PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JULY 17, 2008

Present: **Mayor Dana Williams; Council members Candace Erickson; Roger Harlan; Jim Hier; and Joe Kernan**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Diane Foster, Sustainability Manager; Phyllis Robinson, Public Affairs Manager

Absent: **Council member Liza Simpson**

1. Council questions/comments. Joe Kernan referred to Al Gore's recent initiative and asked if members are interested in setting a goal of eliminating the use of fossil fuel produced electricity within ten years. Mayor Williams emphasized that the goal has to be attainable before he supports it and Mr. Kernan felt that electricity could be achieved with wind turbines and funding. Dana Williams stated that 90% of the countries committed to the Kyoto Accord will not achieve this standard and questioned how realistic it is; the City already has goals to reduce its carbon footprint by 2012. Joe Kernan felt that it is a matter of cost and Park City can afford it. Candace Erickson asked if the idea is that the City become a utility company and/or produce wind-generated electricity and sell it back to the power company.

Diane Foster explained that Al Gore presented a proclamation today specifically challenging communities to eliminate the use of non-renewably produced electricity within the next ten years. Electricity would be produced with turbines, geo-thermal, etc. She understood Mr. Gore will be providing more details in the near future. Staff is planning on addressing Council on August 21 to review the sustainability plan and this may be something that can be considered if more information is available at that time.

Candace Erickson thanked Craig Sanchez and his staff for their support on the breast cancer fund-raiser on the golf course. Mayor Williams and Jim Hier presented Joe Kernan with a bike helmet. The Mayor extended his appreciation to everyone participating in the Historic District Guidelines process. He was contacted by the Conference for Mayors interested in featuring Park City this year, and through a presentation on the Internet, he displayed Mayors TV which highlights a variety of information about a community. This piece will be paid for and produced by the Conference of Mayors. If Council concurs, he hoped that the Chamber and Myles Rademan would be involved with video segments and assisting with the script. Members were supportive. Jim Hier asked Gary Hill to clarify conflicting information regarding the resort cities tax in the recently distributed sales tax analysis at some point.

Mayor Williams relayed that he received calls on the Snow Creek Affordable Housing Project because of misinformation in a newspaper article. Phyllis Robinson explained that last week the Planning Commission approved the MPD application for the Snow

Creek cottages, a 13 unit detached condominium project. The Commission placed standard conditions and others including performing a wildlife study on the site and he soils test was completed last week. She stated that there is a misnomer that the taxpayers are subsidizing housing costs, and she emphasized that the affordable housing in-lieu fees collected from private developers will be used for the housing. Jim Hier asked that a budget be developed for Council's information. Ms. Robinson noted that staff will return to Council on August 28 on deed restrictions on the property and an overall update of the housing resolution and in-lieu fees.

2. Scope of Community Visioning Program. The Mayor complimented Ms. Robinson on her staff report. Phyllis Robinson pointed out the importance of recognizing gathering places in creating community engagement. Staff is close on finalizing a RFP for the project and has shared this report with the Planning Commission members for their feedback. She emphasized that visioning is more about community engagement than land use, but the outcomes should help shape the General Plan and other land use decisions. Ms. Robinson referred to comments that Park City is losing its character and/or the debates over the Historic District Guidelines and staff is hoping to re-engage the community and encouraging people to share their stories. There are tangible and intangible elements that residents hold dear. She felt that a successful program will require a team approach with a multitude of talent and expertise and trying new ways to encourage public involvement. Staff is also recommending the tried and true living room sessions and using social networking sites. The team will customize its strategy for reaching out to the community, including second home owners. She emphasized that the focus will not be *what does City Hall need to fix* and pointed out that when there have been issues over time, some one always seems to step up to the plate which is how a myriad of non-profits in town were created. Non-profits represent another segment of our community and historically have made significant contributions to Park City over the past 30 years.

Ms. Robinson asked for direction of whether the RFP review panel should consist of representation from Council, Planning Commission and other organizations in town who have expressed an interest in the process. Joe Kernan asked if this will be an on-going program and Phyllis Robinson explained that community programs were held every three to five years and the last one occurred in 2002. Roger Harlan was pleased that living room meetings are contemplated to be held again and felt that the questions outlined in her report are very positive and there are some great questions. Jim Hier stated that he is concerned about inviting other organizations to design the RFP which may complicate and compromise the RFP. He felt that the City could distribute the RFP draft for comment; there was discussion about designating outreach sessions for specific groups. However, Mr. Hier felt that the Planning Commission should be asked to participate in the RFP process.

Candace Erickson asked if there are targets with regard to percentage of people reached or a segment of the community and Phyllis Robinson responded that she will rely on the consultant for advice. Ms. Erickson agreed with Mr. Hier's comments about the City formulating the RFP. Discussion ensued regarding reaching second home owners. Ms. Erickson added that a Planning Commissioner should sit on the review panel. In response to a question regarding training, Ms. Robinson explained that a few months ago the City had three staff members who attended the National Charette Institute but now she is the remaining trained person. Mark Harrington referred to specific feedback from the Planning Commission and public to hire an independent facilitator for purposes of objectivity. Mayor Williams liked the idea of an independent facilitator because the public is less likely to vent about political issues and focus more on community vision. Candace Erickson strongly felt that the City is seeking answers to its own questions. If other organizations are involved, the things that the City finds important may be missed or diluted. Joe Kernan is supportive of Council and Commission representation. He pointed out that the plan contemplates buy-in from other organizations and it should look as much like the community as possible.

Roger Harlan agreed with comments about limiting the number of individuals involved in writing and reviewing the RFP. In response to a question from Mr. Harlan, Ms. Robinson relayed that the budget is $55,000 which is reasonable and in line with other cities. He asked if there have been any negative reports or advice from other cities about what not to do and Ms. Robinson felt this may be helpful information and will follow-up.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 17, 2008

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Library and Education Center on Thursday, July 17, 2008. Members in attendance were Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, and Joe Kernan. Liza Simpson was absent and excused. Staff present was Jerry Gibbs, Acting City Manager; Mark Harrington, City Attorney; Kirsten Whetstone, Planner; Kathy Lundborg, Water Manager; and Jim Carter, planning consultant.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. <u>Tribute to Blair Feulner</u> – Mayor Williams thanked Blair Feulner for his work in the community over the past 28 years as the Manager of Community Wireless. He fondly recalled his own father's involvement in the grassroots effort to establish a radio station in Park City as the first classical music director on KPCW. Blair will be missed on the air and he wished him well.

2. <u>Council disclosure</u> - Joe Kernan disclosed that Talisker is among his recycling customers.

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

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JUNE 26, 2008

Roger Harlan, "<u>I move approval of the work session notes and minutes of the meeting of June 26, 2008</u>". Jim Hier seconded. <u>Motion carried</u>.

Candace Erickson	Aye
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye
Liza Simpson	Absent

V NEW BUSINESS *(New items with presentations and/or anticipated detailed discussions)*

1. <u>Consideration of an Ordinance approving the 426 Woodside Subdivision being a replat of Lots 24 and 25, Block 4 of the Park City Survey, Park City, Utah</u> – Kirsten Whetstone explained the request to combine Lots 24 and 25 of Block 4 into one lot for the purpose of constructing a new single family home. There was a non-conforming

four-plex on the site which was demolished in June. On June 25, the Planning Commission held a public hearing and there was no public input at that meeting and a positive recommendation was forwarded to the Council. The Mayor opened the public hearing; there was no input from the audience. Jim Hier, "I move that we approve the plat amendment for the replat of Lots 24 and 25 of Block 4, based on the findings of fact, conclusions of law, and conditions of approval as stated in the draft Ordinance". Joe Kernan seconded. Motion carried.

Candace Erickson	Aye
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye
Liza Simpson	Absent

2. Consideration of a Construction Agreement with Landmark Excavating, Inc. for the construction of the Ontario Avenue Waterline Replacement Project for a lump sum amount of $363,096, in a form approved by the City Attorney – Kathy Lundborg noted that project is identified in both the Water Master Plan and OTIS. The 6" water line is old and inadequate and will be upsized to 10" which will help increase fire flows. The Mayor invited public input; there was none. Roger Harlan, "I move approval of a Construction Agreement with Landmark Excavating, Inc. for the construction of the Ontario Avenue Waterline Replacement Project for a lump sum amount of $363,096". Candace Erickson seconded. Motion carried.

Candace Erickson	Aye
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye
Liza Simpson	Absent

VI OLD BUSINESS *(Continued public hearing)*

Consideration of an Ordinance annexing approximately 286.64 acres of property located at the southwest corner of the SR 248 and US40 Interchange in the Quinns Junction area, known as the Park City Heights Annexation, into the corporate limits of Park City, Utah, and amending the Official Zoning Map of Park City to zone the property in the Community Transition Zoning District (CT) – Consultant Jim Carter referred to his staff report and asked that Council comment on the draft Annexation Agreement to ensure that it adequately addresses the direction of members with regard to residential density and affordable housing. He relayed that Talisker and Boyer-Plum have recently received the draft but have not had an adequate opportunity to review and respond.

The Annexation Agreement incorporates standards of the Green Build Checklist and/or the LEED for homes rating system. The Mayor explained that he has been grappling with requiring the applicant to be LEED certified. It is helpful that the project is evaluated by a third party but he remains concerned about the additional cost. The savings in green building may cover the cost of the third party review and LEED projects may market themselves. He suggested that this be determined at the MPD stage. Jim Hier stated that if the savings could offset the cost of the project which benefits the buyer and he feels that the City's building officials are capable of conducting both Build Green or LEED inspections which could also be verified. Mayor Williams indicated that he is comfortable with the City inspecting but pointed out the credibility associated with a LEED project which may make it more of a model. Joe Kernan viewed the benefit of LEED certification as a marketing tool but acknowledged that he does not feel strongly about this and like keeping options open at this stage. Roger Harlan felt comfortable addressing the decision during the MPD process and Candace Erickson agreed.

Jim Hier pointed out language that needed to be changed with regard to timing of the annexation and approval of the ordinance. He felt the rest of the draft looked good. Dana Williams pointed out that UDOT's plans for SR248 are unknown at this stage and flexibility in the traffic mitigation plan is probably appropriate.

David Smith of Talisker referred to Section 10, Affordable Housing Requirement, which addresses timely construction, 44.778 AUEs for IHC, 20 additional AUEs for Montage but there is no mention of the number for Flagstaff in subsection (d) which implies that it is zero. Jim Hier suggested that the AUEs be defined throughout the document.

The Mayor asked for the timing of action on the Annexation Agreement and Jim Carter indicated that a key component is water which is moving toward resolution. Kathy Lundborg emphasized that she received a very broad preliminary plan and has a call into the project engineer because she has a whole list of questions; there are many unresolved issues. Patrick Moffat, Boyer Company, stated that the 24 acres parcel being donated to the City is zoned CT as part of the Annexation Agreement. Mark Harington stated that this is the intent and discussion ensued about the distinction of the CT-MPD zoning. The Mayor reopened the public hearing on the annexation. There were no comments. Jim Hier, "<u>I move we continue the Park City Heights Annexation Petition to July 31</u>". Joe Kernan seconded. <u>Motion carried</u>.

Candace Erickson	Aye
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye
Liza Simpson	Absent

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

See Council questions and comments in work session notes. Since Jim Hier was not present when Joe Kernan again spoke about meeting Gore's goal of using only renewably produced electricity within ten years. He felt the goal is achievable. Mark Harrington interjected that Diane Foster suggested addressing this element in her next update to Council on the sustainability plan. Jim Hier felt the level of the City's commitment to the Kyoto Accord is significant but is willing to become more informed about renewably produced electricity.

VIII ADJOURNMENT

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

Janet M. Scott, City Recorder