PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 22, 1995

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, June 22, 1995.

A G E N D A

Closed Session

2:45 p.m. Property acquisition

Work Session

3:00 p.m. Council questions and comments
3:15 p.m. Review of regular meeting
3:30 p.m. Budget review
Grants
Capital improvement plan\impact fees
Housing program
Operating programs
Advisory Body/Council compensation

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF JUNE 8, 1995

IV PUBLIC HEARINGS

1. Amendment to Resolution No. 29-92, Fees, and Amendment to the Park City Municipal Code, Title 11, Buildings and Building Regulations, regarding development impact fees

2. Ordinance approving the amendment to the Millsite Reservation regarding 255 Daly Avenue, Park City, Utah

3. Ordinance approving a plat amendment to the Aspen Springs Ranch Phase I Subdivision Plat, Park City, Utah

4. Continuation - Resolution adopting revised budget for FY 1994-95 and budget for FY 1995-96 for Park City Municipal Corporation and its related agencies and adopting a pay plan

for Park City Municipal Corporation exempt and non-exempt employees for FY 1995-97

V CONSENT AGENDA

1. Ordinance approving the amendment to the Millsite Reservation regarding 255 Daly Avenue, Park City, Utah

2. Resolution adopting revised budget for FY 1994-95 and budget for FY 1995-96 for Park City Municipal Corporation and its related agencies and adopting a pay plan for Park City Municipal Corporation exempt and non-exempt employees for FY 1995-97

3. Award of contract to Staker Paving for the construction of Deer Valley Drive Bike Path Phase 2

4. Ordinance approving the Deer Lake Village - Phase II final subdivision plat, Park City, Utah

5. Ordinance approving a plat amendment to the Aspen Springs Ranch Phase I Subdivision Plat, Park City, Utah

VI COMMUNICATIONS FROM COUNCIL AND STAFF

VII ADJOURNMENT

A Redevelopment Agency and Municipal Building Authority meeting will convene

Posted: 6/16/95 noon

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 22, 1995

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 22, 1995. Members in attendance were Brad Olch, Ruth Gezelius, Roger Harlan, Lou Hudson, Shauna Kerr, and Leslie Miller. Staff present were Toby Ross, City Manager; Meg Ryan, Planner; Mark Harrington, Assistant City Attorney; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

2002 Winter Olympics - Hugh Daniels, resident, stated that this award is an honor as only 17 cities in the world have had this opportunity. He believes that we can do it right and the resources are available.

III MINUTES OF MEETING OF JUNE 8, 1995

Ruth Gezelius, "I move approval of the Minutes as corrected for the meeting of June 8, 1995". Shauna Kerr seconded. Motion carried.

IV PUBLIC HEARINGS

1. Amendment to Resolution No. 29-92, Fees, and Amendment to the Park City Municipal Code, Title 11, Buildings and Building Regulations, regarding development impact fees - See attached staff report. The City Manager explained that the capital facilities plan has been prepared. It recognizes a level of construction in the future that would warrant a fee of 2.8%. The recommendation, however, is that that fee be capped at a level commensurate with the on-going charge of 2%. The amendment will not be noticeable to the development community with regard to the amount of the fee but the structure of the fee will be significantly changed to conform with state law.

The Mayor invited questions and comments from the Council and the public. Hearing none, the public hearing was closed.

2. Ordinance approving the amendment to the Millsite Reservation regarding 255 Daly Avenue, Park City, Utah - See attached staff report. Meg Ryan explained that approval would subdivide one existing lot to create two separate parcels. The Planning Commission has forwarded a positive recommendation to the City Council. Ms. Ryan added that the garage will be removed but the historic residence will be rehabilitated. She pointed out that Condition No. 4 under Section 3 in the ordinance should be deleted.

With no comments or questions, the public hearing was closed.

3. <u>Ordinance approving a plat amendment to the Aspen Springs Ranch Phase I Subdivision Plat, Park City, Utah</u> - Planner Ryan explained that this amendment would provide for deviation in the limits of disturbance without requiring future formal plat amendments. The Planning Commission has forwarded a positive recommendation to the Council; see attached staff report.

Shauna Kerr pointed out that there should be a reference in the ordinance that the Community Development Department and Aspen Ranch Homeowners Association must approve changes.

With no further comments or questions, the public hearing was closed.

4. <u>Continuation - Resolution adopting revised budget for FY 1994-95 and budget for FY 1995-96 for Park City Municipal Corporation and its related agencies and adopting a pay plan for Park City Municipal Corporation exempt and non-exempt employees for FY 1995-97</u> - The Mayor invited the public to comment.

Joan Calder, Executive Director of the Chamber/Bureau, discussed the state legislature's cuts in funding the tourism council and the lack of recognizing the return on investment. She feared that in the decision to reduce the Chamber's grant, the Council is following much the same path. She continued that $5,000 is a small portion of the budget and pointed out that the Chamber does not want a contribution, but rather a contract for services and the relationship with the Chamber and the City is a partnership. She felt that the Council is saying to the Chamber that "it is a relationship that you don't value as much you used to". The Chamber saves the City expenditures that otherwise would have to be paid by the City. The Board of Directors adopted a budget anticipating that the City would fund the full $70,000 and in reducing the amount, programs will be cut. She discussed the grant review process and urged Council to do the right thing as opposed to the expedient thing. Ms. Calder hoped that the Council would be open to the Chamber coming back to request funding of a program that may be dropped because of the reduction. Shauna Kerr asked if the increased membership would offset the $5,000; Ms. Calder responded that the membership is very stable and almost all businesses are members so dues would not be a factor.

Hugh Daniels, resident, stated that he has read the budget and felt that it is complete and informative. He noted that he had concerns with finding savings in the new administrative services department. The Council and staff should be commended on the reserves. Mr. Daniels was glad to see that there is a plan for Old Town streets and utilities and is supportive of infrastructure projects throughout town. He felt that the pay plan is more than generous and would prefer to see it pared down to 2% less than proposed. There is an increase of 8.5 employees and 4.5 next year and an increase in the personnel budget of over 10% which is substantial. Municipalities are like big businesses and costs need to be watched carefully. If personnel cuts are made, he would like those funds to be allocated to capital improvements and open space. Mr. Daniels was opposed to increasing the Mayor and Council stipends. Although it is desirable to have a diverse membership, he did not feel that the stipend should be a consideration for candidates, but that offering health insurance is reasonable. He felt that the Planning Commission and Historic District Commission members should have a raise and perhaps other advisory boards should be considered for compensation. Mr. Daniels felt that the grant review process needs to be more objective and simplified and discussed the point system for reviewing restaurant tax applications. Mr. Daniels was concerned that the hours spent on grants reduced the time spent on reviewing the rest of the budget as a public body and adopting a document that has not been fully discussed. He liked the customer service training program and discussed emergency expenditures and pointed out that the policy does not require staff to inform the Council when this occurs.

Dennis Gray, General Manager for Inn at Prospector Square and Vice-President of the Lodging Association, supports the Chamber/Bureau and its programs and services and urged Council not to reduce its funding. There has been some discussion in the lodging community that it is odd that the municipality would be the leader in terms of salaries and benefits, resulting in businesses competing with the City in recruiting employees. He understood that the salaries far exceed those in Vail and other resort communities.

Hearing no further comments or questions, the public hearing was closed.

V CONSENT AGENDA

Ruth Gezelius, "I move approval of the Consent Agenda Items 1 through 5, with the correction to Item 1 in Section 3 to delete Condition 4 and on Item 5 that the language change suggested by Shauna be incorporated. Roger Harlan seconded. Leslie Miller felt it appropriate to discuss the budget further and publicly and would adopt the budget if it could be reopened and amended. Shauna Kerr agreed that the process has been accelerated and is not comfortable with all of the numbers. Before adopting the budget, she felt that there should be a date certain to reopen the budget for further discussions. Ms. Kerr suggested that a $10,000 limitation be placed on access to the venture fund by the City Manager. She urged Council to decide on the housing allowance phasing. Discussion ensued regarding state law and adopting a budget by June 22. Mr. Ross did not feel that there would be any great consequence of adopting a budget and then adjusting it and he would not authorize expenditures that he felt would be a problem. Roger Harlan stated that he is willing to review the budget but not willing to look at grants without a plan. Mayor Olch felt that the grant process was painful and grants should be put behind Council and not to deal with them again. He felt it appropriate to discuss the process at a later date. Ms. Miller reminded Council that a decision has to be made on the Norwegian School of Nature Life's grant request and that the process was off track because Council deviated from its own criteria and system for evaluating grants. Her idea for the grant process was not expedience and she felt it important to spend time on it to get it right. The Mayor agreed that the Council needs to consider the Norwegian School's fee waiver request, and asked if Ms. Miller desired to look at the other grants. She responded that for 90% of the grants, there is a consensus, and although the only thing she would like to discuss is the Norwegian School's new request, the Council owes it to its constituents and grant applicants not to have these discussions off-limits.

With regard to the increase of the housing allowance, it is proposed to phase it in over two years or to implement it all in the first year, as suggested earlier by Ms. Kerr. Leslie Miller stated that she supports the phasing in of benefits with the option to amend. The remainder of the Council agreed. Ruth Gezelius commented that she would amend her motion to include the phase-in on the employee housing allowance. Roger Harlan accepted the amendment. Motion carried.

1. Ordinance approving the amendment to the Millsite Reservation regarding 255 Daly Avenue, Park City, Utah - See staff report and public hearing.

2. Resolution adopting revised budget for FY 1994-95 and budget for FY 1995-96 for Park City Municipal Corporation and its related agencies and adopting a pay plan for Park City Municipal Corporation exempt and non-exempt employees for FY 1995-97 - See public hearing.

3. Award of contract to Staker Paving for the construction of Deer Valley Drive Bike Path Phase 2 - See staff report.

4. Ordinance approving the Deer Lake Village - Phase II final subdivision plat, Park City, Utah - See staff report.

5. Ordinance approving a plat amendment to the Aspen Springs Ranch Phase I Subdivision Plat, Park City, Utah - See attached staff report.

VI COMMUNICATIONS FROM COUNCIL AND STAFF

1. Main Street Liquor Store lease **-** Assistant City Attorney Mark Harrington stated that he will be meeting with the Alcoholic Beverage Commission tomorrow. He understood that Council's direction was to phase to market value as soon as possible between three to five years, preferably with the first year starting at $1,000 per month. Mr. Harrington noted that he will be reporting back to Council before a decision is made. Council concurred.

2. Temporary restraining order - D. A. Osguthorpe - City Attorney Jodi Hoffman reported that the City prevailed in the Osguthorpe matter this week. The Judge ordered vacation of the property by midnight on Sunday. For the benefit of Roger Harlan, Jodi Hoffman explained that an analysis revealed that there was a possibility of return on the silos but it would probably be a "wash". As part of the negotiations, the City is allowing the Osguthorpes to keep the silos.

3. 340 Main Street - Leslie Miller asked that time be scheduled to discuss this plat amendment.

VII ADJOURNMENT

With no further business, the regular meeting of the City Council adjourned and a Redevelopment Agency and Municipal Building Authority meeting convened.

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The meeting for which these minutes were prepared was noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

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MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2:45 p.m. Members in attendance were Mayor Brad Olch, Ruth Gezelius, Roger Harlan, Lou Hudson, Shauna Kerr, and Leslie Miller. Staff present were Toby Ross, City Manager; Mark Harrington, Deputy City Attorney; and Jodi Hoffman, City Attorney. Ruth Gezelius, "I move to close the meeting to discuss property acquisition". Shauna

Kerr seconded. <u>Motion unanimously carried</u>. The meeting opened at approximately 3:30 p.m.

Prepared by Janet M. Scott

Janet M. Scott
Deputy City Recorder

PARK CITY COUNCIL WORK SESSION
SUMMIT COUNTY, UTAH
JUNE 22, 1995

Present: **Brad Olch, Roger Harlan, Lou Hudson, Shauna Kerr, Ruth Gezelius, Toby Ross, Jodi Hoffman, Bob Stephens**

1. **Council questions and comments.** Lou Hudson brought up the request from the County Commission regarding Park City's participation in hiring a dog control officer. Ruth Gezelius emphasized that residents pay taxes to the County and dog control is a County service. Leslie Miller stated that she doesn't feel strongly about the dog control assistance request and suggested that there be some public awareness program.

Leslie Miller discussed the UDOT letter distributed a few weeks ago and hoped that there would be discussions regarding diverting traffic off of Park Avenue. Discussion ensued regarding the width of SR248. Staff will be looking into the scheduling of the intergovernmental task force. Roger Harlan reported that he attended the General Plan update meeting and has some concerns about the plan. He would like to schedule time for discussion on the broader ramifications. He added that he would be willing to talk to the County about animal control if they would be willing to address library services.

2. **Review of regular meeting.**

Budget review. Toby Ross explained that the Council must adopt a budget today because the City received the certified tax rate from the County. He continued that any aspect of the budget can be amended and any issues of concern can be put on a future agenda for discussion. With regard to grants, Mr. Ross explained that the Norwegian School of Nature Life has recently requested building and planning fee waivers for a house as a part of its fund-raiser.

Mayor Olch opened the discussion on grants and stated that he would be willing to fully fund the Youth Coalition. Ms. Miller noted that upon reviewing requests, assessed the percentage of the budget the grant allocation represented; most were in the 10% range. The Youth Coalition's request represents a high dependency on the City and receiving the Norwegian School's request reminded her of the duplication of services. She felt that the director would be compensated a large salary for a part-time job. Ms. Gezelius felt that responsibilities of directorships vary and these organizations are diverse. Roger Harlan and Shauna Kerr supported the full request and Ms. Kerr pointed out that there are really no City programs for teens and felt this is a trade-off. Even though Mr. Hudson felt that participation numbers don't warrant the request, he supported the grant.

Mr. Olch stated that he was surprised that Council elected to fund all applications and was concerned about the message to the public. Ms. Miller agreed philosophically but felt that Council has already spent a lot of time on this and suggested that the tentative consensus in the work session notes be approved so that it is within the budget. Shauna Kerr emphasized that there has been public criticism that the Council has spent a lot of time on 1% of a $25 million budget and stated that the Council should move on. Leslie Miller suggested that the tentative consensus budget established on grants and include the Norwegian School's request for the total $8,415 value. Lou Hudson felt it should be reduced.

Ruth Gezelius recommended that the Chamber/Bureau should not be included in the grant process because she viewed its programs as contract services and it should be fully funded. Ms. Kerr agreed and the City Manager noted that KPCW would also like to be separated from grant applications. There was debate about reevaluating requests again individually. The Mayor asked how the Performing Arts Foundation funding decision was made because the group has already raised $500,000 and the event at the Racquet Club raised over $40,000. Additionally, the Foundation stated that they would never come to the City for assistance. Teri Orr responded that it would not request "brick and mortar" types of money, but in terms of helping the Foundation reach its goal of $1 million to give to the School District is requesting use of the Racquet Club to accommodate community involvement. Council decided to treat this as a cash allocation rather than a fee waiver, which was the original request. Ms. Miller described the philosophy in not waiving rental fees for facilities.

Council decided to consider the Norwegian School's request at a later date and accepted the tentative consensus amounts outlined in the June 8, 1995 work session notes.

Capital improvement plan/impact fees. Mr. Ross explained the capital facilities plan; a 2.8% fee would be justifiable but staff is recommending 2%. Ms. Miller referred to Mr. Brighton's comments a few weeks ago, and the City Manager clarified that his comments dealt with a special assessment for water impact fees with regard to large landscaped areas, and that has been deleted from the proposal. Roger Harlan felt that the public should be aware that legally the Council could charge a 2.8% fee and Ruth Gezelius stressed that new growth should pay its own fair share.

With regard to the capital improvement plan, Mr. Ross indicated that there has been comments regarding the location of the sidewalk on Monitor Drive now planned on the east side. Some residents would prefer the west side and a neighborhood meeting will be held on June 28 with City staff. Mr. Ross clarified that many capital improvement requests recommended by the staff are a result of public requests.

With regard to budget options, the City Manager discussed the on-going customer service training programs and the Prospector soils program, which accelerates inspection services and covers the testing costs but not mitigation. Also, it is proposed to extend the housing allowance to the top two grades. The $50,000 allocation for legal assistance was discussed. Jodi Hoffman commented on the expense in hiring outside firms and the benefits of contracting with individuals. Ms. Miller asked if the department would be hiring a third attorney. Ms. Hoffman stated that there is no office space or support staff for another attorney. The City Attorney discussed the substantial decrease in outside counsel costs and that this allocation would be similar to costs in prior years. It is hoped to find an attorney willing to work independently on a part-time basis for the City. The landscape architect positions were explained and for the benefit of Roger Harlan, the conservative sales tax revenue projection was described.

Leslie Miller felt that there is not enough money allocated to open space and park expansion; $100,000 is not adequate. The City Manager explained that open space acquisition is a relatively new category and parks expansion is another item and there is a budget for the south end of City Park. Ruth Gezelius added that open space acquisition may have to be a bond issue. Ms. Miller felt that now is the time to plan for open space in light of the Winter Olympic award. The City Manager explained that more money can be allocated but there is no current program or plan. He suggested, however, that a policy be included in the budget denoting that any unanticipated revenue could be allocated to this item.

Housing program. The City Manager explained that housing programs require a transfer from the CIP Fund which will be repaid with interest in two years.

Operating programs. Toby Ross discussed the $5,000 allocated in the Council budget for travel. Shauna Kerr felt that there should be a separate and clear category for preparatory trips relating to Olympic travel. No other funds are budgeted for the Olympic effort. Ms. Miller stated that the Chamber/Bureau donated $75,000 to the Olympic Bid Committee and would like to be aware of future commitments. Hugh Daniels noted that there is no donation this year and the $75,000 was from transient room tax revenues. The Public Affairs Department was discussed with regard to the materials and supplies item line which incudes costs for special projects and events. This can be better described in the narrative.

Advisory body/Council compensation. Bob Stephens urged Council to look at some kind of formula to drive compensation so this issue is not debated every year. He discussed a 2% increase across-the-board in the pay plan which could be used in board and Council compensation. This would be minimal for boards and Mr. Stephens suggesting changing the percentage to Council compensation. Leslie Miller restated her concern for the ability of all qualified Council candidates to serve. Additionally, there have been increases in employee salaries and bonuses and felt the policy should be consistent for everyone. She felt that percentages should be changed and base pay should be increased. Ms. Miller felt that access to health insurance for Council is important and it should not be deducted from compensation. She suggested that Council be paid $12,000 per year plus a health option benefit; Planning Commission $3,000 per year and the Historic District Commission $1,800 per year. This would suggest that the Planning Commission would make 25% rather than 19% of Council compensation and the HDC would be at 15% rather than the 10% suggested. Ms. Miller expressed her views on ability to serve by being adequately compensated and the importance of diversity in representation. Shauna Kerr felt that in order to accomplish this, that there should be caps on campaign spending. Ruth Gezelius suggested the cap be no more than a quarter of what Council is paid a year. Mr. Kerr suggested that rather than raising the Council salary, to offer insurance coverage for the single Councilmember. If family coverage is desired, the elected official should cover the balance; she felt that this is sufficient incentive. Ruth Gezelius and Lou Hudson supported that proposal. Ms. Kerr felt that the raise for the HDC and Planning Commission suggested by Ms. Miller is appropriate. Ms. Gezelius did not feel it necessary to change the percentages for the HDC and Planning Commission and supported the 2% increase. Mr. Stephens stated that single health coverage is a little more than $1,800 per year. Discussion ensued regarding an in-lieu payment if the health insurance is not taken. Roger Harlan stated that he does not support a Council raise, but felt that the Planning Commission and HDC stipends should be increased and agreed with Ms. Miller's recommendation. Mr. Harlan felt that the Council's job is voluntary in nature and views the stipend as a "bonus" and that the current pay is incredibly fair. He did not support the health insurance option at this point. Lou Hudson felt that the Council pay is adequate and supported the percentage increase for the Planning Commission and HDC. The Mayor felt that salaries should be increased consistently with the pay plan and pointed out that there are individuals with preexisting health conditions that cannot change insurance companies. There will be a public hearing scheduled on Council and board compensation.

See regular meeting minutes.

Prepared by Janet M. Scott