PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 27, 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, July 27, 1995.

A G E N D A

Work Session

3:30 p.m.	Council questions and comments
3:50 p.m.	Review of budget
5:50 p.m.	Review of regular meeting

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF JULY 13, 1995

IV PUBLIC HEARING

Fiscal Year 1995-96 for Park City Municipal Corporation and its related agencies

V ORDINANCE

An Ordinance amending Section 3-1-6 of the Municipal Code of Park City, Utah to clarify reporting of campaign contributions and expenditures in Park City, Utah

VI COMMUNICATIONS FROM COUNCIL AND STAFF

VII ADJOURNMENT

Posted: 7/25/95

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 27, 1995

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, July 27, 1995. Members in attendance were Brad Olch, Ruth Gezelius, Roger Harlan, Shauna Kerr, and Leslie Miller. Lou Hudson was excused. Staff present were Toby Ross, City Manager; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter not scheduled on the agenda. This testimony did not occur at this point in the meeting, but appears here for ease of reference.

<u>Mine Road construction traffic</u> - Pete Burschinger, 44 Ontario, relayed his concerns regarding the truck accident on Saturday on this road. He felt that trucks should be prohibited from traveling in the canyon and that excavation material should go to the knoll above the mine for a polo or playing field and that way, the trucks would come down empty. He added that the property across from his residence could become a park and suggested that there be a toll booth by the gate. Residents should be given passes, and trucks should be charged for passes. That way, the booth could be manned and vehicles would be stopped which would be safer. Also, revenues could be used to fund a park in the area. He reemphasized the dangerous situation. The Mayor noted that this is a state highway which presents some problems, but felt that staff should analyze truck traffic on the road. Mr. Burschinger stressed the closeness of residences to the street and felt that the City should be interested in a solution even if it is a state highway. Ruth Gezelius pointed out the bicycle traffic which increases conflicts and safety problems. The run-away truck lane was discussed and Mr. Burshinger again noted the merits of unloading excavation material and developing a park. The City Manager stated that he will follow-up on this matter.

III MINUTES OF MEETING OF JULY 13, 1995

Roger Harlan disclosed that he will be abstaining as he was not in attendance. Ruth Gezelius, "<u>I move approval of the minutes of the meeting of July 13, 1995, as presented</u>". Shauna Kerr seconded. <u>Motion carried</u>.

Ruth Gezelius	Aye
Roger Harlan	Abstention
Lou Hudson	Absent
Shauna Kerr	Aye
Leslie Miller	Aye

IV PUBLIC HEARING

Fiscal Year 1995-96 for Park City Municipal Corporation and its related agencies - The Mayor referred to the work session discussion. Changes to the budget include policy language addressing the Venture Fund and a new Open Space Fund. Also, there is a minor adjustment to the certified tax rate.

Hugh Daniels, business owner and resident at 615 Woodside Avenue, stated that he is pleased that the City Council took the time to revisit the budget, however, he noted that he was somewhat disappointed that Councilmembers' "lists" weren't longer. Generally, he felt that the budget is good. He was glad that the grant programs weren't discussed again and urged Council to improve the process next year. He concurred that the surplus $33,000 be allocated to the Open Space Fund, but Council should consider the unfunded capital improvement projects. Mr. Daniels commended the City Manager and staff for responding to his budget questions. He felt that the Council should review the investments of the City as they total $28 million. With regard to Council compensation, he stated that he does not support even a 2% increase as he believes that it is a voluntary job and there has been diversity on the Council. He didn't think that compensation is a key factor as much as whether an individual is self-employed in consideration of the time commitment. Mr. Daniels didn't feel that the "carrot" should be money or health insurance, but reimbursement is appropriate because there are out-of-pocket expenses. He felt that the Planning Commission and Historic District Commission deserve some increase and supported the 25% and 15% of Council compensation option, respectively. He pointed out that the Council works for the community at large and should manage our large budget. Leslie Miller asked Mr. Daniels if he could support eliminating stipends for Council and boards. He stated that he would have to have more information from Planning Commission and HDC members to hear if it would make a difference. He would have no problem eliminating a stipend for the City Councilmembers and mentioned that he didn't know that there was compensation when he filed.

Leslie Miller felt that the 2% increase for employees should be consistent, including the manner in which the City Council awards bonuses and pay increases to the City Manager and City Attorney as it is a fairness issue. Although she has supported those increases, they are not in line with the recommendation from the Personnel Director for employees. The City Manager clarified that the 2% is an adjustment to salary ranges and in addition once at working level, employees have potential for a bonus. There is a difference between the bonus component and the across-the-board change in the salary range. Ms. Miller indicated that she understood and added that the 4.5% to 7% bonus range should be applied to the City Manager and City Attorney positions. Ms. Kerr, as a previous staff member, stated that there has always been a feeling between different departments that others get higher percentages of bonuses and asked if statistics have been produced. She noted that if this is a problem, perhaps Council needs to set new policy to make sure that there is fairness across-the-board.

Bob Stephens responded that the compensation issue is complicated and felt that a comprehensive explanation would require a work session; he informed Council that he monitors all performance reviews. Mr. Stephens added that attention should be given to the competitive market and recruitment costs when salaries or bonuses for contracted employees like the City Attorney and City Manager who serve at the will of the Council, are considered. Discussion ensued regarding the importance of reviewing the philosophy of the pay plan, but Ms. Kerr insisted that all she wanted to see are statistics on departmental bonuses. Mr. Stephens pointed out that if there is a two person department and a nine person department, the averages can be skewed. Ms. Miller stated that she is interested in the information and that decisions on pay increases for contractual employees are made in a vacuum as she is not a personnel professional. The Mayor emphasized that that information is provided for every review that Ms. Miller has been involved in and Mr. Stephens has been available for those reviews if there are any questions. He took exception to the word "vacuum". Roger Harlan stated that if this is going to be time-consuming, he is not in favor of him producing this report. He felt that Mr. Stephens has valuable things to do and if this takes more than a hour, he can not support the request. Ms. Kerr reiterated her concerns and Mr. Stephens explained that he can produce the report and felt that it will show equity among departments. He warned, however, that it will not eliminate the problem of departmental complaints as individual bonuses are not publicized. Roger Harlan stated that it is typical human nature for employees not to feel that the pay is fair and equitable and didn't feel that this is a good use of Mr. Stephens' time. Bob Stephens agreed to produce the report.

With no further comments or questions regarding the budget, the public hearing was closed.

V ORDINANCE

An Ordinance amending Section 3-1-6 of the Municipal Code of Park City, Utah to clarify reporting of campaign contributions and expenditures in Park City, Utah - See attached staff report and work session notes. Ruth Gezelius, "I move approval of the ordinance". Roger Harlan seconded. Motion carried.

Ruth Gezelius	Aye
Roger Harlan	Aye
Lou Hudson	Absent
Shauna Kerr	Aye
Leslie Miller	Aye

VI COMMUNICATIONS FROM COUNCIL AND STAFF

Ruth Gezelius invited the Council to the dedication of the new County road shed and animal shelter in Wanship on Wednesday at 9:30 a.m. The City Manager announced that there will not be a meeting on August 17, but rather on August 24 and 31.

VII ADJOURNMENT

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

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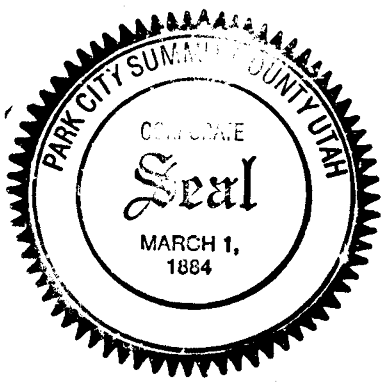
The meeting for which these minutes were prepared was noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott

Janet M Scott

Deputy City Recorder



PARK CITY COUNCIL WORK SESSION
SUMMIT COUNTY, UTAH
JULY 27, 1995

Present: **Brad Olch, Roger Harlan, Shauna Kerr, Ruth Gezelius, Toby Ross, Jodi Hoffman, Rick Lewis, Kent Parker, Bob Stephens**

Absent: **Lou Hudson**

1. **Council questions and comments.** Ruth Gezelius reported that she had been contacted by Peter Hendersen, 68 Daly, regarding the condition of the Empire Canyon Condominiums. He complained about the dumpster, dogs, and noise and felt that this is creating a nuisance. She added that Go Big on Park Avenue continues to illegally display merchandise on the porch and that sandwich boards are appearing on Main Street. As the Broken Thumb's review of the conditional use permit will be coming up, Ms. Gezelius pointed out that the business is noisy.

Leslie Miller asked if planters in the city right-of-way are regulated. Rick Lewis responded that they aren't unless the location creates a hazard.. Myles Rademan discussed the restaurant tax awards from Summit County. The City received funding for the parking and traffic study and $21,000 for a planting program. Myles Rademan explained the caveats for the planting award include that the City match the $21,000, and that the Resort and Prospector Square businesses be included in the program. Leslie Miller felt that by matching the grant, the results would be better and a consistent style could be achieved. Shauna Kerr noted that if the merchants contribute to the match, there will be more commitment and ownership of the program. Roger Harlan reported that he has just returned from a trip to Vancouver and commented on the beautification efforts of that city; he urged staff to move ahead with the project. Toby Ross stated that the match could be maintenance costs. The Mayor asked that Mr. Rademan contact merchants and organize a program for next spring. Myles Rademan explained that the only active association is the Main Street Merchants and a mailing to all business license holders was suggested.

Roger Harlan brought up the excavation in the Town Lift Project area. Rick Lewis responded that the project application was delayed but that the foundation and cover for the parking garage should be completed before winter. Mr. Harlan commended staff on the trail connection in Prospector to the rail trail. Leslie Miller requested that staff prepare a slide show of Budapest. Myles Rademan noted that an Olympic presentation is planned at Council's next work session, then to employees, then to the public at the Yarrow. She also requested that the Leadership 2000 program be discussed in work session to evaluate its success. Mr. Rademan pointed out that participants will fill out a survey; the merits of the program will be scheduled for discussion on a work session. Ms. Miller also requested that Council be provided with an update on the use of the Miners Hospital. For the benefit of Ms. Miller, Rick Lewis stated that the General Plan consultants will be meeting with the task force tonight at 7 p.m. to discuss the open space element of the plan. This meeting is open to the public and a joint meeting with Council is scheduled on August 24. Both Ruth Gezelius and Leslie Miller agreed that this is a high priority for Council and that a comprehensive plan should be completed by the end of the year.

Leslie Miller stated that the sidewalk on Iron Horse needs to be completed as it presents a safety problem. Jerry Gibbus responded that he will attempt to have it installed this year; a retaining wall is required because of the grade change and he will coordinate efforts with Wintzer Construction. Brad Olch explained that Congressman Bill Orton appointed him as a Utah delegate to the White House Conference on Tourism in October. Ms. Miller pointed out the conflicts in the community regarding prioritizing tourism and hoped that the Mayor would get feedback on this issue from other attendees.

2. **Review of regular meeting - campaign ordinance.** Shauna Kerr suggested that limiting the number of campaign signs would reduce costs and clutter. The Mayor pointed out that it is more important to urge candidates to collect signs in a timely manner after an election. City Attorney Jodi Hoffman responded that limiting signs may infringe on free speech rights; there is case law indicating that limiting handbills is unlawful. Ms. Kerr felt that the sign code could be amended as current provisions regulate signs with regard to time, place and manner.

Leslie Miller felt that the ordinance is cumbersome. She questioned its merit since limiting expenditures is not enforceable. Shauna Kerr reiterated that it is unconstitutional to limit expenditures, but setting forth rules will create a "level playing field" and the media will monitor candidates' activities. The Mayor also felt that the ordinance is cumbersome and unenforceable. Roger Harlan asked about surplus campaign funds and the City Attorney responded that individuals may keep those funds. Fund-raising expenses were discussed. Hugh Daniels, candidate for City Council, basically agreed with the concept as long as it is reasonable. He pointed out that reporting fund-raising party expenses could be awkward and noted that the City's involvement is "snowballing". Jodi Hoffman commented that the provisions of the ordinance are standard and typical of legislation of other municipalities. There will be a handout to candidates regarding etiquette, signs, expenses and disclosure. The Mayor pointed out that advertising costs, which can be substantial, may not be available to the candidate until some time after an election and questioned the ordinance's effectiveness. See regular meetinsg minutes and back-up.

3. **Review of the budget.** Through illustration of slides, Kent Parker explained the change in the percentage of taxing by all entities for FY 1994-95 and FY 1995-96. He also addressed the amendment to the certified tax rate which will increase revenue to the City by $33,000. There has been a re-evaluation of properties which resulted in a 41% increase in Park City properties in Summit County and 97% in Wasatch County. Toby Ross emphasized that after a property is reassessed, the City doesn't benefit from increased valuation. He stated that he has written the assessor about this issue and it is scheduled on a future intergovernmental agenda for discussion.

With regard to the $33,000, Shauna Kerr and Leslie Miller requested that it be allocated to the new open space fund. Roger Harlan discussed the federal subsidy on buses and the possibility of it being discontinued. Toby Ross pointed out that although this would be unfortunate, the operating costs of the transportation system are substantial and that the a capital replacement fund for buses is included and funded in the Transportation Fund. Shauna Kerr referred to the policy on open space funding which specifies that 25% of carry-over capital improvement funds be allocated to open space acquisition. She asked if that percentage is sufficient in consideration of the escalation of property costs. Kent Parker pointed out that capital improvement costs also increase every year; Ms. Kerr noted that there is limited parcels available for sale. Toby Ross explained that if the carry-over amount is the same as last year, 25% toward open space would represent about $250,000. The Mayor recognized the importance of open space, but urged Council to keep this in perspective as maintaining infrastructure is critical. Ms. Kerr pointed out that CommunityVision discussions indicated the tremendous support for open space acquisition and if the 25% is not sufficient, the City could always bond. Ruth Gezelius emphasized the benefits of evaluating the open space plan and having flexibility as officials. She noted that the 25% allocation to open space is a significant "hit" to the Capital Improvement Plan. Maintenance of open space was discussed and Toby Ross explained that this fund is intended for purchase only. Leslie Miller asked that the City's investment portfolio be reviewed by Council and the City Manager agreed. He noted that $28 million is invested and $9 million is invested in the state pool. Roger Harlan and Leslie Miller commended staff on additional explanations in the introduction section to the budget.

With regard to council compensation, Bob Stephens discussed his recommendations outlined in the meeting packet. Leslie Miller and Shauna Kerr supported a 2% raise to Council, increasing Planning Commission to 25% of council compensation, and Historic District Commission to 15% of council compensation. Additionally, they felt that members of council should be offered single health insurance coverage; if a member declines to participate in the insurance program, $167 should be added to the monthly compensation.

Brad Olch disagreed and felt that public service should be volunteered and that people don't run for office because of the money. He supported the 2% pay increase but didn't support the insurance benefit. Roger Harlan stated that he didn't support the insurance option, but could support the 2% increase. He discussed the unpopularity of the County Commission raise and pointed out that the Park City Council is the third highest paid board in the state and considering the population of the community, this is extraordinary. Ruth Gezelius concurred with the Mayor and Mr. Harlan. She clarified that she supports a 2% raise for council and board members. Ms. Gezelius was opposed to the insurance option and any substantial raise for boards and commissions. To her knowledge, there have been no complaints. Shauna Kerr emphasized that this discussion should relate to the original intent of maintaining diversity on the City Council. She felt that although the population of Park City is small compared to other cities, that this is an active community and a lot is asked of volunteers. Leslie Miller agreed and felt that this is a matter of principle. She added that there should be incentives for people to consider serving on the City Council and boards. Roger Harlan discussed incentives and the differences between elected and vocational positions. He didn't feel it appropriate to equate councils, and board and commission members with compensation plans for employees. Shauna Kerr countered that the health insurance benefit should be looked at as a reward for 15 to 20 hours of work by council members. Roger Harlan suggested that a councilmember could use the current stipend to purchase insurance. There was discussion that the Planning Commission and Historic District Commission as the only boards being compensated. Shauna Kerr and Leslie Miller felt that these two boards are different because of their interaction with the public at meetings, and their technical expertise. Leslie Miller pointed out that the housing allowance for employees was increased by $50 per month and in an effort toward equity, it is appropriate to consider cost-of-living increases for council and board members. Since the City Council was clearly split on this issue, Shauna Kerr stated that she is willing to drop the insurance option, although she felt it important, if Council would support the 2% increase for Council and 15% to 25% increase to the HDC and Planning Commission respectively.

See budget discussion in regular minutes.

Prepared by Janet M. Scott