PSSM supported hundreds of craftsmen and artisans. The other benefit was the sense of community. He thought this was a worthwhile event.

Rachel Bonham 84098, worked on Main Street and had staff worried about losing their livelihood next summer. She praised the market and stated it was vibrant and inclusive. They did a great job mitigating traffic. She loved PSSM and hoped it would continue.

Angela Moschetta 84060 struggled with the entire events conversation in the City. She thought the failure was the Events policy and code. She stated the conversation was focused on mitigation and harm to the community. The conversation should be on economic development as the goal, and there would be more wins for Main Street businesses, the community, and the City government. The HPCA needed to lead with an overhaul of the events policy. She indicated businesses that relied on an event to survive might need to look at other locations for their business that would make them more successful. She hoped adaptations could be considered.

John Greenfield 84060 stated both options presented tonight had heavy community feedback. There was a City survey and he reviewed the data from that survey.

Chris Fewell 84092 stated he visited friends in the City and he was a vendor in Park City. Many people felt Park City residents were hoity toity and from being in the City, he met so many down-to-earth residents. He indicated traffic in Salt Lake was bad too, and he didn't think Park City had worse traffic. He hoped Council would keep an event that welcomed people from all walks of life.

Ed Parigian 84060 supported PSSM and thought the organizers did a great job. Main Street was for everyone and PSSM was only on Main for a few weeks each year. He hoped Council could do what it took to keep them there.

Junior Richard 84036, business owner, stated people agreed PSSM should not be moved from Main Street. The organizers were active with Council and HPCA to meet the requests and changes. He thought breaking up the market was silly.

Jocelyn Scudder 84060 supported keeping PSSM on Main Street. The PSSM organizers were great partners with artists. These artists were reliant on this event. She knew the City wasn't the same as 17 years ago, but PSSM helped with the authenticity of the City.

Shelly Gilwald, Park City Soccer Club, supported PSSM on Main Street. They did an incredible job with their sustainable efforts and were a mentor to her.

Danny Lewis 84060 stated it was ridiculous to think about eliminating PSSM after 17 years. Many people told him "you cannot make everyone happy." He thought many people would be very happy to have PSSM on Main Street. PSSM changed his life and many more lives. He thought the best way to move forward was to keep the PSSM model from the year before.

Mayor Worel closed the public input.

Council Member Rubell stated there was no option to continue the market. Significant changes were made for this summer's market. Before the changes, he took issue with the event. He indicated PSSM complied with all the changes except moving the event and day. He pondered if the right balance was struck this year. He couldn't take a stance right now. He wanted to see Upper Main closed. There was a disconnect on what was being heard from businesses. He wanted to see updated data on the market. He noted there was new development going on and that could mean a new gathering place. They should not take it for granted that Main Street would always attract people. He suggested that this item come back with a proposal to continue PSSM.

Council Member Dickey stated Council heard so much about event fatigue because of COVID and now the crush had subsided. He thought this was a one-sided conversation and he agreed this should come back with data on this year's market and with a proposal going forward.

Council Member Doilney stated the public had voiced their event fatigue for the past four years and he was grateful for the input tonight. The survey numbers showed the majority of respondents favored continuing PSSM. He thought Main Street was the entertainment district of the City. He was no longer on the fence, and he favored PSSM staying in the City with the model they had this year. He hoped they could receive a long-term contract.

Council Member Toly stated a huge opportunity was missed this year to work with PSSM. She suggested other options for PSSM that included dates year-round. There was not enough data from residents and businesses to learn from the 2023 market. She favored having a conversation about how HPCA, the City, and PSSM could work together.

Council Member Gerber stated the City had asked a lot from PSSM throughout the years and they worked to comply with the requests. PSSM had a business plan and it hurt their profitability each time they changed it. She indicated it was hard cancelling events because the community was tied to them, but she felt this event was different and stated many looked to PSSM for stability in this time of economic uncertainty. She suggested staff and PSSM negotiate and come to Council with a proposal. She did not want to put out an RFP for events.

Mayor Worel summarized there was support to bring back this item with a proposal for a future contract. She praised PSSM for being receptive to the City and the public who had concerns. It was not the City's role to dictate the PSSM model and she felt balance could be achieved. Diersen asked if staff needed to do additional outreach. Council Member Gerber stated she did not need an additional survey. Council Member Dickey favored hearing from business owners on the current model. Council Member Rubell agreed and wanted to see if they saw any differences from last year's survey. Council Member Doilney asked for only new information. Council Member Toly asked if new solutions should be considered. Council Member Rubell asked if there were new ideas, but added he didn't want to be an event planner. Council Member Toly asked when this would come back. Diersen stated this could come back in October with the debrief and summarized the Council's request was for staff to work with PSSM on terms for a long-term contract, use the Council liaisons in the conversations, and bring back new feedback from the merchant association.

VII. NEW BUSINESS

<u>1. Consideration to Approve Ordinance No. 2023-38, an Ordinance Approving the 395 Deer Valley Drive Plat Amendment, Located at 395 Deer Valley Drive, Park City, Utah:</u>

Jaron Ehlers, Planner, and Marshall King, Alliance Engineering, were present for this item. Ehlers stated the plat amendment would remove the internal lot lines to construct a new garage, relocate the driveway, and reduce the driveway slope grade to 9%. He noted the Board of Adjustment (BOA) approved a variance to the garage setback requirement. He reviewed the conditions of approval in the ordinance.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Doilney moved to approve Ordinance No. 2023-38, an ordinance approving the 395 Deer Valley Drive Plat Amendment, located at 395 Deer Valley Drive, Park City, Utah. Council Member Dickey seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

2. Consideration to Approve Ordinance No. 2023-39, an Ordinance Approving the 958 Woodside Avenue Plat Amendment, Located at 958 Woodside Avenue, Park City, Utah:
Spencer Cawley, Planner, presented this item and stated the applicant asked to create two lots to build two single family homes in the future. The current home would be demolished and two homes constructed in its place since it sat in the middle of the two lots.

Mayor Worel opened the public hearing.

Deb Rentfrow commended Cawley and the applicant for listening to the Planning Commission's recommendations. This proposal was much better than initially proposed.

Martina Nelson, applicant, thanked the Council for their consideration.

Angela Moschetta thanked all involved and thought this process was how local government should work. The Planning Commission prioritized smaller properties and homes that were in the scale of the mining structures. She requested that the applicant not put the property into the nightly rental pool.

Mayor Worel closed the public hearing.

Council Member Doilney moved to approve Ordinance No. 2023-39, an ordinance approving the 958 Woodside Avenue Plat Amendment, located at 958 Woodside Avenue, Park City, Utah. Council Member Toly seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

3. Consideration to Approve Ordinance No. 2023-40, an Ordinance Approving the 2411 Country Lane and 28 Payday Drive Plat Amendment, Located at 2411 Country Lane and 28 Payday Drive, Summit County, Park City, Utah:
Jack Niedermeyer, Planner, presented this item and stated the plat amendment would move the lot line 23 feet to the west. Both lots were under the same ownership. The

owner would remove the 10-foot waterline easement that bordered the current common property line and relocate it.

Tyler Walton indicated Niedermeyer had helped him tremendously.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Doilney moved to approve Ordinance No. 2023-40, an ordinance approving the 2411 Country Lane and 28 Payday Drive Plat Amendment, located at 2411 Country Lane and 28 Payday Drive, Summit County, Park City, Utah. Council Member Gerber seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

4. Discuss Free Parking in the China Bridge Garage October 1, 2023 - December 15, 2023:

Johnny Wasden, Parking Manager, and Ginger Wicks, HPCA, presented this item. Wasden reviewed that Council requested that Parking staff consider a parking holiday during the fall off-peak season by waiving parking fees. He noted the reasons for parking fees and indicated they could waive the China Bridge parking fees October 1st - November 19th upon Council approval.

Council Member Gerber asked if the City would save any money by not having to regulate paid parking. Wasden stated some time was taken with appeals but overall there were no cost savings. Council Member Toly asked if employee parking fees would be waived, to which Wasden stated employees could skip that month and a half payment. Council Member Toly asked if the Communications Team would be used to publicize free parking. Wasden stated HPCA was interested in communicating the free parking period and the City would post signage in China Bridge and disable the meters. The City Communications Team would help get the word out as well. Council Member Toly asked about the Halloween and Shotski events, to which Wasden stated those were event activations and there would be paid parking for those.

Council Member Rubell asked about activating the Brew Pub Lot since that was empty most of the day. Wasden indicated the Brew Pub area was lumped in with Main Street parking and it showed utilization in the evening. The intention was to make the fee waiver for China Bridge only. Council Member Rubell stated part of the parking holiday was for convenience and not just about money. Wasden noted if this off-season trial looked good, he proposed doing this in the spring as well.

Mayor Worel opened the public input.

Ginger Wicks, HPCA, stated they appreciated Council considering this free parking trial. Messaging would be critical and she hoped to work with the City and the Chamber to get the word out.

Mayor Worel closed the public input.

Council Member Rubell indicated this was a good start and thought the free parking was a good test. He asked what would happen if someone tried to pay during that period. Wasden stated the texting number would inform the person that parking was free. The meters would also display that parking was free.

Council Member Dickey thought free parking only in China Bridge would not be a big incentive for people since they preferred parking on Main Street. He thought the parking changes left residents confused. Wasden stated a purpose of the parking program was to promote visitors. Surface lots were designed for visitors and the China Bridge garage was a multiuse parking area. It was close to Main Street and had capacity. Council Member Toly noted Main Street became construction parking when it was free. Wasden indicated parking was more of a transportation demand management tool instead of a revenue tool.

Council Member Rubell agreed with Council Member Dickey's point and hoped to address the other areas by having coupon codes or other means to accommodate that. He wanted to get the community out of their homes and back to Main Street. Council Member Gerber stated those coupons were provided by the merchants. The City needed to be careful if it promoted Main Street businesses but didn't promote other business areas. She liked waiving fees for China Bridge but felt marketing Main Street was the role of HPCA. The Council supported the proposed free parking.

5. Consideration to Approve Resolution 15-2023, a Resolution Providing for a Special Bond Election to be Held on November 21, 2023, for the Purpose of Submitting to the Qualified Electors of Park City, Utah (The "City"), a Proposition Regarding the Issuance of Not to Exceed $30,000,000 General Obligation Bonds to Finance All or a Portion of the Costs Associated with Constructing, Improving, Furnishing and Equipping New and Existing City Recreational Facilities; This Includes But is Not Limited to Expanded Fitness Facilities, Field Lights, Indoor and Outdoor Pickleball Courts, Nordic Area, Refrigerated Outdoor Ice Sheet, and Support Maintenance Facilities; Providing for the Hosting of a Public Hearing and the Posting of a Notice of Public Hearing; Approving the Form of and Directing the Posting of a Notice of Election and the Ballot Proposition; and Related Matters:

Tyson Montoya and Jed Briggs, Budget Department, presented this item. Briggs reviewed Council included a bond in the FY24 budget for recreation facilities. He noted the process for putting a bond on the General Election ballot. If passed, the bonds would be issued in early 2024. Montoya stated the bond funds would cover three projects and two complexes. The bond burden would be minimal to no change on residents' tax bills. He indicated a voter pamphlet would be mailed to all voters with arguments for and against the bond.

Shenelle Salcido, Gilmore Bell Law Firm, stated the bond language was reviewed by City staff and complied with state code requirements. Council Member Dickey asked to change the "this includes" to "this scope includes," or "these facilities include." He asked about "Nordic area." Fisher stated the Nordic area was envisioned as the area between the National Ability Center (NAC) and the building for skiers to learn how to ski. Facilities would be constructed for people to come in and get warm. Council Member Doilney indicated the City didn't want to confine itself by making the language too constrictive. The Council agreed to change the language to "These include but are not limited to." Council Member Dickey asked about the "not to exceed 20 years" language regarding bond payment. It was indicated Margaret Plane, City Attorney, and Matt Dias, City Manager, would look at the language again for uniformity. Council Member Dickey noted "Existing Bonds" in parentheses was not reused. It was indicated it was reused in the resolution but not on the screen. Council Member Dickey asked if "business property" should be "commercial property." Plane indicated she would review that.

Montoya reviewed some dos and don'ts for bonds. Briggs indicated the City had good bond ratings and that would reflect lower interest rates.

Council Member Doilney noted residents would not see a tax reduction for GO bonds until 2028, to which Briggs confirmed. Council Member Toly asked if the pamphlet would go to Council to approve or if it would just be mailed out. She wanted to make sure the parks and aquatics projects were not mentioned in the pamphlet since they were not covered by the bond. She also asked to define the term "Nordic" or "Nordic skiing." Salcido stated the pro statement would come from City staff.

Mayor Worel opened the public input.

<u>Jody Whitesides</u> 84060 supported the bond and was anxious to see it on the ballot.

Mayor Worel closed the public input.

Council Member Rubell asked if there was coordination with the county and school district so tax bills didn't increase dramatically. Briggs indicated it would make sense to reach out to those entities and discuss resident impacts. Matt Dias stated he would communicate with the County Manager and the School District Superintendent and send them the official documents. Council Member Doilney supported that plan and thought it was important to coordinate how entities taxed residents. He felt these facilities were equity related and needed by the community. Council Member Rubell hoped to remind the public about what the facilities meant for the community, including maintenance expenses for these amenities. He also didn't think the residents were prioritized in getting court times and tee times although they were the only ones paying for the facilities. In addition, he wanted to make it clear that by expanding the MARC, there would be construction impacts and there needed to be outreach with the surrounding neighborhood. The NAC and pickleball discussion was progressing and he wanted to continue that, but noted if those conversations failed, a new solution would be needed for a pickleball facility. He indicated some people were justifying the bond and saying it wasn't a lot of money, but it was a lot of money and he wanted to be respectful of other people's money. Council Member Rubell asserted he wasn't against the bond but he wanted to tell the community the good and bad.

Council Member Gerber was concerned about how the bond affected the issues facing the community. The funds would go to "nice to haves" and not for necessities. She felt the bond was rushed and she didn't feel like other options were considered. Bold action was taken to ensure the community had places to play and recreate. She hoped the future Council would take bold action in housing and childcare.

Salcido noted the term "business property" was statutory and needed to remain the same.

Council Member Dickey moved to approve Resolution 15-2023, a resolution providing for a Special Bond Election to be held on November 21, 2023, for the purpose of submitting to the qualified electors of Park City, Utah (The "City"), a proposition regarding the issuance of not to exceed $30,000,000 General Obligation Bonds to finance all or a portion of the costs associated with constructing, improving, furnishing and equipping new and existing city recreational facilities; this includes but is not limited to expanded fitness facilities, field lights, indoor and outdoor pickleball courts, nordic area, refrigerated outdoor ice sheet, and support maintenance facilities; providing for the hosting of a public hearing and the posting of a notice of public hearing; approving the form of and directing the posting of a Notice of Election and the Ballot Proposition; and related matters with ballot language being approved by the City attorney. Council Member Toly seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Rubell, and Toly
NAY: Council Member Gerber

Council Member Toly moved to close for property at 9:02 p.m. Council Member Dickey seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

VIII. CLOSED SESSION

Council Member Doilney moved to adjourn from Closed Meeting at 9:15 p.m. Council Member Toly seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Doilney, Gerber, Rubell, and Toly

IX. ADJOURNMENT

With no further business, the meeting was adjourned.

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Michelle Kellogg, City Recorder