

**PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JUNE 26, 2008**

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

**Planning Commission Members Jack Thomas, Evan Russack,
Adam Strachan, Dick Peek and Julia Pettit**

**Tom Bakaly, City Manager; Mark Harrington, City Attorney;
Gary Hill, Interim Planning Director; Dina Blaes, Preservation
Consultant**

1. Council questions/comments. Joe Kernan shared information about local construction costs and suggested that Park City compare costs with other communities. Liza Simpson thanked everyone who worked on the IMBA event and noted Matt Twombly did an excellent job on the panel discussion. She and Roger Harlan commented that the celebration for outgoing Chief Lloyd Evans was an exceptional experience. Mr. Harlan reported that Main Street merchants will be monitoring the Triple Crown events to see how it affects their establishments. Jim Hier reported the Uniform Building Code Commission overturned its initial decision to allow municipalities to designate zones for water conservation requiring low flow fixtures; they felt the building code was not the appropriate place for that type of statement. He reported the Chamber had passed their budget and new marketing plan. Mayor Williams echoed the comments about IMBA and welcomed NORBA to Park City. He discussed a change in Federal Law that could encourage more people to participate in conservation easements.

2. Joint work session with Planning Commission on Historic District Guidelines. Gary Hill, Interim Planning Director, and Dina Blaes, Preservation Consultant, introduced the discussion and noted this meeting would begin a series of discussions and unresolved issues would be continued to joint meeting in August. Knowing the public would like to provide input, he suggested they review topics to a time certain, and then open the meeting to public input.

Mayor Williams proposed that Planning Commission be included in the review of the final Historic Preservation Board recommendation.

Jim Hier stated it was important that Planning Commission review the proposed guidelines in concert with the Land Management Code to determine what LMC modifications may be necessary and identify whether there were internal conflicts within the guidelines that might be able to be resolved at the Planning Commission level before it is presented to Council. He believed the Historic Preservation Board was the appropriate body to create these policies and would not expect the Planning Commission to develop new policies for the Historic District.

Mayor Williams requested a visual display comparing historic homes that had retained original footprints, historic homes that had additions, new homes that are being built in the Historic District, etc., to see how differing design concepts over the past few years had, or had not, met the intent of the Code.

Liza Simpson requested the inclusion of recent structures that have been approved and built, but do would not be allowed under the new guidelines. She, too, wanted to understand unintended consequences of the guidelines. Candace Erickson concurred it was helpful to compare actual built examples with the guidelines and codes.

Planning Commissioner Jack Thomas added it would be extremely helpful for the Historic Preservation Board and the Planning Commission if graphical representations were included in the proposed guidelines.

Dina Blaes, consultant, explained the process began after adoption of the Historic Building Inventory in October 2007. The Historic Preservation Board engaged in lengthy discussions on preservation issues the City has faced in the past few years: panelization; new construction; use of substitute materials; and a policy approach of how to allow reclaimed building materials to be used. They also discussed the disparity between owning an historic building or a vacant lot and how applicants may feel they were treated in those situations. They are trying to create a comprehensive method of addressing all development within historic district, not just the historically significant buildings. The draft Design Guidelines reflect policy directives from the Historic Preservation Board and the Staff Report presents suggestions based on practicality and recognized best practices within the historic preservation field.

Based on direction given at a joint Planning Commission, City Council, Historic Preservation Board work session, Staff pursued a two-tiered approach to universal design guidelines, which is in keeping with National Preservation Standards but also recognizes the need for specific interpretation for development issues in Park City.

Ms. Blaes stated the HPB held public hearings on June 2 and 16 and received comments from developers, architects and owners in Old Town. Comments focused on how the guidelines would fit into the process to maintain consistency and fairness. They also received comments about parking issues and height requirements.

Ms. Blaes emphasized the importance of the Planning Commission being versed in the Design Guidelines in order to ensure there are not conflicts with at the Land Management Code. She stressed that the review of the Design Guidelines and associated Land Management Code amendments would advance concurrently.

City Manager Tom Bakaly requested clarification that the role of the Planning Commission was to review the Design Guidelines in the context of the Land

Management Code to identify potential conflicts, not to conduct an independent review of the guidelines.

Council Member Liza Simpson noted that Ms. Blaes had already identified areas where the LMC may need to be changed and she wanted the Planning Commission to be grounded in the direction the document is going. Council Member Hier agreed and he requested that the review also consider any conflicts within the document itself.

Planning Commissioner Dick Peek asked whether the Commission could make suggestions as he felt they could identify issues that affect both the Land Management Code and the Design Guidelines. Commissioner Evan Russak suggested they might be able to identify issues that based on their experiences. Jim Hier encouraged their analysis and noted there may, or may not, be a better concept in the LMC; however, they may need to change the LMC to adapt to the Guidelines. He stressed the main purpose was to create a feasible document that could be integrated into the Land Management Code and he did not expect this to be a policy review.

To help clarify the process, City Attorney Mark Harrington explained that Municipal Code Sign Code amendments are presented to Planning Commission for courtesy review against the Conditional Use Permit regulations of the LMC prior to recommendation to Council. He believed the goal of having Planning Commission review of the Design Guidelines was broader than a narrow check-off, but not a total policy review.

Mayor Williams Dana emphasized it was important to receive input not only from the HPB and citizenry, but the Planning Commission as well. If that means time lines need to be extended, it is worth it.

Council Member Roger Harlan stressed that both groups have guidelines and the community will be better served by the expertise and perspective provided by both the Historic Preservation Board and the Planning Commission. He acknowledged this would take time, but believed we would appreciate and salute the end result.

Council Member Hier clarified that he did not want a *de novo* review of entire document and Planning Commission's review should focus on reasonable, practical, reconciliation of the Guidelines with the Land Management Code.

Planning Commissioner Julia Pettit requested that the Planning Commission conduct their review in tandem with the Historic Preservation Board so the process was more dynamic.

Planning Commissioner Jack Thomas argued this had a broader impact on the entire community than the Sign Code. Jim Hier agreed and noted this process would extend over numerous work sessions and the amount of time spent will be significant. Council Member Candace Erickson emphasized that this is not a "cursory" review and input

from the Planning Commission may help the Historic Preservation Board with their process.

Ms. Blaes directed members to Historic Preservation Policy Issues in the Staff Report. Due to recent public discussion concerning construction in the historic district and Historically Significant homes, Staff wanted to clarify what the Design Guidelines will and will not do. Design Guidelines are written as a method to achieve design within legal requirements that are listed in the Land Management Code. Staff provided examples of 12 buildings that were undergoing remodel or being enlarged at the time the survey was being done. They were removed from the initial review because of the size and scale, which has more to do with the City's definition of integrity and significance in the LMC than the Design Guidelines. All the buildings went through design review process, but there was an inconsistency between the interpretation and the standards of review.

Ms. Blaes noted the Historic Preservation Board held lengthy discussions about size additions for historically significant buildings and decided not to limit sizes, but expressed concern about buildings that may be eliminated from the list when the next inventory is done. She stressed this was a policy issue and posed the question of whether the City wanted to limit the size of development so it can fall into the National Park Service's approach to integrity, or whether they wanted to change the way they define integrity in the Land Management Code to accommodate buildings that have had substantial additions to them.

Mayor Williams expressed concern over comments voiced the last few years that the historical status of Old Town was in jeopardy. He commented on houses that fit the guidelines, but were incongruous with the surrounding properties or the neighborhood. He didn't know whether it was necessary to stick to a certain size percentage, but that should be part of the consideration in determining what should happen on a property.

Roger Harlan commented it may be onerous to have a percentage, but suggested that ten years down the road we may be more satisfied with the end result if footprint sizes were limited.

Council Member Candace Erickson requested clarification about Land Management Code exemptions for projects proposing additions of up to 200% of original footprint that comply with design guidelines. Ms. Blaes explained that off-street parking, for example, was not required for historically significant buildings. Ms. Erickson believed that additions of any size that did not comply should be denied, and she supported limiting footprint sizes. She expressed dismay over the large structure in the Master Planned Development next to Ron Whaley's house on Park Avenue, and wanted to ensure that type situation can be prevented in the future.

Planning Commissioner Adam Strachan suggested that in order to retain Old Town's historic feel the Guidelines should more closely approach those of the Standards of

Review for Historical Significance. He did not favor lowering the standards and redefining “integrity” in the LMC in order to keep historically significant homes with very large additions on the inventory.

Commissioner Dick Peek suggested the issue might have more to do with primary viewing angles, not necessarily the footprint size. He noted that the addition on 291 Daly was subservient to the historical structure, whereas the angle of the addition on 297 Daly was very prominent. He pointed out that 937 Park Avenue had a very prominent addition very close to the street; however, it retained its listing on the inventory.

Dina Blaes explained that 937 Park Avenue was the “poster child” for additions. This project sought a loan from Utah Heritage Foundation and tried to get tax credits but was denied because it was viewed as an enormous addition. It went through a significant vetting process within the preservation field and transition elements were added to bring it more in line with standard preservation policy. It was interesting to see the progression from the uproar 937 Park caused, compared with 297 Daly, which is part of the next generation of large additions.

Interim Planning Director Gary Hill clarified the Historic Preservation Board’s decision about not limiting the size of additions was a result of their concern for fairness between owners of vacant lots and owners of historic homes.

Commissioner Pettit believed one of the issues in the Historic District was the impact of infill projects and how new home construction related to a neighborhood of existing historical homes. In fairness to size restrictions placed owners of historical homes, there should be some limitations on size for empty lots in historical neighborhoods.

Council Member Simpson emphasized the HPB members were not against finding a mechanism to address the context of the street and sizes of surrounding buildings, but they were not comfortable picking 200% as the standard.

City Attorney Mark Harrington noted that many people owned their homes before the Historic Preservation regulations took effect in the 1980’s and the demolition regulations took effect in 1989-1990.

Commissioner Evan Russack emphasized the need for a clear set of guidelines so rulings can be consistent and applicants have a clear understanding of what they can or cannot do. The idea of context zoning is important for maintaining consistency within neighborhoods. Determining what the community wanted for the historic core will help shape these discussions.

Council Member Joe Kernan expressed concern that the more clarity we provide, the less flexibility applicants have to be creative. Commissioner Thomas believed basic

guidelines were excellent in terms of parameters, but there should be room within the guidelines for creative effort. Too much specificity would limit site-specific possibilities.

Commissioner Russak felt they were reviewing the recommendations in a vacuum and encouraged input from the design community. Understanding what we want to achieve for the Historic District, from the General Plan and Land Management Code standpoint, will provide a framework for possible changes.

Commissioner Pettit concurred that making a commitment to the future was important to the entire community. They may be faced with hard decisions that will affect property owners across the board, but if that is the goal, they need to define it and decide how to achieve it.

Jim Hier believed they had made that commitment; however, it was premature to make decisions on specifics with regard to size, or the scope of any of the elements. Regarding height and footprint limitations, Jim Hier suggested that the Planning Commission develop Land Management Code criteria, based on neighborhood analysis, which can be applied to individual applications.

Manager Bakaly stated the intent of this work session was to update Council and Planning Commission on what was being considered at the Historic Preservation Board level.

Gary Hill summarized the HPB was looking at methods to limit addition sizes in a way that was contextual to the overall historic districts and neighborhoods but also fair to vacant lots, or non-improved properties. In addition, revisions to the Land Management Code may be necessary to support the general guidelines in the Historic Design Guidelines.

The group discussed concerns that homes removed from the historically significant list would become targets for redevelopment in the future. Guidelines for new construction should prohibit anything out of context with the neighborhood; however, they questioned whether they had to be returned to historical significance and discouraged replication of homes.

Gary Hill introduced the idea of categorizing buildings on the Historic Building Inventory as Landmark and Contributing buildings. This would provide an opportunity to protect homes that do not meet the standards, but are important to the community and fit the context of the neighborhood. Jim Hier suggested that proper administration of these guidelines would prevent that in the future. He expressed concern about attempting to establish a second set of guidelines when they were unable to come to a conclusion about the first set. Liza Simpson felt they just needed to add a category preventing demolition of those houses.

Commissioner Julia Pettit explained there are houses in town that are not deemed to be historically significant because of additions, but it doesn't mean they could not be placed back on the list if the additions were removed. However, under the current Land Management Code and current Guidelines, there is an ability to tear them down. She encouraged exploring ways to preserve their potential contribution in the future as historically significant and preserve them as they exist today, as they add flavor and character to the District.

Ms. Blaes explained that historic inventories typically project out so the life of the inventory is more than just the year in which it is done. The historic period for Park City was cut off at 1962, the pre-ski resort history period. Generally, another inventory would be completed in 2010 which would include the emergence of the ski inventory, and take into consideration the newer buildings. An option that is strongly recommended is to acknowledge the limitations on the reconnaissance level survey and commit to doing intensive level surveys of all the buildings that were built before 1962. That would take about a year and would cost about \$250,000. Council might consider instituting that approach when it updates the inventory in five or six years. Standards of review to accommodate Significant and Contributing categories would have to be rewritten, as would sections of the Design Guidelines.

Mr. Hill recapped Staff's recommendation to complete Design Guidelines for the Significant list, and return in the future to address Contributing homes. Staff's recommendation would be to wait four or five years to update the inventory. Mayor Williams argued that was too long and during that time 10-15 Contributing homes may be lost. Mr. Hill indicated Staff understood the direction and there would be further opportunities for input and any changes in direction.

City Attorney Mark Harrington reminded Council of their request for increased opportunity to become involved early in the process. Staff has tried to structure joint meetings with opportunities for public input to keep this dialogue going from day one. Staff is not seeking definitive answers, but desires Council direction as they begin to formulate formal recommendations.

Mr. Hill clarified there was not an official inventory prior to the one adopted in October 2007. A survey was completed in 1983, and another in 1995 which was not adopted by Council. The Planning Department has several binders with information about historical homes, but it is not a comprehensive survey and it would be difficult to say what preceded the inventory adopted in October. Attorney Harrington explained it was adopted as a list, but because it was acknowledged there was never a comprehensive survey done, we kept in the 50-year presumption of significance.

Dick Peek asked what elements caused the houses to fall off the list, since the LMC Standards of Review, 15-11-12(a), contains nothing about addition sizes. Ms. Blaes explained it had to do with the City's definition of Integrity. The National Park Service has a definition and Park City chose five of them: integrity of location, materials, design,

setting and workmanship; and omitted integrity of association and feeling. When determining the historic significance of a property, the HPB evaluates whether the building, structure or site demonstrates a quality of significance in local, regional, state or national history, **AND** integrity of location, design, setting, materials, and workmanship. She explained the homes at 915 Park and 291 Daly remained in their location, but the overall body of work failed to meet the criteria based on the definition.

Mayor Williams opened the public hearing.

Ruth Gezelius, Old Town Resident, believed this was Council's opportunity to improve upon the process and they should have notified everyone who lived here and provided copies of the guidelines at the meeting. Staff and some Board members continue to be in denial of the importance of the automobile in the current world, as well as the importance of public transportation, snow removal and snow shedding. She believed we should be pro-active about the homes built in the 1970s and require them to be rebuilt to the same standards as historic homes when people start replacing them with newer homes. The only way to maintain the Historic District is to allow additions, and be more receptive to changing times, while respecting history and being fair about enforcing guidelines.

John Stafsholt, Woodside resident, was interested to learn how restrictive the standards were for historically significant houses versus contributory houses. He encouraged creation of a contributory list and stated the importance of preserving the fabric of Old Town neighborhoods.

Don Bloxom, designer, was heartened to learn of the commitment to create high-quality guidelines. He believed the talented designers in town could provide valuable input and provide opinions based on their experiences as users of the code and guidelines.

Beth Fratkin, resident, felt the guidelines were so subjective and flexible they would encourage bad interpretations. She did not understand why they couldn't just limit the square footage and not impose height restrictions. She encouraged preservation of historic houses, including the contributory houses.

Paul DeGroot, architect, was heartened to hear the questions being asked by Council, Planning Commission and Historic Preservation Board. A recurring theme in the guidelines is to retain, preserve, protect and maintain which, to him, meant that nothing could be changed. It also suggested to him that the inventory was flawed and we should start over.

Mayor Williams asked if he felt it was important that Old Town and Main Street remain on the National Historic Register. Mr. DeGroot explained that infill projects were very difficult and owners of historical houses have expectations of how they should fit into the historical district. He suggested the idea that what is left are "shapes" and people should be able to see the history of town as they walk up Main Street.

Peter Barnes, local designer, stressed that the Planning Commission did play a serious role in preservation planning as they consider streetscape issues, urban design, and how the historic fabric fits into what we envision for the future. We have a fundamental belief in the value of history, but it was not something that existed then; it is something that exists now and hopefully will exist in the future. He believed we should aspire to high quality and have flexibility in the codes to deal with that. Illustrations are an important component of design guidelines. He suggested rewriting the criteria so buildings that were removed from the inventory could be put back on it. He asked Council to invite the design community to join the process because they could explain what will work, what won't work, and why.

Mayor Williams asked if it was important that Main Street and Old Town maintain the National Historic Designation and status. Mr. Barnes responded that it was important, but being the owner of a historical building should be a matter of pride, not a burden. He studied architecture at Sheffield University and during the 1984 miners strike in Cardiff he did an urban design study for a town in South Wales because it was a dying town. He suggested inviting the unemployed miners to Park City to give advice on urban design and architecture if we believe the mining period was a valuable stopping point. There have been technological advances since then, like bathrooms, that people find valuable. He personally believed that looking past the mining aesthetic, and deciding what we should aspire to, is a decision Council can make.

Marianne Cone, Old Town resident, encouraged keeping historical houses intact, setting a limit on size; and requiring landscaping plans. She believed the City needed a preservation planner on staff; and would like to return to having a Historic District Commission making design decisions.

Roger Durst, architect, complimented Staff's efforts. He had submitted a written critique and highlighted some of his concerns about the draft guidelines. He noted the design process was very demanding and once a solution was arrived at that met the prescriptive requirements, it would be repeated and would become monotonous. He noted the building code protects people, not buildings and believed the resulting designs would result in the absence of vitality and diversity being championed here. He stated design must be resolved in context, and in order for history to be preserved it must be continued.

Gary Knudsen, resident, felt the proposed changes placed a burden on people who had been living by the rules. He suggested that the ski industry saved Park City and that should be taken into consideration when they evaluate the areas near the resort.

Jim Totoro, resident in Old Town, stated he has more neighbors now than ever before. He loves the vitality of his neighborhood and hoped that would not be impacted by the proposed changes.

Andy Kelly, builder of an Old Town house, stated the house he recently demolished was the ugliest, worst designed place on the planet. He cautioned Council that many "newer" houses would be turning 50 soon and would be subject to these guidelines. As written, the guidelines will mandate that Old Town stays very ugly in some places.

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 26, 2008**

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6:15 p.m. at the Library and Education Center on Thursday, June 26, 2008. Members in attendance were Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jonathan Weidenhamer, Economic Development and Special Projects Coordinator; Max Paap, Special Events Coordinator; Jerry Gibbs, Public Works Director; Francisco Astorga, Planner; Kirsten Whetstone, Senior Planner; Jennifer Byrd, Analyst I; Police Chief Lloyd Evans and Deputy City Attorney Tom Daley.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Joe Kernan disclosed that Talisker and KPCW were customers.

Mayor Williams presented a resolution honoring Police Chief Lloyd Evans, Sr., for his exceptional thirty-year public safety career in Park City and surprised him by announcing that the meeting room in the Park City Police Facility would be named for him in honor of that service as well as his involvement in the development of the new facility.

Chief Evans thanked Council for the recognition and stated it had been a great honor for a hometown boy who just wanted to make a difference. He stated it had been an honor working for them and an honor serving the community.

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

David Belz, Old Town resident, requested that everyone in the Historic District be notified by mail because of the significance of the proposed modifications and everyone should have a chance to become involved, to understand the implications of the changes, and provide input. He praised the intent of honoring and respecting the historic fabric of the community but when there are conflicting provisions in the guidelines and the code, the most restrictive application always seemed to prevail.

Michelle Aimone, resident in Prospector Lodge at 2200 Sidewinder, expressed concern that Talisker was trying to event current tenants. They have implemented new rules and monetary requirements and were pressuring her to rent on a monthly basis rather than renewing her lease.

Special Events Coordinator Max Paap informed Council that fireworks would be included in the July 4th community celebration.

Kevin King, Old Town resident, urged caution in the creation of new historic guidelines. He did not believe the Historic Preservation Board had enough experience or depth and suggested that a larger firm be contracted to draft the guidelines. Main Street is the core of the historic district, but he believed everything should be contributory and should be documented. Guidelines should not be mandatory and they should include room for negotiation. He urged public participation and encouraged guidelines that allowed creativity.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JUNE 12, 2008

Joe Kernan, "I move approval of Work Session Notes and Minutes of the June 12, 2008 meeting". Jim Hier 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")*

1. Resolution honoring Police Chief Lloyd D. Evans, Sr. in recognition of his exceptional 30 year public safety career in Park City, Utah and naming the Park City Public Safety Meeting Room in his honor. Jim Hier "I move approval of the Resolution honoring Police Chief Lloyd D. Evans, Sr. in recognition of his exceptional thirty-year public safety career in Park City, and naming the Park City Public Safety meeting room in his honor". Roger Harlan seconded. Motion unanimously carried.

2. Resolution authorizing the execution and delivery of a Third Supplemental Indenture of Trust to amend the Second Supplemental Indenture of Trust relating to the City's Water Revenue Bonds, Series 2006; and related matters. Jim Hier, "I move approval of the Resolution authorizing the execution and delivery of a Third Supplemental Indenture of Trust to amend the Second Supplemental Indenture of Trust relating to the City's Water Revenue Bonds, Series 2006; and related matters". Candace Erickson seconded. Motion unanimously carried.

3. Resolution celebrating KPCW's 28th Anniversary. Mayor Dana William read the Resolution honoring KPCW's Anniversary on July 2nd. Roger Harlan, "I move approval of the Resolution celebrating KPCW's 28th Anniversary". Liza Simpson seconded. Motion unanimously carried. Flint Deckert expressed thanks on behalf of the Community Wireless Board. Members Bob Wells and Diane Foster were present.

VI RESIGNATIONS AND APPOINTMENTS

Appointment of one Planning Commissioner for a term expiring July 2012. -

Candace Erickson, "I move approval of the appointment of Jack Thomas to the Planning Commission to a term expiring July 2012". Jim Hier seconded. Motion unanimously carried.

VII OLD BUSINESS

Ordinance approving the Knoll Estates (aka Deer Valley Club Estates) Lots 17 and 18 Amended Subdivision Plat, located at 7888 Aster Lane, Park City, Utah - Senior Planner Kirsten Whetstone explained issues between property owners had not been resolved and Staff recommended conducting a public hearing and continuing the item to a date uncertain. Mayor Williams opened the hearing. There was no public input and the hearing was closed. Roger Harlan, "I move that the Ordinance approving the Knoll Estates Amended Subdivision Plat be continued to a date uncertain". Candace Erickson seconded. Motion unanimously carried.

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

1. Consideration of a Lease Renewal and First Addendum with the University of Utah for space located in the Library and Education Center, 1255 Park Avenue, in a form approved by the City Attorney. Jonathan Weidenhamer and Max Paap were joined by Betsy Oswald and Linda Wichowski of the University of Utah. Staff requested that Council consider a four-year lease renewal with the University of Utah; the lease would expire in 2012, at which time the Library is scheduled to consider an expansion. During the Marsac remodel, the University of Utah has allowed the City to rent back Room 205 for City Council, Planning Commission, and other community meetings.

Mr. Weidenhamer explained the lease was for 3,222 square feet at an annual cost of \$54,000, which would increase every other year at a rate of \$1.00 per square foot, with a 4% discount for early payment. Staff recommends that Council immediately approve an Addendum to the lease to accommodate municipal meetings in Room 205, which terminates on completion of the Marsac Building. Staff seeks Council direction on options for the addendum: rental of the space at a daily or hourly rate; rental at a discounted hourly rate (or discounted daily rate); or reduction of the base rent in proportion to the City's use for meetings.

Betsy Oswald, Director of Operations for Division of Continuing Education at University of Utah, and Linda Wichowski, onsite manager, emphasized the University has enjoyed their relationship with the City and they hope to work through the process and maintain that good relationship. City Staff proposed a rental of \$100 per day, which would equal about \$9,700 over the course of a year based on 97 proposed meetings times per year.

The University of Utah pays \$20,066 annually for the spaces used by the City. Rental income from Sundance and week-end church rentals is \$5,365, and they have miscellaneous hourly or daily rentals from time to time. The City's proposal to pay \$9,700 means they would only generate \$15,065 in rent next year and they find it hard to justify that as a good use of taxpayer dollars.

Ms. Oswald noted their primary student load was in the evening and the City's use in late afternoons and evenings does affect them. Mayor Williams asked if they had figures on the number of rentals, or classes, they have held over the past year on Wednesday and Thursday evenings. Ms. Wichowski explained the room was used an average of 5.5 days per month for other rentals, but did not have figures on the classes.

Council Member Candace Erickson asked if the City displaced classes that would normally be meeting in Room 205. Ms. Wichowski responded they have been able to place them in other rooms, but it did reduce the U's ability to hold classes they would otherwise be able to hold. Ms. Oswald stressed she wanted Council to be cognizant of the impacts. Council Member Erickson stated the City also had to justify how tax dollars are spent; she was concerned about paying four times the amount of money for the lease than the U was actually paying the City.

Ms Oswald stated they had significantly discounted their daily rental rates and feel it is fair relative to market rates. She asked Council to consider setting the fee at daily rate of \$145.48 which would be \$14,112 annually based on usage of 97 days per year.

Council Member Jim Hier noted they were able to accommodate students and suggested that the City's rental for a year more than offset their previous rental history for Wednesday and Thursday evenings. If they could document previous rentals, he would consider it. He suggested they split the difference. Mayor Williams requested a straw poll; three Council members were willing to pay \$100; two, \$115.

City Attorney Mark Harrington pointed out it was not simply a financial decision and encouraged a time out to review numbers and determine whether an alternate amount was acceptable. Mayor Williams suggested that the applicants and Staff hold a brief discussion so the item does not need to be continued. Council moved on to review the remaining agenda items.

The group returned to the meeting and Jonathan Weidenhamer reported that if the City was willing to facilitate rental of the University's space since Miners was unavailable in the City's rental pool, the University would be willing to accept a rental rate of \$115 per day. If Council does not agree, they would request a continuation. Rather than continue the discussions, Council members once again discussed the rental rate they were willing to pay. Jim Hier "I move that the Addendum be restructured to allow for a rental

rate of \$115 a day, to be calculated on an annual basis and adjusted from the total amount of rent paid as outlined in the Staff Report; and authorization for the City Manager to execute a four year lease in a form to be approved by the City Attorney”. Candace Erickson seconded. Motion approved.

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

2. Consideration of a Lease Renewal with the Park City Cooperative Preschool for space located in the Library and Education Center, 1255 Park Avenue, in a form approved by the City Attorney – Jennifer Byrd, Analyst, reviewed the Staff Report for renewal of the Park City Cooperative Preschool lease for Room 209 in the Library and Education Center. Staff recommends that Council approve the four year.

Alex Butwinski provided input on the University of Utah lease. As a citizen and taxpayer, he preferred rental of a better space for meetings. He believed the agreed upon rent was too high and recommended that Council call their bluff.

Roger Harlan, “I move approval of the Lease Renewal with the Park City Cooperative Preschool for space located in the Library and Education Center, 1255 Park Avenue, in a form approved by the City Attorney”. Candace Erickson seconded. Motion carried unanimously.

3. Consideration of a Construction Agreement, in a form approved by the City Attorney, with Silver Spur Construction for the construction of the Boothill Transmission Line Phase 1 for a lump sum amount of \$536,050 – Public Works Director Jerry Gibbs explained this was the first phase of a two-phase project for a pipeline to move water from the Boothill Pump Station to the Woodside Reservoir. Staff reviewed references for Silver Spur Construction and recommended approval of the contract. Liza Simpson, “I move approval of the Construction Agreement, in a form approved by the City Attorney, with Silver Spur Construction for the construction of the Boothill Transmission Line Phase 1 for a lump sum amount of \$536,050”. Joe Kernan seconded. Motion unanimously carried.

4. Consideration of an Ordinance approving the Amended Plat for Lots 28 and 29, Block 17, Snyder’s Addition to the Park City Survey located at 1110 Empire Avenue, Park City, Utah – Planner Francisco Astorga reviewed the Staff Report and explained Council had previously approved the plat, but the applicant had not met the condition of approval requiring the plat to be recorded within one year. Staff recommends that Council hold a public hearing and consider approval of the amendment. Mayor Williams

opened the public hearing. There was no comment and he closed the hearing. Roger Harlan, "I move approval of an Ordinance approving the Amended Plat for Lots 28 and 29, Block 17, Snyders Addition to Park City Survey located at 1110 Empire Avenue, Park City, Utah". Candace Erickson seconded. Motion unanimously carried.

5. Consideration of an Ordinance approving the 601 Deer Valley Drive Condominium Plat located at 601 Deer Valley Drive, Park City, Utah, and

6. Consideration of an Ordinance approving the 605 Deer Valley Drive Condominium Plat located at 605 Deer Valley Drive, Park City, Utah - Planner Francisco Astorga requested that Council combine Items 5 and 6 and reviewed the Staff Report. Staff recommended approval of both condominium conversions. He referred to a letter that was not included in the packet because it had been received at the last minute and noted that the Planning Commission had discussed it at their meeting. He explained that nightly rentals are an allowed use in the zone and duplexes are allowed uses, so the projects were not required to obtain Conditional Use Permits. He also explained that decks are allowed structures reviewed during the building permit process. Council briefly discussed decks and hot tubs in adjacent condominiums and suggested that tenants be advised of noise restrictions after 10 p.m. Mayor Williams opened the public hearing. There was no input and the hearing was closed. Joe Kernan, "I move approval of the ordinance approve the 601 Deer Valley Drive and 605 Deer Valley Drive Condominium plats". Roger Harlan seconded. Motion unanimously carried.

7. Consideration of an amended water agreement between Park City Municipal Corporation (PCMC) and Talisker/United Park City Mines Company (UPCMC) – Deputy City Attorney Tom Daley requested that Council approve the agreement. Jim Hier, "I move approval of the amended water agreement between Park City Municipal Corporation (PCMC) and Talisker/United Park City Mines Company (UPCMC)". Roger Harlan seconded. Motion unanimously carried.

IX ADDITIONAL DISCUSSION – AGENDA ITEMS

X 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 2:00 p.m. Members in attendance were Mayor Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan and Liza Simpson. Staff present were Tom Bakaly, City Manager; and Mark Harrington, City Attorney. Roger Harlan, "I move to close the meeting to discuss personnel and property". Jim Hier seconded. Motion carried unanimously. The meeting opened at

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3:30 p.m. Joe Kernan, "I move to open the meeting". Candace Erickson seconded.
Motion unanimously carried.

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

Sharon C. Bauman, Analyst II