PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JUNE 28, 2007

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

Tom Bakaly, City Manager; Kathy Lundborg, Water Manager; Matt Twombly, Trails Project Manager; Clint Daley, Parks & Golf; Bret Howser, Analyst; Ken Fisher, Recreation Manager; Lloyd Evans, Chief of Police, Erick DeHaan, City Engineer; Alison Butz, Project Manager; Patrick Putt, Planning & Zoning Administrator

1. Council questions/comments. The meeting was preceded by a brief birthday celebration for Councilor Roger Harlan.

Marianne Cone reported on her trip to Sun Valley where wild fires are out of control; she expressed concerns about our area and requested discussion later in the meeting. She stated they utilize zebra crossings at crosswalks and requested that Staff gather information about Ketchum's pedestrian safety programs, which are very effective. She enjoyed the Less Coal Initiative presentation given by the Utah Physicians for a Health Environment; Wasatch Back Environmental Alliance discussed collaborative issues; and, the Inter Agency Task Force received an update about seniors' issues. She complimented Stacey Noonan for having an article in the Utah Business Section of the *Salt Lake Tribune* about the rink re-opening, and thanked UDOT for resurfacing Deer Valley Drive.

Roger Harlan thanked Human Resources for their kind birthday message. He commented that a number of trucks had been pulled over because they didn't meet inspection and encouraged Staff to keep safety a high priority. Just a year ago, Council had been in the area around Lake Tahoe that is now on fire and he stressed the need for vigilance of the City, Summit County and Wasatch County in fire prevention efforts

Jim Hier reported that the Inter Agency Task Force discussed solid waste management and noted the City and Snyderville Basin Water Reclamation District were partnering with the County to select a long range planning consultant. The Chamber Bureau Board approved its annual budget of $4,884,000, roughly 10% higher than last year. They discussed the Quick Start Program for which tickets are provided by the three local ski areas. In the past four years, they had seen over 100,000 redemptions and 38% of those were first-time visitors to the area. The Visitors' Centers are receiving about 120,000 visitors per year.

Candace Erickson reported the League of Cities and Towns Task Force crafted recommendations to the legislature that would allow any town to change its form of government "peacefully"; however, if there were objections from the Mayor or Council, it would require a vote of the people following two public hearings. Towns who currently have this form of government will be grandfathered. Tom Daley attended discussions on statewide water use. She had also attended the Less Coal Initiative presentation.

Mayor Williams attended the Jazz Foundation Board Meeting and encouraged them to pursue a green festival. He thanked Pace Erickson for the update regarding testing alternative applications of asphalt. He participated in the Less Coal Initiative presentation and discussed the severe impacts coal plants have on air quality.

2. Questions/comments on regular agenda - There were none.

3. Environmental Action Plan – Alison Butz, Project Manager, presented the Environmental Initiatives Action Plan, which had been refined to include the goals, policies and action steps. If Council approves this document, Staff will proceed with the top priority action steps and will provide monthly updates to the Environmental Liaisons and biannual updates to Council. As an example, Staff will implement an inventory of CO2 emissions from City operations which will provide a starting point for exploring ways to reduce those emissions.

Joe Kernan suggested that when considering alternative energy sources, Staff also analyze CO2 reduction, as well as costs of solar panels, wind power, etc. Candace Erickson concurred that would provide a better understanding because the return on investment may not be as high, but there may be better CO2 return. Marianne Cone suggested an educational component about the geo-exchange system at the Police Facility. Ms. Butz agreed to add the additional analysis and stressed that education is in the forefront of Staff's minds.

Mayor Williams proposed that Council Members have energy rating of their homes conducted by Rocky Mountain Power and publish the results. He felt it would be interesting to compare the ratings for their homes were located in various areas of the community.

Marianne Cone suggested using standardized lighting for the City's facilities. Ms. Butz noted Staff was releasing an RFP for firms to conduct an energy audit for all City buildings. At the present time, lighting is not uniform which prohibits bulk purchasing. Staff hopes to eventually develop a standard system to create savings not only for electricity, but Building Maintenance time. Councilor Cone relayed citizen comments about the different styles of exterior lighting and Alison explained that neighborhoods throughout town intentionally had different looks to differentiate and define the areas. Ms. Butz summarized that Staff would return in August with suggestions for the Marsac Building resulting from an energy analysis funded by Rocky Mountain Power.

Mayor Williams complimented the efforts and expressed a desire for the Sustainability Group to visit San Francisco's single stream recycling facility. Council members thanked Staff for their efforts.

Mayor Williams allowed time for public input since the item was scheduled for approval on Consent Agenda.

Insa Riepen, Executive Director of Recycle Utah, suggested the City encourage and provide monetary incentives for those who can't afford to have energy audits. She noted that San Francisco had banned plastic bags and was working to ban plastic water bottles and encouraged Park City to be second in line for those initiatives. She thanked City Officials for starting at the top. Council Members Hier and Erickson preferred helping with changes rather than audits.

Karen Dallett, local business owner and Wasatch Back Environmental Alliance member, felt the group was making great strides. She announced that she and Chris Cherniak will host a weekly radio program to encourage individual sustainability beginning July 8.

4. Water Drought Plan – Kathy Lundborg, Water Manager reported that following the declaration of Park City's Stage I Drought yesterday, consumption increased overnight by 100,000 gallons. Due to increased consumption and lower sources, Staff recently reviewed the Drought Plan and that prompted the proposed modifications because Staff identified areas of the plan that prohibited any flexibility for City operations. A Stage III Drought prohibits all outdoor watering and if the City cut off watering on the golf course and all recreational fields, it would create an unsafe environment. Clint Daley manages the Parks and Golf Water Conservation Plan and very careful management will be practiced during all stages of drought.

Ms. Lundborg reported that Judge Tunnel flows are down and Theriot Springs is producing only 820 gallons per minute, as opposed to 4,000 which is typical this time of year. She stressed water availability was not going to improve from a source standpoint; it would depend on management of consumption.

Roger Harlan asked whether there was an explanation for the 30% growth in usage. Ms. Lundborg reported that it appeared to be increased demand per unit because people began watering much earlier due to the heat and dry weather. She believed when people receive their current water bills conservation efforts may increase. She stated the Water Department was working with property managers to obtain emergency contacts and lists of properties, as well encouraging them to be proactive and monitor timers. She also noted they had been issuing warnings about conservation measures even prior to the Stage I Drought and now abusers will be cited and fined.

Joe Kernan asked how the Parks and Golf Water Reduction plan related to the three Drought Stages. Ms. Lundborg explained stages one through three of the Parks and Golf plan related directed to the drought ordinances, and stages four and five would be reserved for water emergencies where we actually shut people off for periods of the day. Mr. Kernan asked what to expect if we experienced Stage III Drought event; would restrictions be in effect for a week, or alternate a week on and a week off. Ms. Lundborg explained it would be dependent on how sources were doing and how much demand is lowered. When asked about shutting off areas on a rotating basis, Ms. Lundborg explained enforcement would be very difficult. She stressed it was overall peak demands that depleted the system and educating the public was a key factor in reducing use.

Ms. Lundborg referred to the difficulty of running the pump stations 24/7 and not being able to refill the tanks because of constant demand. She stressed that the City's fire storage was at risk. Roger Harlan expressed grave concern and wondered whether moving to Stages II and III would be enough. Ms. Lundborg believed storage could increase if there was no outdoor watering.

5. Election Update

Cindy LoPiccolo, Elections Official, reported that County Clerk Kent Jones had just confirmed that Optical Scan Voting Systems were an option. City Council can decide whether to use electronic voting machines or optical scan systems and the County will support it. The Staff Report provided detail analysis of the options and she requested direction from Council.

Marianne Cone noted the difference in prices and asked whether training costs were additional. Ms. LoPiccolo stated training costs were approximately $23 per person and we would provide training for the optical scan systems. There are other election costs; these prices are just for the systems.

Jim Hier asked whether we were considering central count, or precinct count systems. Ms. LoPiccolo explained Park City had the option for either, but Staff felt the central count system was better because it would reduce the need for support staff and allow all counting to be done on one machine. Candace Erickson suggested it might be more economical if other cities in the County shared a counting system. Based on Staff's recommendation, Council Members endorsed optical scan with centralized counting as outlined in Option 1.

6. Fire Issues - The meeting was running ahead of schedule, so Marianne Cone requested discussion about fire issues. She asked whether we could use the electronic signs to advertise high fire danger, even though we are unable to ban fireworks for the 4th of July celebration.

Chief Building Official and Fire Marshal, Ron Ivie, discussed the proposed Fireworks Ordinance Regulating the Use and Sale within Park City during the 2007 fire season. He referred to scientific measures of determining a dry vegetation index and believed the cold storm at the beginning of June kept moisture up long enough to delay drying sufficiently to institute an outright ban of fireworks for the 4th of July. He assured Council we would use all avenues to ensure the public knows Park City would have a nice public display and they should attend as opposed to using private fireworks. He noted if people opted to use a risky product, there are liability issues if there are accidents. He assured Council we had support from the fire district, neighboring districts and Summit County if we ban them. The proposed ban is effective July 8 through October 1, 2007.

Joe Kernan asked if there would be changes in the future that would allow cities to implement this type of ordinance any faster. Mr. Ivie explained the significant lobby from the fireworks industry and retail merchants associations behind the defeat of similar attempts.

Public Affairs Director Myles Rademan agreed to incorporate this with messaging regarding the Drought and would look into message boards as well.

7. Conduit financing for the United States Ski and Snowboard Association

Bret Howser, Financial Analyst, introduced Mark Lampe, CFO of United States Ski and Snowboard Association; Jerry Nowlin, Senior Vice President of Wells Fargo Public Finance; and, Blake Wade, Bond Counsel with Ballard & Spahr. He explained that USSA had approached the City to engage in conduit financing to help build the Center for Excellence at Quinn's Junction. Since this is the first time Park City might be doing this, he explained what conduit financing is and the policy created to govern such requests.

Mr. Howser explained that governmental entities are used as a pass-through for a non-profit entity to issue tax-exempt bonds at a better rate. The governmental entity does not pledge funds and has no legal liability for repayment; however, it does count toward the City's bank qualification threshold. He reviewed the administrative policy that Staff developed based primarily on 1) the purpose of the conduit financing; 2) credit-worthiness of the borrower; and 3) consideration of impact on City's ability to issue debt.

Mark Lampe, Chief Financial of the United States Ski and Snowboard Association, explained the long-awaited project would put the national headquarters and training center on the map. The facility will be state of the art and will not only provide training amenities, but testing and rehab centers. The Board approved spending $22.5 million to build and equip the building, and tax-exempt financing offered an opportunity to stretch their dollars.

Mr. Howser explained Staff evaluated the request in the context of the policy outlined and favorably recommended moving forward with the request to provide conduit financing for USSA.

Marianne Cone asked if this would affect a walkability bond. Bret Howser explained the bank qualification threshold applied to calendar years and the walkability bond would not be issued until 2008 if it were successful in the 2007 elections.

Mark Lampe explained their revenue stream was $40 million a year, and it was their mission to maximize money available for programs. They have $55 million in pledges towards their capital campaign, $30 million of which has already been given to them. They expect those endowment earnings to remain level and grow.

Mark Lampe indicated they hoped the bond would be priced and closed by mid-September, and funded by the end of September. They plan to begin construction in August and will bridge expenses from existing resources until the bond is in place.

Jim Hier fully supported this outstanding method for the City to participate at no risk. Other Council members concurred and supported moving forward.

Bret Howser indicated Staff would finalize agreements and the Parameters Resolution would be presented to Council on July 12 for adoption, followed by a public hearing in August, the bond resolution in September with bond issuance in late September. Roger Harlan asked what the savings were to USSA by utilizing this option and was informed it was roughly 1% per year or $200,000 per year over 20 years.

8. Dog Park-Quinn's Recreation Complex Recommendation – Matt Twombly, Project Manager, reviewed prior discussions with Council regarding a dog park at the base of PC Hill which resulted in direction to identify a site at Quinn's Junction. Staff enlisted the help of the facility architect and developed four potential sites. Staff recommended area two, and requested direction from Council to proceed with amendments to the Master Planned Development for the Quinn's Ice Arena and Sports Complex.

Mr. Twombly explained the road alignment shown on the exhibit was dependent on the ultimate location of the frontage road to the new Intermountain Health Care hospital, but Staff was confident of the location and would know within a month if that was approved by UDOT and what the timing would be. He added that IHC would complete the road construction and would pay for the parking lot reconfiguration and construction. They are also compensating the City for the subgrade work that was already done in that area.

Marianne Cone asked about the cost for irrigation and Matt Twombly explained it made sense to install the irrigation now for future use. If we don't make the connection prior to trail work and the other infrastructure, we would lose the possibility of doing that. The lawn area is not defined, but it would be within the dog park.

Roger Harlan asked whether these prices took into consideration appreciation for materials and labor. Mr. Twombly noted the greatest expense was fencing, but based on similar fencing that estimate was fairly close.

Council members believed this was a workable solution and applauded Staff's efforts.

Prepared by Sharon Bauman, Analyst II

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 28, 2007

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at 6:00 p.m. at the Marsac Municipal Building on Thursday, June 28, 2007. Members in attendance were Dane Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier and Joe Kernan. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Kathy Lundborg, Water Manager; Matt Twombly, Trails Project Manager; Bret Howser, Analyst; Ken Fisher, Recreation Manager; Alison Butz, Project Manager; Ray Milliner, Planner; Ron Ivie, Chief Building Official and Fire Marshal; and Max Paap, Special Events.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Joe Kernan reported that USSA is a recycling customer. Candace Erickson received call from citizen regarding the condition of the cemetery and thanked the Parks Department for responding in a timely manner.

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

Randy Barton, founder of Mountain Town Stages, thanked the City for its past support. Urged the City to maintain vibrancy on Main Street and expressed concern about the potential loss of music on Lower Main Street. He talked about the difficulties of bringing music to the area. The stages in lower Main Street area are in jeopardy of being removed.

City Manager Bakaly noted these are in the Village on Main and the new owners had received complaints about the stage on the north end. The stages are allowed by ordinance, but removal is at the discretion of the management. Staff attempted to facilitate a solution, but the property owners elected to remove the stage.

Randy Barton thanked Staff for their efforts and requested that Council provide individual and group support to the effort to allow the stages to remain.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JUNE 14, 2007

Roger Harlan, "I move approval of the work session notes and minutes of June 14, 2007 as modified by Joe Kernan." Joe Kernan seconded. Motion unanimously carried.

V CONSENT AGENDA PUBLIC HEARINGS *(items listed will be open for public hearing prior to consideration for adoption or rejection; hearings may also be continued by vote of the Council)*

1. Consideration of an Ordinance regulating the use and sale of fireworks within Park City during the 2007 Fire Season – Ron Ivie, Chief Building Official, was present to answer questions. The Mayor opened the public hearing, and with no comments, closed the hearing.

2. Consideration of an Ordinance approving a one year extension of a subdivision of Lots 4, 27, 28, 29 and portions of Lots 5 and 6 of Block 3 of the Park City Survey, located at 315 Park Avenue, Park City, Utah – Ray Milliner, Planner, reviewed the request for a one year extension to a plat amendment originally approved in 2006. There are no significant changes in the status of the property and Staff recommends that Council grant the extension pursuant to the Ordinance following their public hearing. Marianne Cone stated the historic house was gone and asked if this increased density. Mr. Milliner stated it combined 3½ lots into 2 lots. The footprint of house will be larger, but design plans have not been submitted. Mayor Williams opened the public hearing.

Marian Lintner, adjacent neighbor, asked whether this ordinance concerned the lots, or whether they were reviewing plans for the houses. She believed the code contained a loophole because it allowed a small portion (approximately 250 square feet) of the lot behind hers to be included in an adjacent lot. That increases build ability on the lots even though nothing can be constructed on that portion. She expressed a desire to purchase that piece of the lot. Planner Milliner explained the additional square footage would increase the footprint an additional 30 square feet.

With no further input, Mayor Williams closed the hearing.

3. Consideration of an Ordinance amending Title 13, Water Code, of the Municipal Code of Park City, Utah to amend Section 13-1-26 to provide for reduced water consumption during drought or other emergency – Kathy Lundborg, Water Manager, was present to answer questions. Council had discussed the issue during work session. Mayor Williams opened the public hearing.

Rory Murphy stated one cannot live in Utah and not understand the theory behind the drought ordinance and it makes common sense and should be supported. However, as a developer, he has new plantings that need water to survive. He wondered whether there could be a phased approach allowing discretion for watering schedules for new plantings.

Water Manager Kathy Lundborg clarified that Stage I Drought restrictions are voluntary, but require strict adherence to the Ordinance. Watering is allowed between 7PM and 10AM, every other day, but we will not benefit from Stage I or II Drought restrictions if exceptions are granted for new building.

Michael Cornu, Red Barn Design Build, stated they were involved in Rory Murphy's project as well as many in Empire Pass. Over the past 25 years, they have cut back on water use, used native grasses, and done their share voluntarily. He stressed they had taken strong approaches, created proactive designs and are voluntarily adhering to the Stage I Drought, but are very concerned about Stages II and III. He presented a sample application for exemption from water restrictions in drought emergency areas and asked Council to consider them.

Joe Kernan expressed curiosity about whether we could achieve goals by cutting back on lawns and established planting areas. He did not want to create an economic impact on people planting new things and would not have problem allowing Staff to make determinations that would allow hand watering for new plantings.

Jim Hier sympathized with the economic impact on the landscaping business as a whole, but he was not sure it was right to allow exceptions at this point in time. Marianne Cone concurred and noted they had to protect everybody. Mayor Williams hoped people would spread the word and stressed Council was concerned about having adequate water in the tanks for fire suppression. If people are careful, there should be no reason to proceed to Stages II or III.

Kathy Lundborg stressed this was based on prioritizing the health, safety and welfare of public. She was very concerned about experiencing major problems if they have to keep running the system as it is. Joe Kernan felt some quantification would be helpful to understand the demand per unit and she assured him they had begun analyzing this.

With no further input, Mayor Williams closed the hearing.

VI 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")

Marianne Cone corrected Item 6, which should read "Park City Summit County Arts Council."

Marianne Cone, "I move approval of Consent Agenda Items 1-6 with the change to Item 6." Joe Kernan seconded. Motion unanimously approved.

1. Consideration of an Ordinance regulating the use and sale of fireworks within Park City during the 2007 Fire Season - See Staff Report and Work Session discussion.

2. Consideration of an Ordinance approving a one year extension of a subdivision of Lots 4, 27, 28, 29 and portions of Lots 5 and 6 of Block 3 of the Park City Survey, located at 315 Park Avenue, Park City, Utah - See Staff Report and public hearing.

3. Consideration of an Ordinance amending Title 13, Water Code, of the Municipal Code of Park City, Utah to amend Section 13-1-26 to provide for reduced water consumption during drought or other emergency - See Staff Report, work session discussion and public hearing.

4. Consideration of a Resolution declaring Park City's vision, goals, policies and action plan in promotion of environmental initiatives for Park City Municipal Corporation and the community - See Staff Report and work session discussion.

5. Consideration of a lease with Mountain Trails Foundation for space within Miners Hospital, in a form approved by the City Attorney - See Staff Report

6. Consideration of lease with Park City Summit County Arts Council for space within Miners Hospital, in a form approved by the City Attorney - See Staff Report

VIII NEW BUSINESS *(new items with presentations and/or anticipated detailed discussions)*

1. Consideration to authorize the City Manager to enter into a purchase agreement in a form approved by the City Attorney's Office with Yeadon Fabric Domes, Inc. in the amount of $190,500 to purchase a new tennis bubble for the Racquet Club – Ken Fisher, Recreation Manager, stated the existing bubble has been in place for 13 years. Per a discussion with Jim Hier, he reported the bubble generates approximately $50,000 in gross revenue during the six months it is in place and the courts are booked 30% of the time. He explained it was constructed of very resilient fabric and had only been knocked down three times in the past 13 years. Roger Harlan stated he was on Council when they first authorized the purchase of the bubble and was impressed at its longevity. He felt it was an excellent investment. Ken Fisher stated they would try dispose of the old bubble either through auction or the supplier. There was no public input.

Roger Harlan, "I move to authorize the City Manager to enter into a purchase agreement in a form approved by the City Attorney's Office with Yeadon Fabric Domes, inc. in the amount of $190,500 to purchase a new tennis bubble for the Racquet Club." Jim Hier seconded. Motion was unanimously approved.

IX ADDITIONAL DISCUSSION – AGENDA ITEMS - There was none.

X ADJOURNMENT

With no further business, the regular meeting fo the City Council was adjourned at 6:50 p.m.

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 Sharon Bauman, Analyst II.