PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
JULY 26, 2012

Present: **Mayor Dana Williams; Council members Andy Beerman; Alex Butwinski; Cindy Matsumoto; Dick Peek; and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jonathan Weidenhamer, Economic Development Manager

Wally Cooper, CRSA Architects; Linda Perkins, Park City Co-Op; Kim Page, Park City Film Series; Dan Swagger and Paul Wisneski, Senior Center

1. **Council questions/comments.** Liza Simpson relayed that she attended the interagency meeting yesterday where there was a presentation from DWR on wild land fire and wild land interface issues. Wildfire contingency plans and associated grant funding will be available on a water shed basis to communities. A public meeting will be held on August 7 on the application process.

Mayor Dana Williams announced the appointment of Diane Foster as Acting City Manager from August 26, 2012 until such time as the Mayor, with advice and consent of the City Council, appoints a new City Manager.

2. Lower Park Avenue Redevelopment Agency Facilities and Master Plan update. Jon Weidenhamer explained that the boundary runs from 7th Street north to the end of the golf course and east to west from the base of PCMR to Deer Valley Drive, including Bonanza Drive to Ironhorse Drive. It was created in 1989 and expires in 2015. Redevelopment agencies collect property tax increment for the area which is invested back into the district through economic development or housing projects. A master plan was developed by Design Workshop and Jack Johnson Company, including a score sheet with projects divided in three categories: (1) parking lot redevelopment, (2) transit, traffic circulation and walkability, and (3) neighborhood and community redevelopment.

When this was presented in January 2010, Council wanted more information on the community redevelopment element in the short term. He relayed that Council also wanted to preserve existing green and open spaces and maintain existing historic fabric, scale, character and authenticity. Direction was given to explore housing alternatives, neighborhood connectivity (east/west corridor), community and senior center housing opportunities, and environmental and green goals. PlanWorks created a phased master plan for the City and adjacent private properties which was presented in 2011. Two alternatives were offered; a dense option with height and a transitional approach which the City Council preferred. Joint redevelopment meetings were held with the Council and Planning Commission over the past year. He emphasized that redevelopment is inevitable and the City needs to take a proactive role to attain preferred goals. The library, senior center property, a private parcel, fire station, Miners Hospital and the recreation building are being considered. All of this planning has been done in context with the potential of the library expansion in the broader context of the redevelopment plan and efficiencies in buildings and services were examined.

Architect Wally Cooper explained that he met with the Library staff and outlined a program for expansion of the Library. There has been a 5% growth in circulation each year but visitation is about the same. There appears to be a need for more space because of increased circulation which is what most libraries are experiencing despite the availability of the Internet. Reference collections might be shrinking but other collections are growing or remaining stable and dynamics of libraries are changing. He relayed that Salt Lake County has just built three new libraries.

He pointed out that the children's section on the first floor is 1,150 square feet and is undersized for the demand. It is proposed to move it to the southwest corner of the building to allow for growth. The use of the tech center has dropped a little bit but there is still demand for technical assistance and access and the tech hub will be expanded as well as the family interactive area. The library staff areas are inadequate and need more space to operate effectively. There is public meeting space in the northeast corner and the storage area and Friends of the Library space would remain. Mr. Cooper stated that the first floor entails relocation of uses more than remodeling.

He stated that the second floor is a little bit more complicated and costly. The conference rooms would be reconfigured on the west side. The exhibit area would remain and the collection area in the south and north would remain. He spoke about needed engineering work with regard to the possibility of expanding the addition. This area is contemplated for a Spanish periodicals which continue to be in demand. A 600 square foot patio is proposed on the south side which depends on whether the Co-Op remains in the building. The patio would provide an outdoor reading area. The entire collection will be accommodated upstairs with some areas for displays. The Park City history reading room will be larger and will offer a space for quiet reading for adults and there is one extra conference room on the north side. The second floor hallway is the same as the first floor by taking out the walls on the sides of the hallway and both floors are dedicated to the Library.

With regard to the third floor, Mr. Cooper noted that the Film Series expressed a desire for more space. The east side where the Montessori School is located would be reconfigured as a senior center. The conference area is in the southeast corner and in this scenario PC Co-Op stays. Another option is locating the senior center in the Miners Hospital and in that case, the space on the east side would be devoted to public space and configured in a way allowing multiple uses based on needs. He discussed the use of movable partitions and the conference room could be rented. If the PC Co-Op were to be relocated in the recreation building, then additional space would be available on the third floor possibly for a non-profit or public use. The move of the Montessori

School results in a lot a space which can be back-filled nicely with the Library expansion.

Jon Weidenhamer added that the recreation building fits well with daycare. Miners Hospital could house the seniors but an elevator might need to be added. He referred to visiting community center facilities in Salt Lake where it was demonstrated that joint uses can be compatible. Staff has talked with Craig Elliott, adjacent property owner, about housing goals and it is recommended to begin discussions with stakeholders and to return to Council.

Liza Simpson suggested that the elevator situation in the Library building be fixed and to reconsider the side entrances. She asked why the Museum and the City is using the building for storage. Wally Cooper stated that the storage area can be studied if the materials can be moved. Ms. Simpson understood that the Museum has been looking for alternative storage space and was unclear about the City's needs and resources. Dick Peek explained that the storage area is outside the perimeter of the historic building. The location of the patio was described. Mr. Peek believed that an elevator is a great idea for Miners Hospital but is concerned about its location on the top level and changing historic features. Mr. Cooper explained that it would be a detached structure but will still require modification of the historic fabric of the building. Having multi-users in the building complicates access requirements. Ms. Simpson suggested storing City records on the third floor of Miners. Mr. Cooper stated that stairs would be associated with the elevator to move people off of the third floor.

Alex Butwinski recalled talking about Museum storage some time ago, and Dick Peek stated that the Museum is actively looking for storage space. Mr. Butwinski commented on the need for seniors to move out for Sundance in January. Discussion ensued on the Library being a stand-alone project with funding from the RDA. Cindy Matsumoto expressed her support of remodeling the Library. She pointed out that there is no access from the Library to the storage area which limits reuse. Wally Cooper added that the wall separating the storage area from the Library is the original wall.

She asked about relocating the seniors to the third floor of the Library and Mr. Cooper acknowledged they have a great situation right now with an accessible funky one story building with parking right outside the door. Moving them to the third floor in a more educational space somewhat disconnects them from the parking and the third floor is accessible by stairs or an elevator. It isn't as convenient. Miners Hospital is a little closer to the environment of what the seniors now have, but there are two levels and there are ramifications of dedicating the whole building to the senior center.

Andy Beerman expressed concerns about the addition of the Library looking awkward. Mr. Cooper explained that it would probably be glass as opposed to brick and is driven by the demands of the Library for space. The added space on the addition was to accommodate the Spanish periodicals section.

Liza Simpson noted that improvements to Miners Hospital would suit senior center activities in a more temporary way but would also enhance the facility for future community uses. It could be planned for both iterations while exploring a stand-alone community center.

In response to questions from Mayor Williams about the Co-Op, Linda Perkins stated that there are no plans to increase the number of students. She stated that they are willing to consider other space options. The Mayor invited public input.

Dan Swagger, Senior Center, stated that the current facility has 2,400 square feet, of which 400 square feet is kitchen. He noticed that the third floor plans for the Library do not include a kitchen. Their meals are prepared on-site and members would be very reluctant to have that change. He felt that getting a number of people on the elevator at the same time, for dinner for instance, could be a problem and impractical. The current senior center doesn't have a meeting room for presentations which is something the group is interested in having.

Liza Simpson asked if they would use a Library meeting room and Mr. Swagger discussed the convenience of having all uses on one floor. The Mayor pointed out that the Library can provide the convenience of one floor, but Miners Hospital would be two floors. The Mayor emphasized that much of the impetus for redevelopment of the area was senior-driven.

Paul Wisneski, Senior Center, expressed concerns about egress from the upper levels in case of a fire and stairs do not seem practical. Mr. Cooper confirmed that an elevator is not considered a form of egress.

In response to questions from the Mayor, Mr. Cooper noted that the current senior center consists of the original building on the north end and an addition which was done much later. Mr. Swagger stated that the original plans for the building are dated 1929 and the new section was added in the late 1970s. Mr. Cooper advised that the building is not considered historically significant because it has been substantially remodeled.

Tom Bakaly asked for a time line for returning to Council with recommendations on implementation. Jon Weidenhamer felt that meeting with the stakeholders needs to occur and staff can return in 45 to 60 days with recommendations. Mr. Bakaly understood that members are okay with the direction this is going on a conceptual basis. The Mayor relayed that his only concern is adding on to the addition at the Library with a glass structure. If the Co-Op moves, there may not be a need for the addition to the building.

Jon Weidenhamer believed that in order for the third floor to function well, a commercial kitchen is probably needed. Wally Cooper explained that it would be best to have the kitchen on the north side because of the location of the plumbing.

Kim Page, Park City Film Series, stated that if they would love a kitchen included in the remodel of the Library building and are very flexible.

Andy Beerman spoke about the discussion of relocating post office boxes at the Library. He asked if the public meeting space downstairs is sufficient. Wally Cooper stated that he doesn't know the number of mail boxes which would dictate the amount of space needed and the Library is tight right now which is why the expansion on the roof is proposed. The Mayor recalled that gang boxes were proposed outside. Ms. Simpson added that Council is still waiting for a legal opinion. Mark Harrington interjected that the conditional use permit is strict for this facility and Mr. Cooper added that parking is already an issue at the Library. Ms. Matsumoto believed that many PCMR employees park there contributing to the parking problem.

Tom Bakaly stated that Council's prior direction on this was to return with schematics and the second part was matching them up with what is planned in the Lower Park Avenue area. Possible ideas include the remodel of the Library and what happens to the senior center short-term versus long-tem. Options are narrowing down and he wanted to make sure this direction is supported by Council. Mayor Williams relayed that based on the input from the seniors that Miners is a non-starter while the Library can accommodate all activities on one floor. Mr. Bakaly indicated that the key will be what is determined temporary versus what is permanent. He heard willingness from the seniors to consider temporary alternatives. Ms. Simpson felt both ideas need to be flushed out with the seniors. Tom Bakaly emphasized that the second part of the discussion is the permanent location for the senior center.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 26, 2012

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, July 26, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; and Francisco Astorga, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. King Road sign request - Mayor Williams relayed that he received a call from a resident on upper King Road who asked for a *not a through street* sign. Staff will follow-up.

2. Disclosure - Dick Peek stated that regarding the Claimjumper plat, that he is currently engaged in discussions with Joe Berrett and Joe Tesch on an unrelated issue.

3. Interagency Meeting - Liza Simpson referred to the interagency meeting where the 2030 Strategic Plan and a wild fire update by DWR were presented.

III PUBLIC INPUT *(Any matter of City business not scheduled on the agenda)*

None.

IV RESIGNATIONS AND APPOINTMENTS

Consideration of four appointments to the Public Art Advisory Board for terms beginning July 2012 and expiring June 2014 – The Mayor recommended the appointment of Bob Kollar, Judy Horawitz, Brian Markkanten, and Victoria Andersen. Alex Butwinski, "I move we appoint the four individuals just named". Liza Simpson seconded. Motion unanimously carried.

V CONSENT AGENDA (*Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items")*

Cindy Matsumoto, "I move we approve Consent Agenda Items 1 and 2". Andy Beerman seconded. Motion unanimously carried,

1. Consideration of a resolution adopting the SR224 Corridor Study for Park City, Utah – Approved.

2. Consideration of award of construction contract with Lyndon Jones Construction in the amount of $63,895.00 for Wyatt Earp storm drain improvements, in a form approved by the City Attorney – Approved.

VI NEW BUSINESS

1. Consideration of approving a Real estate Purchase Contract for property located at 1450 – 1460 Park Avenue with GreenPark Cohousing, in in a form approved by the City Attorney – The Mayor opened the public hearing; there was no input. Dick Peek, "I move that we continue Item 1 to a date uncertain". Alex Butwinski seconded. Motion unanimously carried.

2. Consideration of an Ordinance approving the 573 Main Street Three Lot Subdivision Plat Amendment, located at 573 Main Street, Park City, Utah – Planner Francisco Astorga explained that this is the Claimjumper building which is the largest historic building on Main Street. The current property owner is represented by Attorney Joe Rona. The application addresses both the Main Street and Park Avenue sides of the property. Approval of the plat amendment will result in the building sitting on one lot of record as it currently crosses several property lines and a zone boundary divide the property into the HCB and the HR-2 Zones. He relayed that the Planning Commission reviewed the project several times and authored the Conditions of Approval which have been incorporated into the draft ordnance. Staff recommends approval.

Dick Peek asked about the timing of the parking lot removal. Joe Rona explained that there was pressure from some of the Park Avenue neighbors who were unhappy with the parking lot that currently exists off of Park Avenue. It can accommodate up to ten vehicles and apparently during Sundance in years past, it has been used, creating problems for the neighborhood. After receiving that input, the applicant decided to work out issues with them which are reflected in the Conditions of Approval, e.g. construction fencing. The construction of the interior cannot be completed until next year's building season and if that lot is eliminated now, there will not be the needed staging area for construction. The solution is to allow the lot to remain until the construction season next summer has concluded and construction fencing will have to be installed and locked to prevent it from being used for parking during the Sundance Film Festival. The large lot is proposed to be converted to two parking spaces and he discussed the landscaping requirements and the one year recordation date. It is better to keep the asphalt in place for the staging area.

In response to a comment from Mr. Peek, Mr. Astorga explained that the Chief Building Official has reviewed the long range plans. The only permit issued to date relates to stabilizing the building. Mr. Peek pointed out that the chain link fence has a timeline of December 1, 2012 to March 1, 2013. He asked what will prevent the use of the parking lot from occurring if construction ceases and the plat does not get recorded. He suggested an additional condition in this instance that a physical impediment to parking be installed by the owner. Francisco Astorga stated that Council may add other conditions but the letter of intent indicates that they can and will get the needed construction done in less than a year, including the removal of the parking lot. Mr. Peek suggested that wording be added to Condition of Approval No. 11, *if permits have not been obtained to the lot line residential units prior to March 1, 2013, the construction fence shall be removed and a physical impediment to all vehicle parking on Lots 2 and 3 shall be installed*. Liza Simpson felt that the construction fencing could just remain but Mr. Peek felt that chain link may not handle snow loads and it is unattractive.

Francisco Astorga explained that the existing parking lot was built between 1990 and 1993 and is a legal non-complying use which provides the ability to keep the parking lot. The HR-2 Zone was created in 2000. Previously, there was a HR-2 overlay zone but it didn't have the same provisions as the HR-2 Zone and the parking lot is grandfathered.

Andy Beerman asked if the neighbors are comfortable with the current conditions. Mr. Astorga stated that they are and referred to exhibits from Tesch Law Office in the meeting packet. Attorney Joe Berrett explained that he and Mr. Rona have worked out differences and the conditions before Council have been agreed upon by both parties. The Planning Commission extensively reviewed the project which satisfied Park Avenue residents.

Cindy Matsumoto asked if building lot line to lot line is allowed in the zone. Francisco Astorga replied yes, the HCB does not require setbacks. She asked if the building will be built to the edge of Park Avenue. Mr. Astorga explained that the building will not be expanded. The non-historic additions were added in 1987 and the building was modified to accommodate emergency access. Because they were built prior to enactment of the HR-2 Zone, they are legal non-complying uses and that area will not be expanded in any form. The new Lot 1, which is part of the lot underneath the building, would go to that area. Ms. Matsumoto asked if there will be room to screen exterior trash and Mr. Astorga explained that the area has been mitigated on the north side of the structure and the Park Avenue side cannot be utilized for deliveries, trash, etc. Park Avenue will remain residential in character.

Liza Simpson asked if residents' concerns are sufficiently addressed during Sundance. Francisco Astorga pointed out that the Planning Commission added Condition of Approval No. 12 regarding special events. She noted that they were not allowed in the first place and the violations became a problem. Mr. Astorga felt there this can be better managed because of improved communication between departments on the situation.

Dick Peek pointed out that until the plat is recorded, building permits are at risk. Construction staging should be on asphalt and prior to plat recordation the parking lot needs to be removed. It seems like a disconnect and a timing issue. Mr. Astorga acknowledged the fact and relayed that the only permit that has been issued has been for the shell. No other building permits have been issued but he recognized Mr. Peek's concern. Mark Harrington interjected that it is more of a procedural step because the applicant has the benefit of plat approval which will make the permit eligible.

Alex Butwinski referred to Condition No. 12. Council approved an additional code enforcement position as part of the budget for off-hours coverage which would be a good resource for the neighborhood. He asked Mr. Peek if his concern was addressed on Condition No. 11. Mr. Rona explained that this was a condition that was suggested by Planning Commissioner Wintzer and something the Planning Commission wanted to include to better protect the neighbors during the Sundance Film Festival. He clarified that his client was not responsible for the violations during Sundance and encouraged reading No. 11 and 12 together. The locked fence will be there for the entire winter and the condition is that it can only be used for construction staging. If there is a problem, adequate conditions are in place. With regard to Council member Peek's concern, achieving plat recordation is what everyone wants, including the neighbors who do not like the current situation. The parking lot is a legal use and the applicant is agreeing to make it go away.

Mark Harrington asked if there is anything else besides the regulations of the zone that govern the use of the parking lot and Mr. Astorga answered no. Mr. Harrington proposed that the terms of the landscape guarantee agreement could provide protection in the event the construction ceases altogether. He suggested that this be addressed by Council giving direction to the Chief Building Official to establish some terms that minimize the possibility of the past violations of the zoning. It could be accomplished through a management plan. If it reverts to a parking lot use, the City would have at least some operational requirements which can be addressed in the landscape guarantee. This would give the City an additional tool for enforcement.

Francisco Astorga pointed out a mistake in Finding of Fact No. 29, correcting 75 feet to read 95 feet. Mayor Williams commented on the large number of Findings of Fact for this project. The Mayor asked which Conditions were prompted directly by the residents and Joe Rona identified Nos., 5, 6, 7, 8 and 9. The Mayor opened the public hearing. There were no comments from the audience.

Mayor Williams acknowledged the appreciated cooperation between both law firms. Mark Harrington suggested that the motion include direction to staff to address the landscape guarantee as part of the approval or just add a Condition of Approval that the Chief Building Official shall add conditions to the landscape guarantee to address future use of the parking lot, should it be reinstated.

Liza Simpson, "<u>I move that we approve an Ordinance approving the 573 Main Street three-lot subdivision, plat amendment located at 573 Main Street with the final condition of approval suggested by the City Attorney and Francisco's correction regarding lot depth</u>". Andy Beerman seconded. Alex Butwinski stated that the Park Avenue houses across the street are good examples of historic preservation. <u>Motion unanimously carried</u>.

With no further business, the regular meeting of the City Council was adjourned and a study session convened on the Dark Sky Ordinance.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Bret Howser, Special Projects Manager; Jon Weidenhamer, Economic Development Manager; Diane Foster, Deputy City Manager; Thomas Eddington, Planning Manager; and Mark Harrington, City Attorney. Dick Peek, "I move to close the meeting to discuss personnel, property and litigation". Liza Simpson seconded. Motion carried unanimously. The meeting opened at approximately 2:45 p.m. Liza Simpson, "I move to open the meeting". Cindy Matsumoto seconded. Motion unanimously carried. The City Council again closed at approximately 5:45 p.m. Liza Simpson, "I move to close for personnel". Andy Beerman seconded. Motion unanimously carried. The meeting opened with the convening of the regular meeting.

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

Prepared by Janet M. Scott, City Recorder

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PARK CITY COUNCIL STUDY SESSION MINUTES
SUMMIT COUNTY, UTAH
JULY 26, 2012

Present: **Mayor Dana Williams; Council members Andy Beerman; Alex Butwinski; Cindy Matsumoto; Dick Peek; and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Tyler Poulson, Sustainability Manager; Thomas Eddington, Planning Manager; and Katie Cattan, Planner

Dark Sky Ordinance – Tyler Poulson explained that this topic was originally brought to Council during the 2011 Visioning Session where alternatives to the existing ordinance for outdoor lighting were presented. One option was applying the current outdoor lighting regulations to existing lighting. Currently, the regulations only apply to new construction and remodels and the LMC specifies that residential lighting needs to be down-directed and shielded and commercial lighting needs to be shielded and meet other provisions. The current code for new construction and remodels is essentially considered *dark skies friendly*. Prior to Visioning, the City was visited by Pete Strausser who is the technical director of the International Dark Skies Association. He ascertained that Park City is doing pretty well from a *dark skies* perspective.

Mr. Poulson stated that most recently, staff has reviewed the model lighting ordinance on the IDSA webpage and compared it to the City's LMC and one major difference is that the IDSA's lighting ordinance is based on different zones in terms of applying regulations were Park City's is more broad-based. There were not many other disconnects.

He pointed out that there are some exceptions to the lighting ordinance including the Historic District, seasonal display, and recreation. There is interest in discussing adding public art as an exemption.

Mayor Williams asked for clarity that some options might not be compliant with the Illuminating Engineering Society's standards. Mr. Poulson relayed that the statement was in an original paper for Visioning which he doesn't recall drafting, but the existing Code addresses lighting standards generally applied and recommended by the IES.

Dana Williams felt there is inconsistency in our lighting and some City lighting does not comply with our own ordinance. There are issues with park projects. There should be consensus among members about City compliance and about addressing non-compliant areas of town. Thomas Eddington explained that some communities implement amortization or sunset ordinances as a way to resolve the issue in two to three years. Katie Cattan added that they also set separate regulations for residential and commercial so that commercial has to be compliant but residential is allowed to continue until a remodel, for instance. This is based on the level of lighting impacts of a commercial structure.

Liza Simpson referred to the Johnson Controls audit where some lighting was identified as inefficient but it was going to cost the City more to change out the lighting than the amount of money saved in switching to more efficient fixtures. A decision was made to make upgrades as lighting needed to be replaced. She supported a sunset clause for the public and the Mayor felt that it would only mean replacing a few fixtures per residence for the general public.

Andy Beerman relayed that he took a walk around Old Town and felt the City is the biggest culprit and it would be inappropriate to ask residents or businesses to come into compliance until the City is willing to do so. The Mayor again asked if City lighting should come into compliance and Mr. Beerman believed that the City needs to lead by example. However, there should be an analysis of the cost of retro-fitting fixtures. The Mayor pointed out two lights standards located by KPCW that are capped and probably compliant and another one at the Marsac Building stairs that is non-compliant. Tom Bakaly emphasized that retrofitting is the policy question.

For the benefit of Mr. Butwinski, Mr. Eddington explained that bollards are the low lights that prevent cars from going onto pedestrian plazas. Alex Butwinski continued that the discussion was triggered by the uproar over up-lighting the Marsac Building tree sculpture. Down-lighting is allowed and he referred to the exemptions in the ordinance and proposed that technically the sculpture could be lit seasonally. Ms. Cattan explained that seasonal lighting is more like Christmas lights. Cindy Matsumoto believed that the issue was not prompted by the tree sculpture. Alex Butwinski felt that there must be a way to measure candle power at certain heights and felt that low landscape lighting should be accommodated. Mr. Eddington stated that lighting standards can be based on foot candles, height or distance from source.

Mr. Butwinski pointed out that the night sky ordinance is totally corrupted because of reflected light. The City can go through a lot of effort to down-shield lighting when the problem is the reflection of light going upward which is ignored in the Code. The up-lighting of landscaping would be lost in the reflected light. He asked what other members thought and suggested looking at the exemptions granted that benefit the City like lighting fields. He felt that the Council is not interested in art but the Mayor felt his statement is a leap. Mr. Butwinski again pointed out the high candle power at Quinns. Dana Williams did not feel he was accurate about the reflection of light off of the fields and he felt that Mr. Butwinski is taking lighting art too personally. Mr. Butwinski emphasized that his proposal applies in general to landscape lighting.

Andy Beerman suggested that lighting public art could be addressed specifically where it would only be on a few hours at night and at a certain level. Mayor Williams felt that lighting should be down-lit. Dick Peek believed that the City should come into compliance with the Code and adjust the Code for lighting art. Thomas Eddington explained that the sport lights are in compliance and meet the eight foot candles requirement at the property lines. The lights are shielded so the light source is not visible at a 90° angle and they are in compliance. He suggested a compromise where there are exceptions for art, flagpoles, certain landscaping and architectural features. He also suggested putting parking lot lighting on a timer which would make a significant difference.

Cindy Matsumoto agreed with Mr. Beerman that before citizens are asked to change out lighting that the City fix our issues. She stated that the lighting for the soccer fields is very bright and impacts some residences. Tom Bakaly felt that the approach is better described as holding the City to a higher standard because City lighting is in compliance with the current ordinance. The City held itself to a higher standard regarding art because an exception was not pursued. He felt holding the City to a higher standard is the question and/or holding everyone to a higher standard.

Liza Simpson asked if members are philosophically in favor of working toward doing the best we can and if we are, setting a sunset clause for the City and then setting one for the rest of the community. It would be nice to have a long and short term plan. Dana Williams pointed out that the IES model dark skies ordinance has exceptions allowed by special permit. Katie Cattan explained that for each exception in the model ordinance, there are lumen standards.

Mayor Williams referred to the information produced by Johnson Controls and felt that it may be used to reach our potential. Cindy Matsumoto believed that the current Code provides an exemption for public art and the bigger issue is lighting fields and impacting people’s lives.

Alex Butwinski suggested that there should be an exception for lighting public art and each application should be reviewed individually. He agreed with Ms. Matsumoto on the bigger issue of lighting fields and Ms. Simpson on a sunset clause to bring the City into compliance. However he recalled that the retrofit for fully shielded lights at the soccer fields was $200,000 and became a budgetary issue. The Code could be amended to fix some things.

Dick Peek suggested that a special permit be obtained through an administrative conditional use permit process which could include public art and architectural features. Andy Beerman felt that if the City pursues a sunset clause, new efficient technologies should be explored. Tyler Poulson agreed and added that with regard to energy consumption, staff looked at replacing Main Street’s high pressure sodium lights with LEDs but staff learned that they didn’t deliver great energy savings relative to the existing lighting. The payback was over 100 years. He acknowledged his limited experience with outdoor lighting, lumens, and lighting technologies but relayed that new fixtures are very expensive. In order to determine the cost, the City would need to hire a professional and it is not unrealistic to estimate a comprehensive retrofit project at millions of dollars. Ms. Cattan added that another cost to consider is managing a sunset program for residential which will require a lot of manpower to monitor.

Mayor Williams stated that he doesn't really know how much of an issue it is. He felt that all members philosophically buy-in but he doesn't know how big of a problem it really is. Mr. Eddington advised that there are specialists who can come in and assess the City which may be a place to start. Andy Beerman felt the Mayor brings up a good point which is *environmental triage*. In consideration of issues like carbon footprint, water conservation, and air quality, night sky falls at the bottom of the list for him. He suggested that as a group; decide sustainability priorities and dark sky might not be worth investing millions. Mr. Poulson clarified that another way of assessing the problem is how often this is brought up or how many complaints are received on the topic by community members. He stated that since Visioning 2011, this subject has not been brought up until now.

Liza Simpson discussed receiving complaints from Old Town residents on seasonal lighting not being turned off by midnight. Mr. Bakaly felt this sounds like an order of magnitude, where members are interested in looking at the bigger or seasonal lights and up-lighting art. This is a change in policy as Council directed staff not to proceed on a variance for up-lighting art. He suggested returning in a work session to get clearer direction. Diane Foster relayed that holding the City to a higher standard would mean changing out the historic light standards on Main Street. Thomas Eddington explained that those historic lights are currently exempted.

Mayor Williams emphasized that our level of compliance with dark skies is unknown and suggested that a consultant be hired to identify issues. Ms. Simpson felt this would be worthwhile if it isn't too expensive. She agreed with Mr. Beerman's comments and suggested talking with our supermarkets about lighting lots. Mayor Williams pointed out that the reason for this discussion was not over up-lighting art but goes back to installing the Olympic way-finding tower. Tom Bakaly suggested that staff explore the issues and consulting work. Dick Peek referred to his conditional use permit idea for exceptions.

Mark Harrington pointed out that the community agrees upon the ethic that the the City wants to preserve dark skies as much as possible, but the stakeholders have not been engaged across the board in a collaborative process to accomplish this. He pointed out competing interests including public safety, business promotion, field activities, night skiing, etc. and suggested appointing a task force comprised of stakeholders charged with reducing their own night light pollution which may result in amendments to our ordinance. He didn't recommend hiring a consultant but rather engaging the big users. The inconsistency of turning off the Pay Day ski run lights was discussed. Katie Cattan stated that the ordinance includes a provision that the ski lights be turned off at a certain time but it hasn't been enforced.

Prepared by Janet M. Scott, City Recorder