

**PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH,
JULY 18, 2013**

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

Staff: Mark Harington City Attorney, Phyllis Robinson acting City Manager, Matt Evans Planner, Jason Glidden Special Events Manager, Thomas Eddington Planning Director

Work Session

Council questions and comments. Councilwoman Matsumoto reported that she had attended the Peace House meeting and discussed a fund raiser "Peaceful Easy Evening", this event will be taking place August 13 at Louland Falls featuring Elizabeth Smart; she feels this will be a wonderful event.

Councilman Butwinski reported that he had a busy week. He attended the Chamber luncheon where they honored Jan Wilking with the Myles Rademan Award. Also attended the Sundance Utah Advisory Board reception which was a thank you event for the legislators at Silver Star Café; he also attended the Recycle Utah Uncorked event; also attended an (HPCA) Historic Park City Association where a parking discussion did not take place; and the Utah League of Cities and Towns where they discussed legislative issues specifically sales tax on internet charges; companies would start charging sales tax on internet purchases. Also mentioned that he and Andy Beerman attended an Economic Development meeting on Monday with the County and discussed some economic development opportunities that the two have and can work together on going forward.

Councilman Beerman attended many of the same events as Councilman Butwinski. He also wanted to thank Jonathan Weidenhamer and Alison Weyher that put together a thorough matrix on the joint economic discussion to give them all a starting point. He feels it's going into some interesting directions. They are all trying to figure out what their common ground is and where they can work together; conversations will continue. Additionally Mr. Beerman attended the Wasatch Summit meeting where they discussed the element of private fundraising; the organization has raised \$3.5m from the state and varies municipal and other entities as part of their Interlocal Agreement. They are also trying to figure out how to raise \$1M in private funding for the scoping of the whole project. Mayor Williams asked Mr. Beerman if the group has approached Park City on funding. Mr. Beerman stated that topic will be on their agenda soon. Tentatively agreed to was \$50,000 over the next two years; UTA is the only partner who's board has met and has funded. He feels the fund raising up here is going to be interesting due to an economic impact study and their pushing the ethical aspects of preserving the watershed and wilderness which will be a harder sell on this side. Mr. Beerman also attended the Basin Open Space Advisory Committee (BOSAC) and congratulated Jan Wilking on receiving his award and encouraged anyone that wasn't there to congratulate him. His public service to this community has been very long and outstanding; Councilman Butwinski interjected that Jan Wilking's public service resume is daunting, 39 years. Ms. Simpson mentioned that the Snyderville Basin Water Reclamation Board stated that he's the longest serving public service board member in the state.

Councilman Peek agreed that the Sundance Utah Advisory Board thank you event for the legislators at Silver Star Café was a great event. Great for them to come up to hear music and relax was nice. He also wanted to mention hearing Rory Murphy's resume of service was amazing. Mr. Peek also attended the Board of Adjustment Meeting and discussed the vacant lot across from City Hall on Marsac/Deer Valley Dr., the owner is asking for a 5' setback to back of curb which is a concern to some board members – the applicant is very willing to continue to talk with staff about having a safer use on Marsac.

Councilwoman Simpson also congratulated Jan Wilking on his award. Ms. Simpson asked Phyllis Robinson, Community and Public Affairs Manager for an update on the software for tracking unlicensed rental properties. She has been asked about this numerous times most recently today by the Lodging Association members as to where the City is on this. Jason Glidden, Business Development Manager stepped to the podium to address this topic. Stated that he is working on the final edit of the RFP, it is in legal and he thinks it will go out next week. Then two or three weeks before he receives the RFP bids back; and hopes to come to Council in the next month or so. She thanked Mr. Glidden.

Mayor Williams attended many of the same meetings as the Council members. He would also like to have the two awards he and Ms. Robinson have discussed be put on the agenda for Aug. 8, 2013.

**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
JULY 18, 2013**

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

Staff: Mark Harrington City Attorney, Phyllis Robinson acting City Manager, Matt Evans Planner, Jason Glidden Special Events Manager, Thomas Eddington Planning Director

I ROLL CALL

All members were present (City Manager Diane Foster was excused)

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

There was none

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

There was no public input

IV CONSENT AGENDA

1. Consideration of an Open Space Agricultural Lease between Frank Richards and Park City Municipal Corporation, in a form approved by the City Attorney – Mr. Beerman directed his question to Mark Harrington City Attorney. Is there anywhere in the lease where it addresses insurance or bond, would we need that for this type of use. Mr. Harrington stated that Tom Daley was on vacation; Tom Daley was comfortable with the lease because of the way the City assumes the property and the way government works. He was fine with how it was written. Mr. Butwinski asked Mr. Harrington who decides the renewal, is it automatic. It mentions it will renew annually, does it roll over automatically? Mr. Harrington stated that this is a one year lease; the City will be doing this every year.

Cindy Matsumoto, "I move to approve the Consideration of an Open Space Agricultural Lease between Frank Richards and Park City Municipal Corporation, in a form approved by the City Attorney." Liza Simpson seconded. Motion carried unanimously. .

V NEW BUSINESS

1. Consideration of an Ordinance approving a Plat Amendment for 124 Norfolk Avenue, Park City, Utah - Matt Evans City Planner, stepped to the presentation table, stated that he was presenting this report for Francisco Astorga. Mr. Evans began by giving an overview of the request. This was a simple plat amendment combining 2.5 lots in the Historic District. The applicant is proposing to remodel existing structure. This has received a positive recommendation from the Planning Commission and staff is asking for City Council's approval. The only issue with this is the encroachment of the railroad tie wall they will need to either do an encroachment agreement or remove the wall. Ms. Matsumoto asked about the wall and it's relation to the other historic homes in the area; does this allow for a larger foot print. Ms. Matsumoto was concerned about the impact of the wall leaning over the 4-5 historic homes. 52 King was the one that was demoed and rebuilt as a new structure; Ms. Matsumoto wanted to know if these lots sat above Christian Wright's house. Mr. Butwinski asked how much larger could they add on; Mr. Evans stated that the maximum footprint size is 1,875 sq ft and they can

go three stories. Mr. Evans stated that this house is not historic although in the Historic District so that anything they do will be directed by the Historic District Guidelines and will dictate what can or cannot be done.

Mayor Williams opened the Public Hearing. Hearing no input, he requested a motion.

Mr. Butwinski, "Your honor I move we approve the Ordinance for the Plat Amendment of 124 Norfolk Avenue, Park City, Utah ". Andy Beerman seconded. Motion carried unanimously.

2. Consideration of an Ordinance approving a Plat Amendment for 415 Deer Valley Drive, Park City, Utah – Matt Evans, City Planner, gave a brief overview of the requested Ordinance. This is a combination of four full lots and two partial lots with an existing structure.

The applicant is proposing an amendment to the structure and mitigates the issues with the lots lines. Mr. Evans brought attention to the plat amendment showing the contemplated addition to the house. He stated that there were not any steep slope zone issues because the zone designation does not require it. Staff was concerned with the potential future development of the parcel and worked with the applicant to create a *post no build permit*, where they proposed began just beyond where the hot tub is currently located. Language was inserted in the post conditions of approval that dictate how the property will be maintained; which is acceptable with the applicant. Planning Commission recommended approval based on the findings of fact, conclusions of law and conditions of approval as stated with minor changes mentioned in the staff report regarding the back portion of the no buildable area is to be handled. Mr. Evans then asked Council if there were any questions.

Mr. Beerman clarified that the next door neighbors have a fence that marks their territory and the applicant will not be able to do this based on the conditions.

Ms. Matsumoto asked if the portion of the street behind the property that is not vacated nor really a street went to Coalville; a street that is on the map but not there shouldn't the street be removed? Ms. Matsumoto brought up an example of a street up on Rossi Hill that wasn't a street that later became a street.

Ms. Simpson stated that it should be removed. Mr. Evans told Council that the City could hold a public hearing to vacate those and split the property between the property owners whose property fronted the platted street. Ms. Matsumoto was concerned that someone would try to build a road through there. Mr. Evans stated that it would be difficult for a street to be built there. Mr. Beerman interjected that he believes the City owns land between Deer Valley Drive and where Coalville Rd. actually begins; also it would be difficult to build because of the extreme steepness of the area.

Mr. Harrington stated that a portion of the street was actually vacated because of a previous development further down. Ms. Simpson expressed the same concern as Ms. Matsumoto and suggested there might be enough interest from Council for this topic to come back as a work session item at some point in the future; they could then discuss city road rights of way so that a developer could not force a road in an area where one shouldn't be. Mr. Harrington told Council that the context for that discussion is in the Street Master Plan and there is existing language addressing unbuilt but platted rights of way that can help direct staff on how to determine to vacate or not.

Mayor Williams asked if Council would like to review this master plan. Ms. Simpson stated that she would certainly review again. She went on to say that with the ever changing development

landscape it would be worthwhile to review again although couldn't say that she knows where all of the platted road remnants were and where they might show up and cause the City problems in the future. Mr. Butwinski asked if the City owns the ground underneath the vacated street. Mr. Harrington replied that the City would not own the property; the adjacent property owner's right to use the vacated rights of ways still remains.

Mayor Williams opened the public hearing and stated that for the first time in twelve years he was going to limit public input to (3) minutes. There was no public input. Mayor Williams closed the public hearing.

Mayor Williams then asked for a motion; Mr. Peek "Your Honor I move we approve the Ordinance for the Plat Amendment for 415 Deer Valley Drive." Mr. Butwinski seconded. Motion carried unanimously. .

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

VI ADJOURNMENT

Prepared by Jody L. Morrison, Assistant City Recorder

