PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JULY 9, 2009

Present: **Mayor Dana Williams; Council members Candace Erickson, Roger Harlan, Joe Kernan, and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jed Briggs, Budget Analyst; Crystal Ward, Sustainability Project Coordinator; Diane Foster, Environmental and Sustainability Manager; and Phyllis Robinson, Public Affairs Manager

Pat Drewry-Sanger, Kathy Meyer, Marianne Neumeister, Judy Hanley, Arts-Kids; Joanna Schull and Charles Buki, czb LLC

Absent: **Council member Jim Hier**

1. **Council questions/comments.** Roger Harlan commented on Public Art Board business, specifically the bus shelter project. Selecting public art in the remodeled Marsac Building is an upcoming project. He also met with the Police Department during the week. Candace Erickson reported on the Recreation Advisory Board where the Main Street Park and location for a labyrinth project were discussed. The Racquet Club building will be going out to bid and she discussed the success of a newly organized hiking program. Liza Simpson reported on specials the Lodging Association will be marketing and a local youth program to encourage wearing helmets administered by the Police Department. She referred to a comment made by a mayoral candidate about high crime areas in the City and specifically two muggings that allegedly happened on the path behind the Marriott Summit Watch. Ms. Simpson stated that if they happened, they were not reported to the police. She thanked everyone for a fabulous 4th of July celebration.

Mayor Williams relayed that he and the City Manager met with members of the Film Commission about film studios. He reported on hosting a dinner for the Courchevel delegation during the week and speaking to student government bodies from Bonneville. He discussed the Buy Local Program and speaking to seniors.

2. Arts-Kids extraordinary funding request. Jed Briggs explained that this is a continuation of a discussion which occurred on June 18. *Extraordinary* requests were previously called *emergency* requests. There was quite a bit of discussion about the wording of the policy, and Mr. Briggs read his recommended language, "*If there are unallocated funds, extraordinary requests may be considered every six months during the two-year budget cycle, unless otherwise directed by Council".* Mr. Briggs stated that special service contracts were approved on May 28 and there was some unallocated funding in the amount of $18,000. Arts-Kids has applied for funding under the extraordinary request policy. Since that time, the Norwegian Outdoor Exploration Center has also applied for funding; this organization has never applied previously. It is staff's recommendation to follow the policy and wait six months from the budget approval date to see if other extraordinary requests are submitted so all applications can be considered at one time.

Candace Erickson believed that almost everyone is in an extraordinary position now. She expressed concern about considering the Norwegian School because it didn't apply during the normal cycle. Ms. Erickson felt that Arts-Kids is operating on a *shoe-string* budget which makes her uncomfortable because the City would be basically funding the program. She viewed the unallocated monies as a rainy day fund for a core service and cited Recycle Utah's situation as an example. She supported staff's recommendation which provides an open process to everyone and creates a level playing field for all of the non-profits. Roger Harlan pointed out that if the unallocated amount is awarded to Arts-Kids, there is no reserve for other potential requests during the fiscal year and this is the second grant to Arts-Kids.

Mayor Williams explained that the special service contract fund was established at up to 1% of the budget, not a guaranteed 1% every year. He apologized to Director Pat Drewry-Sanger for a Council member specifically contacting her and encouraging her to apply for the unallocated amount which is not fair to the other worthy organizations. He agrees with other members that it probably is not appropriate to grant additional funds to Arts-Kids. Liza Simpson emphasized that both programs are incredibly worthy but there should be an opportunity for other organizations to submit requests and stated that she supports staff's recommendation.

Joe Kernan explained that he mentioned special service contract funding during his radio interview noting that Council made a tentative decision which would be finalized with the adoption of the budget. He stated that he would like to hear from Arts-Kids about its request and the impact of funding.

Ms. Drewry-Sanger stated that she understands Council's perspective perfectly. She didn't know how much was left in the special service fund when she requested $20,000. Without a subsidy, the fall program will not be able to operate and there is no money for salaries. It is difficult to compete with 120 non-profits in town.

Kathy Meyer, resident and facilitator, stated that she has been involved with Arts-Kids for five years. This is a valuable program that serves kids who would not be served if this program goes away. She has had a core group of kids for five years and this is a program serving a unique population.

Marianne Neumeister, Arts-Kids board member since 2001 and facilitator read a letter into the record. She spoke about the program serving over 2,800 students in Park City and Summit County at no cost. The program focuses on increasing motivation, building trust and creating a sense of community and she referred to a survey distributed to Council members. This is not an art class but a program that uses the arts to reach children in a way that no other activity can and as a facilitator, she has witnessed extraordinary changes in children. She explained that in these hard economic times, Arts-Kids needs the City's help to get through the first part of 2010 then additional grants will be available. Ms. Neumeister spoke about specific achievements and stated that she personally witnessed extraordinary changes in children and was only one of many facilitators throughout the years. In this economic downturn, the program is in danger of collapse due to fewer private donations and grants but they are working on their financial base. She commended Pat Sanger's personal dedication and asked that the City Council work with them toward a creative solution so that the Arts-Kids' vision will not be lost.

Judy Hanley, board member, thanked Council for considering the request and emphasized that Arts-Kids is a very valuable program in Park City.

Joe Kernan expressed that funding would help Arts-Kids operate until the fall when other grants can be applied for. The Mayor pointed out that the City funds the Boys & Girls Club, the McPolin Elementary program, and Big Brothers and Sisters and any one of these organizations could approach the City with additional requests. Ms. Erickson stated that providing equal opportunity to other youth organizations is important to her but she is willing to look at this again in a couple of months. Roger Harlan agreed. Liza Simpson suggested scheduling a review in a couple of months rather than in December. This would still provide other youth organizations an opportunity to apply and better meet Arts-Kids' timing. Ms. Sanger clarified that the program begins the end of September. The Mayor encouraged her to keep the City informed. Candace Erickson indicated that she needs more time to consider Ms. Simpson's recommendation.

Kathy Meyer reiterated that there is no other program that serves this particular youth group.

Tom Bakaly understood that consensus is not a denial of the request and if members follow the policy in place, the request will return in six months unless otherwise directed.

Judy Hanley interjected that consideration before six months would be helpful.

Mr. Bakaly posed whether the application should go to the subcommittee; there was no direction. Ms. Erickson pointed out that the City only has $18,000 remaining and Arts-Kids requested $20,000. She asked how much is needed for the program this fall. Ms. Sanger believed that $10,000 would be adequate.

2. Municipal Carbon Reduction Action Plan and 2008 Footprint. Crystal Ward explained that the 2008 municipal carbon footprint was conducted in-house by staff and the 2007 footprint was calculated a year ago with the help of The Environmental Performance Group. Those numbers look a little different because of applying a different methodology. Last year, carbon emissions were distributed by departments and this year it is presented on a City-wide basis. She stated that the 2008 footprint is about 2% higher than 2007 and the primary sources of emissions are energy use in the

City's buildings and facilities, fuel usage for both public transit and fleet, and electricity to pump water. The 2008 footprint was calculated using ICLEI's Clean Air and Climate Protection Software which the City has exclusive use of through its membership. The biggest difference was in the category of City-wide fuel consumption and the increase was primarily due to service level changes, i.e., bus routes, snow removal, and was expected. A decrease in building and energy use was realized in 2008 and relates to the update of the CACP Software and refinement of the coefficient factors for electricity. In fact, the City actually used more energy in kilowatt hours. She displayed a chart showing numbers from 1990 to 2012. In 2012, the City's carbon footprint can be as high as 12,350 while in 2008, it measures 11,194. In 2020, Ms. Ward advised it could increase to 15,200 if carbon reduction actions are not implemented.

Ms. Ward spoke about the scope of staff participation, including bus drivers and the building maintenance crew and the team met with departments over a ten month period. Reduction plans were designed by individual departments and three reduction targets were created, including the no and low cost actions; the no, low and mid-cost actions; and the total potential municipal reduction. She referred to other reduction options, including the Kyoto Protocol or the US Mayors Climate Protection Agreement calling for 7% below 1990 levels. The no and low cost action goal is recommended by staff which would require the City to reduce its emissions to 12,105 in 2012 and 13,608 in 2020. She explained that this represents a 2% year over year reduction through 2014 and 10% from 2015 to 2020, anticipating efficiency upgrades. She emphasized that attention to electricity consumption from water distribution and building use is critical to accomplish a total reduction of 442 tons annually. The no and low implementation option costs approximately $6,600 annually and saves $19,000 in energy and fuel costs.

She asked members if they would like the Sustainability staff to return in August to decide on an action reduction target. The Mayor commended Ms. Ward on her excellent work. He pointed out that the Kyoto Protocol will be modified this year so targets are more attainable and indicated that this is a start but the City should be setting loftier goals, acknowledging there will be new helpful technologies. Candace Erickson agreed. She liked the no and low cost options resulting in savings and an opportunity to expand efforts in the future. Monthly reporting on savings and the findings from Johnson Controls was discussed.

Roger Harlan commented on the impact of the transit system on municipal operations which should be offset by potential private vehicle use. Crystal Ward believed this measure better fits in the community-wide carbon footprint as opposed to the municipal carbon reduction plan. The Mayor pointed out that the bus system and pumping water produce significant numbers, but buildings are higher and he favored staff returning in August to confirm action plans. Liza Simpson noted that the mid-level option results in significant savings and asked why this is not the recommended option. Ms. Ward explained that the mid-level represents the largest savings in carbon, but costs more to implement and in consideration of the economy staff recommended the no cost option.

Mid-level projects and costs were discussed and Ms. Simpson indicated that she would like to review medium level options in August. Joe Kernan agreed that return on investment is crucial and perhaps anything with a return of 5% would be an appropriate long term investment. The focus should be economic sense and there might be an opportunity to partner with others in the state on wind power, for example, to decrease electricity dependence.

Diane Foster pointed out that although the recommendation is low in cost it is not possible without a lot of effort. She thanked departments for buying into the program.

4. Community Visioning Report findings. Phyllis Robinson referred to her staff report detailing the history of the project and relayed that the purpose of this discussion is to present the summary findings and recommendations based on the community outreach process. Council input is solicited before finalizing the document and staff is seeking direction on moving forward with the community outreach program to present the findings of the Visioning Program and to develop the framework to address needs, concerns and issues raised during the process. She stated that staff will be returning to Council with the final report and a work plan.

Consultant Charles Buki thanked the Mayor and the Council for their support during the inquiry and specifically recognized staff members and their substantial work on the project. He referred to the upcoming 100 slide presentation and spoke about working in over 300 communities where very few have the financial resources or the capacity to tackle hard issues and set examples like Park City. He named Seattle, Santé Fe, and New York City as cities fitting in this category because of their successful innovative programs. This kind of progress is never accidental but done with intent but intent without vision often backfires and vision without commitment is the fastest way to reinforce the status quo.

Consultant Joanna Schull thanked the public for its participation. She referred to a chronological chart describing Park City's character over time and currently, the community is at a reflection point. She stated that 450 interviews were conducted and 350 comment cards collected. Questions included why did you move here, what keeps you here, and what would make you leave. Ms. Schull noted that traffic, congestion and growth were cited as deterrents and there was concern about the gap between people who have a lot and people who don't have enough. Some people have had to leave and commute because of the cost of living. People don't want big development bringing in outsiders and outside values and she spoke about protecting what is important even when it is difficult. Sense of community is prevalent and she read comments from the question what you would like Park City to be in 20 years. In summary, Ms. Schull reported that people love living here, want to be able to afford it, and don't want it to get screwed up. She explained the photograph exercise and discussed related comments. She spoke about the concerns of risk to the environment with overdevelopment and the expressed desire for more open space.

Ms. Schull stated that what makes Park City a great town is that it is a small town, in a beautiful natural setting, with a great sense of community which also makes it highly desirable but many communities have these three qualities. What makes Park City unique is world class skiing, arts and culture, and property ownership opportunities. Charles Buki pointed out that the three core attributes are non-negotiable with the citizenry. The other three are very important but all six components need to be balanced. Discussion ensued on the impact and the future of the ski industry in Park City and how preserving open space drives the price and affordability of property. Ms. Schull suggested using economic, environmental, and quality of life filters to evaluate projects. She noted that there was a lot of discussion about equity and the ability for generations to live here and being able to live and work in the community. Mr. Buki advised that decisions on projects be based on a portfolio approach.

Candace Erickson discussed the attraction of living in certain towns, resulting in rising real estate prices. Not everyone will be able to live here because of the cost of living and because space is limited. Joanna Schull explained the value of having citizens understand the trade-offs in making decisions. Joe Kernan asked for clarification on the equity lever. Ms. Schull felt it means affordability, fairness or acceptability and Mr. Buki added that equity represents values. He stated that many hours went into wording and the team felt this was the best way to describe comments which were broader than diversity and equity seemed more fitting.

Liza Simpson thanked the consultants for their work and specifically commented that the equity filter could apply to many discussions on a variety of issues. Roger Harlan described communities as having values that are sustained throughout the years even with a changing population. Mr. Buki reiterated that the three core values of sense of community, small town, and natural setting must be protected at all costs.

Phyllis Robinson discussed bringing the information to the community and returning to Council with a work plan and a final report. These findings tie into the rewrite of the General Plan reflecting the core values of the community and should be applied when analyzing projects and formulating recommendations. She relayed that the timing for community meetings will be determined soon.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 9, 2009

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 9, 2009. Members in attendance were Dana Williams, Candace Erickson, Roger Harlan, Joe Kernan, and Liza Simpson. Jim Hier was excused. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jed Briggs, Budget Analyst; Todd Touchard, Project Manager; Tom Eddington, Planning Manager; and Matt Cassel, City Engineer.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Joe Kernan disclosed that Talisker is among his recycling customers. Mayor Williams stated that he misspoke during work session about Mr. Kernan's communication with Arts-Kids who heard about remaining grant funds on the radio, not through a phone call.

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

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JUNE 18, 2009

Roger Harlan, "<u>I move approval of the work session notes and minutes of the meeting of June 18th</u>". Liza Simpson seconded. <u>Motion carried</u>.

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

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")*

Liza Simpson, "<u>I move that we approve Consent Agenda Items 1, 2 and 3</u>". Roger Harlan seconded. <u>Motion carried</u>.

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

Liza Simpson	Aye

1. Consideration of waiver of building-related fees in the amount of $3,735 for the Fairway Hills Pump Station – See staff report.

2. Consideration of waiver of building-related fees in the amount of $61,369 for the Snow Creek Cottages Housing Project, located at 2060 Park Avenue, Park City, Utah – See staff report.

3. Consideration of a contract with Alliance Engineering in the amount of $39,115 for construction, engineering, management and inspection for the Fairway Hills finished waterline, in a form approved by the City Attorney – See staff report.

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

1. Consideration of an Ordinance establishing compensation for the Mayor, City Council and Statutory Officers for Fiscal Year 2009-2010, Park City, Utah – Jed Briggs explained that state law mandates that compensation for the Mayor, Council members and other statutory officers be set by ordinance and the adopted budget includes a 2% increase across the board for all pay grades. The Mayor opened the public hearing; there was no input and the hearing was closed. The City Manager explained that the amount reflected in the ordinance is 4% above actual compensation because members declined to take the 2% last year. Members were not comfortable accepting the full 4% and agreed to a 2% increase. Liza Simpson, "I move we approve the Ordinance (as modified) establishing compensation for the Mayor, City Council and statutory officers for Fiscal Year 2009-2010". Joe Kernan seconded. Motion carried.

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

2. Consideration of a construction agreement with Granite Construction in the amount of $1,276,572 for the construction of the Bonanza Drive Reconstruction Phase 1, in a form approved by the City Attorney – Todd Touchard described the location of the transmission line. He stated that bids were favorable and Granite was the low responsive bidder. Thomas Eddington referred to mixed positions on installing medians on Bonanza Drive and relayed that planning staff is recommending not installing them until a thorough analysis can be conducted for the area. Matt Cassel pointed out that the only medians remaining are located from Deer Valley Drive to upper Iron Horse and from Kearns Boulevard to Prospector Avenue. There are no restricted left turns from Deer Valley Drive to upper Iron Horse. Mr. Cassel explained that it is not a big deal pulling out the medians but the lanes may have to be realigned.

Ms. Erickson asked if planning has a problem with the medians from Deer Valley Drive to Iron Horse and Mr. Eddington explained that the planning staff is trying to look at this comprehensively and spoke about traffic modeling and scenarios where medians would hinder a future plan. Also, redevelopment plans for the NOMA District are uncertain at this time. Compromising the road by making adjustments or adding improvements in another phase was discussed.

Matt Cassel recommended installing the two remaining medians in the plan. Candace Erickson and Roger Harlan favored keeping the medians in place while Liza Simpson and Joe Kernan supported removing all of the medians. The City Manager explained that the contract will be modified appropriately. Liza Simpson, "I move we authorize the City Manager to execute a construction agreement for the reconstruction of Bonanza Drive, sans the medians, Phase 1 with Granite Construction in a form approved by the City Attorney in an amount not to exceed $1,275,572". Joe Kernan seconded. Motion carried.

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

3. Consideration of an Ordinance amending Title 2, Administration, and Title 11, Building and Building Regulations, of the Municipal Code of Park City, Utah – Mark Harrington pointed out conflicting language regarding fee waivers and is recommending that the City Manager be authorized to waive fees up to $5,000. Amendments to Title 11 reflect 2008 amendments to state code and increased the Mayor's ability to vote in two instances, including on matter's affecting the Mayor's authority and employment of the City Manager. The remainder of the changes are more technical and a clarification was made regarding new positions being reviewed by Council as previously requested. The Mayor opened the public hearing; there was no input from the audience and the hearing was closed.

Roger Harlan, "I move approval of an Ordinance amending Title 2, Administration and Title 11, Building and Building Regulations of the Park City Municipal Code". Joe Kernan seconded. Motion carried.

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

4. Consideration of an Ordinance amending Title 15 Land Management Code, Chapters 1, 2, 5, 11 and 15 related to the adoption of updated Design Guidelines for Park City's Historic Districts and Historic Sites – Consultant Dina Blaes recommended that the City Council adopt the Land Management Code amendments and the Historic District Guidelines by way of a resolution which will be applied to historic properties and sites throughout Park City. She assured Council members that clarifications and previously discussed modifications have been made. It is recommended that the LMC amendments be adopted first. The Mayor opened the public hearing and hearing no comments from the audience, closed the hearing. Liza Simpson, "I move we approve the LMC amendments related to the adoption of updated Design Guides for Historic Districts and Sites". Joe Kernan seconded. Motion carried.

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

5. Consideration of a Resolution adopting Historic District Design Guidelines for Park City, Utah – See comments under Item 4. The Mayor opened the public hearing.

Ken Martz, representing the Historic Preservation Board, stated that members support the Design Guidelines developed over the past three years. There has been good participation by the public, professionals and the Planning Commission.

Joe Kernan, "I move we approve the Resolution adopting the Historic District Design Guidelines for Park City, Utah". Candace Erickson seconded. Motion carried. Dina Blaes stated that it has been a wonderful experience working on this project with staff, the HPB, Planning Commission, City Council, and the public. Motion carried.

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

VII OLD BUSINESS *(Continued items)*

Consideration of an Ordinance annexing approximately 286.64 acres of property located at the southwest corner of the SR248 and US40 interchange in the Quinn's Junction area, known as the Park City Heights Annexation, into the corporate limits of Park City, Utah, and approving a Water Agreement, and amending the Official Zoning Map of Park city to zone the property in the Community Transition Zoning District (CT) – Mark Harrington explained that the bulk of the discussion will be during the upcoming Housing Authority meeting. Since there is no update to share on the annexation project, he asked that a motion be made to continue this item to July 30, 2009. The Mayor opened the public hearing; there was no comment from the public. He requested a motion to continue to July 30, 2009. Candace Erickson, "I so move". Liza Simpson seconded. Motion carried.

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

VIII ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

IX ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 5:30 p.m. Members in attendance were Mayor Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Thomas Eddington, Planning Manager; and Mark Harrington, City Attorney. Joe Kernan, "I move to close the meeting to discuss personnel, property and litigation". Liza Simpson seconded. Motion carried. The meeting opened at approximately 6 p.m. Roger Harlan, "I move to open the meeting". Candace Erickson seconded. Motion carried.

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

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

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Janet M. Scott, City Recorder