PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JUNE 12, 2008

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Bret Howser, Budget Analyst; Sharon Bauman, Analyst II, Ken Fisher, Recreation Manager; Gary Hill, Budget Manager and Interim Planning Director; Bret Howser, Budget Analyst; Diane Foster, Sustainability Manager; Jerry Gibbs, Public Works Director; Kim Leier, Human Resources Manager; and Lori Collett, Finance Manger

1. Council questions/comments. Candace Erickson congratulated Chief Lloyd Evans on receiving the Rotary Club's Citizen of the Year Award. Joe Kernan stated that the proposed budget is reasonable but the City could achieve a better budget with more responsiveness to the community. There should be more attention to public surveys on needs and satisfaction. For instance 55% voted for the $15 million walkability bond but 45% did not want to pay more taxes. He felt that both segments could be served and more time should be spent on compromise. One solution may be the creation of a public budget committee who develops policies and primary goals on spending tax dollars. Next week, the budget will pass, but Mr. Kernan stated that he will vote against it. He felt there should be a better balance of power with budget decisions involving management recommendations with an informed public budget committee. A well represented group of citizens can help the City spend its tax dollars in a way that represents the whole community.

Liza Simpson hoped that copies of the draft Historic District Guidelines will be made available to the public and placed on the website. Also, the locations for meetings for boards need to be updated. Jim Hier reported on the COSAC meeting and the Summit Land Conservancy has received a number of inquiries from the east side about conservation easements. Roger Harlan relayed business conducted at the Library Board and Mountainlands Community Housing Trust who met during the week. He stated that Bob Wells negotiated an arrangement with the Heber Valley RV Park for housing for 200 employees. Deer Valley will operate several shuttles a day to and from Heber and Park City. Mayor Williams commented on his trip to Oregon and remarked on the number of new wind farms being installed in the northwest.

2. Public Areas Administrative Policy and naming of Dog Park. Sharon Bauman explained that staff is seeking direction on affirming a previously discussed policy on naming public areas and whether to allow the dog park user group to proceed with a naming contest for the dog park. In 2005, Alison Butz presented the naming policy but it was never formally adopted. Concerns expressed by Council at that meeting are addressed in this draft. She emphasized that the purpose of the policy is to establish a uniform procedure for naming public areas and the policy identifies public areas. Not all public areas must be named but from time to time, the City receives requests from user groups, neighbors, or interested parties who want to name a particular feature or area. Staff would like to use the administrative policy as a tool in dealing with these requests. Ms. Bauman referred to definitions of types of public areas and pointed out that names for subdivisions are submitted by the developers and/or owners and are approved by the City Engineer. She read a list of purpose statements and referred to the guidelines for naming and renaming public areas. Candace Erickson was pleased to see the ten years included as suggested qualifying criteria for prominent citizens. Council members were supportive of the policy.

Ken Fisher explained the contest, engaging the public, to name the dog park. The three top names would be submitted to Council for a final decision. Jim Hier asked that the names be prioritized. Roger Harlan pointed out the possibility that members may not like any of the names submitted. Jim Hier, "<u>I move we affirm the Park City Naming of Public Areas Administrative Policy and allow the dog park user group to make a recommendation to City Council on the name of the new dog park</u>". Joe Kernan seconded. <u>Motion unanimously carried</u>.

2. <u>Planning Commission stipend</u>. Gary Hill stated that this topic was reviewed in 2005. Currently, members receive $100 per meeting and use of ski passes, consistent with employee use, APA membership, and Racquet Club use. He referred to a comparison included in the staff report where Park City falls within the high end of compensation. The Planning Commission does not receive pay for joint meetings and it is recommended that the policy be expanded to compensate members for these special sessions. Mr. Hill further recommended that Racquet Club use be consistent with the employee policy rather than being capped at a $50 value. It was pointed out that the top three cities pay about $133 per meeting and Joe Kernan expressed that he would be supportive of raising the compensation to that level.

With regard to checking out ski passes, Jim Hier felt it more appropriate to limit skiing to weekdays so City staff is not impacted. He felt it appropriate to pay Commissions $100 for attending special meetings they are required to attend, including joint meetings and/or task force meetings. Joe Kernan suggested offering golf passes and Gary Hill replied that this was discussed in 2005. City employees have the ability to buy a punch pass at a discounted cost.

Kim Leier compared the policies for full-time and part-time employees in checking out ski passes for members. Candace Erickson preferred not to diminish the benefit to full-time employees by extending passes to Commissioners on the weekend. Members agreed to extend ski passes to Planning Commission members on the part-time employee basis on weekdays only and to pay $100 per meeting for other required meetings attended. Liza Simpson recommended offering members subscriptions to any professional organizations of interest and Jim Hier felt that membership with APA seems adequate.

3. Outstanding budget issues. Bret Howser referred to his staff report addressing the CIP Budget, the carbon footprint analysis request in the amount of $45,000, and changes between the proposed and the final budget.

He explained that remaining capital funding from previous years is the carry-forward number. The five year CIP contains $154 million worth of capital projects which are recommended for funding. Of the $154 million, $86 million is cash on hand which is funding for the current year's adjusted budget. All of the carry-forward amount and the 2008 adjusted budget money is cash and everything going out in the future, with one exception, is anticipated revenues. The exception is the $2 million of beginning balance money which is not appropriated in the CIP but planned to be spent on the Racquet Club renovation project next fiscal year and he pointed out the unfunded requests in the CIP. There was discussion about funding the speed feed-back signs. Jim Hier commented on the gap between $86 and $154 million for which funds are not yet earned in future years. He understood that everything in the current year is funded with cash and felt it would be helpful to look at future funding sources. Joe Kernan agreed.

Diane Foster spoke about the City's commitment to the Mayors Climate Protection Agreement in 2005 which stated that Park City would reduce our collective carbon footprint to 7% below the 1990 level by 2012. In order to do this, our 2008 levels and 1990 levels need to be determined and the 1990 levels will include some assumptions. This will provide a framework for all environmental initiatives and goals and a mechanism to measure achievements. The Mayor advised that the Kyoto Accord is likely to be amended this year. He emphasized that the expenditure of $45,000 will determine where we are today and much of the information to 1990 can be extrapolated mathematically. Roger Harlan pointed out that many resources like water can be easily measured. Mayor Williams spoke about the importance of community buy-in for success. Mr. Hier stated that he is more supportive of the project now that he understands that the majority of the funding is not going to be spent on gathering information back to 1990. Joe Kernan felt that the information will be helpful in selecting sustainability projects that most benefit the community. Roger Harlan asked if the $45,000 is a good use of taxpayers' dollars. Ms. Foster explained that the reason this project will be contracted is because it is the most efficient way to accomplish goals because staff does not have the expertise or software. Because the citizens of Park City are very environmentally oriented, she believes there will be community support. Ms. Foster stated that the project will go out to bid. Johnson Controls has performed a carbon footprint for Salt Lake, PCMR and Deer Valley Resort and will be one of the bidders. Candace Erickson stated that she has changed her mind about the project and is supportive now, understanding the effort will be to obtain current data rather than retroactive work to 1990.

Bret Howser addressed changes to the proposed budget, some of which are technical, additional requests from staff, or directives from Council. He discussed the necessary inter-fund transfer to the Fleet Fund in the amount of $510,000 for fuel and maintenance costs. He spoke about the General Fund surplus which would be transferred to the CIP Budget and this year the transfer totals $7 million but about $900,000 of this amount is from bond revenues in the MBA Fund. This amount will be split and $1.5 million will be allocated to the Water Fund to help pay for electronic meter readers. Discussion ensued about the amount of water lost through leaks throughout the entire water system which Jerry Gibbs indicated is in a reasonable range in consideration of the miles of pipe. Mr. Howser stated that $700,000 is allocated to the equipment and replacement fund; $1.7 was appropriated to projects in the original budget and an additional $2.2 million to new projects identified in the staff report. In response to a question from Jim Hier, Lori Collett explained that some capital projects were funded through MBA bonds. Mr. Howser pointed out that revenue assumptions were made in the proposed budget for the Water Fund which have been firmed up in the final budget.

Because of the unusually challenging snow year, the Streets Department requested $400,000 to cover additional costs for snow removal. Staff revised its estimates to make the Department whole and to ensure that snow removal will not exceed budget next year. The amount is an additional $400,000 for a total of $800,000. He stated that $100,000 is available in the General Fund contingency to offset the amount for a net request of $300,000 for the Streets Maintenance Budget. This represents a 6% increase from the General Fund to the Public Works Budget. Jim Hier pointed out that a monthly monitoring module would have identified the shortfall months ago. Bret Howser replied that the Streets Maintenance Budget and other operations will be monitored more frequently. He discussed the 18% limit for the General Fund balance set by state law.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 12, 2008

I ROLL CALL

Mayor Pro Tem Roger Harlan called the regular meeting of the City Council to order at approximately 6 p.m. at the Library and Education Center on Thursday, June 12, 2008. Mayor Dana Williams was excused from the regular meeting but presided earlier over the work session and participated in closed session. 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; Heinrich Deters, Sustainability Analyst; Jon Weidenhamer, Project Manager; and Francisco Astorga, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council disclosure - Joe Kernan disclosed that one of his recycling customers is Trail's End.

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

1. Leash law and off-leash programs - Dave McFawn, Daly Avenue resident, stated that when he moved to Park City 14 years ago, it was a laid back easy going town. He was very disturbed to read that two dogs were sprayed with mace by an individual because the dogs were off-leash in City Park. He suggested a compromise allowing dogs to be off-leash at Trailside every other day or certify owners who can control their dogs-off leash, for example. He felt that many dog owners would enjoy no leash areas and days. Jim Hier stated that this is an issue with no simple resolution. He found it interesting that the guy maced the dog and not the dog owner who attacked him for spraying her dog. Liza Simpson also noted that the two dog owners approached were both petite women. Candace Erickson pointed out that the new dog park is a solution for some, acknowledging that the park is probably best suited for small and/or medium sized dogs. As far as walking dogs off-leash, Ms. Erickson stated that she has received two emails from a local family who is very upset about people walking their dogs off leash because their children are terrified due to past events.

Mr. McFawn asked if the Recreation Advisory Board has explored off-leash days or trails and asked if there is interest on behalf of Council members to do so. Mr. Hier replied that it isn't really a RAB issue and there was discussion about trails crossing through other jurisdictions. Mark Harrington suggested that this may be an appropriate inter-agency topic and the Old Town trails within Park City's boundaries may require agreements with private property owners. Liza Simpson pointed out that the attacks happened a while back and conflicts may increase in the summer. Council members expressed interest in exploring off-leash options.

2. Dog Park Project - Rich Wyman, resident, asked about the status of naming the dog park. It was explained that this was discussed during work session where holding an on-line contest was approved by Council. Jon Weidenhamer relayed that it is hoped that the dog park will be in operation by the end of July and described the road being built by IHC. Mr. Wyman questioned the City's commitment to the project since he understands City money will not be used because of RAP Tax money received to build the dog park. It was explained that the City will be using the grant and its own funds for elements of the park and the land is a significant contribution.

IV WORK SESSION NOTES AND MINUTES OF MEETINGS OF MAY 29, 2008

Joe Kernan, "I move we approve the work session notes and minutes of May 29, 2008". Jim Hier seconded and Liza Simpson disclosed that she will be abstaining since she was not in attendance. Motion carried.

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

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

1. Consideration of a Resolution proclaiming the week of June 15 – June 22, 2008 as IMBA World Mountain Biking Summit Week in Park City, Utah – Heinrich Deters stated that the International Mountain Biking Association is recognized as the foremost mountain biking advocacy group in the world. He recognized Carol Potter, Mountain Trails Foundation, who was instrumental in bringing the event to Park City. Carol Potter stated that she thrilled because she has been working for two years to being the IMBA to Park City. She highlighted activities planned. The Mayor requested a motion to approve. Jim Hier, "I so move". Liza Simpson seconded. Motion unanimously carried.

2. Consideration of Main Street dining leases extending the period from May 15 to May 1 each year and from one year terms to a term of five years, in forms approved by the City Attorney:

- 317 Main Street- Eating Establishment
- 525 Main Street- Main Street Deli
- 227 Main Street- Uptown Fare
- 412 Main Street- Bistro 412
- 402 Main Street- Java Cow Café & Bakery
- 530 Main Street- Main Street Pizza & Noodle

Heinrich Deters explained two changes to the existing lease terms, as stated in the agenda heading. These businesses must have an existing approved CUP and the City reserves the right to terminate leases at any time. He added that staff has not received any complaints from the public about the outdoor dining program. Jim Hier, "I move we approve a series of five year leases to conduct sidewalk dining on City property, based on the staff report of June 12". Liza Simpson seconded. Motion unanimously carried.

3. Consideration of a Resolution adopting a final revised budget for fiscal year 2008 and the budget for fiscal year 2009 for Park City Municipal Corporation and its related agencies - The Mayor Pro Tem opened the public hearing and with no comments from the audience, requested a motion to continue to June 19. Candace Erickson, "I so move". Jim Hier seconded. Motion unanimously carried.

4. Consideration of an Ordinance approving The Habitat Replat Amendment located at 154 Marsac Avenue, Park City, Utah – Francisco Astorga explained that the property is located in the HR-1 District. The request is to combine portions of Lots 13, 14 and 15 of Block 52 of the Park City Survey. A street vacation of a portion of Marsac Avenue and two parcels of the Millsite Reservation will create three lots of record. He explained that two of these lots would be utilized for Habitat for Humanity and the third dedicated to the City for open space. Staff finds good cause for this plat amendment and the Planning Commission forwarded a positive recommendation. Mr. Astorga explained that the City Council must find the application compliant with Resolution No. 8-98 adopting a policy on vacating public rights-of-way. Staff also finds good cause for the street vacation. Julie Barnhart of Habitat thanked Council. The public hearing was opened and there were no comments from the audience. Jim Hier requested relocating Condition of Approval No. 4 and move it as Finding No. 15. Jim Hier, "I move we approve an Ordinance approving The Habitat Replat, as outlined in the staff report, based on the findings of fact, conclusions of law, and conditions of approval with Condition of Approval No. 4 being rewritten as Finding of Fact No. 15". Candace Erickson seconded. Motion unanimously approved.

5. Consideration of an Ordinance approving the Fourth Amendment to Trail's End at Deer Valley Record of Survey, located at 2100 Deer Valley Drive South, Park City, Utah – Planner Francisco Astorga explained that the application is for a remodel and structural changes to a common building within the development. The applicant explained the remodel involving moving the office and creating a front-desk check-in and lobby seating area for guests. Candace Erickson, "I move approval of the Fourth Amendment to the Trail's End at Deer Valley Record of Survey plat based on the findings of fact, conclusions of law, and conditions of approval as found in today's report, dated June 12". Liza Simpson seconded. Motion carried unanimously.

6. Consideration of an Ordinance approving the Second Amended Double Jack Condominium Record of Survey located at 1313 Woodside Avenue, Park Avenue, Utah – Francisco Astorga noted that the purpose of the application is to convert 216 square feet from common to limited common area adjacent to Unit 1 and to revise the limited common area designation in the underground parking area. The project was built differently than what was platted and the application amends the garage area to reflect how it was built. The Mayor Pro Tem opened the public hearing.

Applicant Michael Witty stated that he has spent quite a bit of time in public service and emphasized that Francisco is a great public servant. He has kept him informed at every stage and treated him as if this was a large project. With no further input, the public hearing was closed. Joe Kernan, "I move we approve the Ordinance approving the Second Amended Double Jack Condominium Record of Survey as written in the staff report". Liza Simpson seconded. Motion unanimously carried.

7. Consideration of an Ordinance approving the 369 Daly Avenue Subdivision creating two lots of record at 361 and 369 Daly Avenue, Park City, Utah - Planner Jeff Davis stated that the property currently exists on three metes and bounds parcels. Parcel A has a non-historic existing home, Parcel B is a vacant lot and Parcel C is a scrap piece deeded to the owner from the Daly West Subdivision. The applicant is proposing to divide Parcel C in half and incorporate the two halves into Parcels A and B. The Planning Commission forwarded a positive recommendation and no public input was received at the meeting. The Mayor Pro Tem opened the public hearing and with no comments from the public, closed the public hearing. Jim Hier, "I move we approve the 369 Daly Avenue Subdivision based on the findings of fact, conclusions of law and conditions of approval as found in the draft Ordinance". Candace Erickson seconded. Motion unanimously carried.

VI ADDITIONAL DISCUSSION – AGENDA ITEMS

VII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Jon Weidenhamer; Project Manager; and Mark Harrington, City Attorney. Candace Erickson, "I move to close the meeting to discuss property and personnel". Roger Harlan seconded. Motion carried unanimously. The meeting opened at approximately 4 p.m. Jim Hier, "I move to open the meeting". Joe Kernan 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 Janet M. Scott

Janet M. Scott, City Recorder