PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 6, 2002

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, June 6, 2002.

AGENDA

Lunch at Senior Center
Noon

Closed Session

2:30 p.m. Personnel

Work Session

3:30 p.m. Council questions/comments
4:00 p.m. Participation strategies
4:30 p.m. Review of regular meeting
- Budget review
- JSSD water sales agreement
- Farmers Market
- Plat amendment questions
- Other meeting questions/comments

5:45 p.m. Break

Regular Meeting

6:00 p.m.

I **ROLL CALL**

II **PUBLIC INPUT**

III **COMMUNICATIONS FROM COUNCIL AND STAFF**

IV **WORK SESSION NOTES AND MINUTES OF MAY 9, 2002**

V **CONSENT AGENDA PUBLIC HEARINGS**

1. Ordinance approving a plat amendment to combine all of Lots 12, 13, 14, and portions of Lots 11, 15, and 16 of Block 13 of the Park City Survey into one lot, located at 151 Main Street, Park City, Utah

2. Ordinance approving a record of survey for Hotel Park City, located at 2001 Park Avenue, Park City, Utah

3. Ordinance approving amendments to the final subdivision plat known as the Roosevelt Gap Subdivision, located at 2300 Deer Valley Drive, Park City, Wasatch County, Utah

4. Ordinance approving the final plats for Northside Subdivision; Northside Subdivision II; Parcel A, Mountain Village Subdivision; Parcel E, Mountain Village Subdivision; and the Marsac Avenue right-of-way located at Flagstaff Mountain Resort MPD, Park City, Utah

5. Master Festival License for the Farmers Market to be held at the Flagpole lot from June 24 - October 14, 2002 - HMBA

VI CONSENT AGENDA

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3. Ordinance approving amendments to the final subdivision plat known as the Roosevelt Gap Subdivision, located at 2300 Deer Valley Drive, Park City, Wasatch County, Utah

4. Ordinance approving the final plats for Northside Subdivision; Northside Subdivision II; Parcel A, Mountain Village Subdivision; Parcel E, Mountain Village Subdivision; and the Marsac Avenue right-of-way located at Flagstaff Mountain Resort MPD, Park City, Utah

5. Master Festival License for the Farmers Market to be held at the Flagpole lot from June 24 - October 14, 2002 - HMBA

6. Resolution adopting retention schedules for certain record series maintained by Park City Municipal Corporation pursuant to the Utah Governmental Records Access and Management Act and replacing Resolution 21-98 in its entirety

7. Ratification of ordinance amending Title 4, Chapter 8A of the Municipal Code regulating Outdoor Music Plazas (Mountain Town Stages)

8. Revision to letter of intent for joint ice facility with Snyderville Basin Special Recreation District

9. Rescind award of cemetery fence bid and reject all bids

VII PUBLIC HEARING

Revised budget for fiscal year 2001-2002 and the tentative budget for fiscal year 2002-2003 for Park City Municipal Corporation and its related agencies

VIII NEW BUSINESS

1. Revised budget for fiscal year 2001-2002 and the tentative budget for fiscal year 2002-2003 for Park City Municipal Corporation and its related agencies

2. Water sales agreement Jordanelle Special Service District

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 13, 2002

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah **will not** hold its regularly scheduled meeting on Thursday, June 13, 2002.

Posted: 06/03/02
See parkcity2002.org

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JUNE 6, 2002

Present: Mayor Dana Williams; Council members Peg Bodell, Kay Calvert, Candace Erickson Jim Hier, and Fred Jones

Toby Ross, City Manager; Pace Erickson, Streets and Water Superintendent, Myles Rademan, Public Affairs Director; Mark Christensen, Grants and Budget Manager; Jerry Gibbs, Public Works Director; Alison Butz, Facilities and Special Events Manager; Patrick Putt, Planning and Zoning Administrator; Eric DeHaan, City Engineer; and Tom Bakaly, Assistant City Manager

Dean Schulman, Chair of Parks, Recreation and Beautification Advisory Board

Barb Clark, Director of Historic Main Street Business Alliance (HMBA); Doug Clyde, agent for Flagstaff

1. **Council questions/comments.** In response to questions from Peg Bodell, Pace Erickson explained that Friends of the Skate Park is a concept to encourage kids using the facility to wear safety gear. The Mayor volunteered to serve on the committee. He continued that the Health Department has offered to donate about $7,000 toward a reward program to riders wearing safety equipment. Rick Lewis indicated that he didn't have information at hand regarding the outdoor display of lanterns at Renee's, but would follow-up with a report. Ms. Bodell invited the public to participate in the Historic Home Tour scheduled on Saturday, June 15.

Fred Jones clarified that when asked to participate on the parking committee, the HMBA declined because there is not total support of the paid parking program among members of this group and there was concern that this would detract from its mission. In reading through the neighborhood traffic management plan drafted last year, he found some valid suggestions that should be considered in a future work session. Council concurred to schedule this topic. He reported that he, Council member Erickson and Summit County Commissioners Schifferli and Cone recently met regarding water on two occasions and believed there is a better understanding in terms of the Weber Basin project. There was then discussion on obtaining the final report from consultant Lyle Sumak. Jim Hier stated that he attended the water forum sponsored by CARG which was very well done. It was well attended and informative.

He continued that at some point would like some clarification with regard to prioritizing Weber Basin water over East Canyon and suggested pursuing legislation with regard to terminating paper water rights not been used in a five year period. The City Manager advised that rights can be lost for non-use, which is a judicial procedure. Use can be as little as applying or leasing them to land for irrigation. It takes someone to challenge the validity of a water right to prompt an action, which doesn't mean that it can be gained by that individual which basically eliminates any incentive to proceed. Mr. Hier explained that there may be an incentive for Summit County to clean up paper water rights and Ms. Erickson added that there is a delay claim and in addition, owners are entitled to rotate rights.

The Mayor congratulated staff on the success of the first skate park event, but suggested that the sound system be directed away from residences. He thanked Ms. Bodell for setting up the lunch with the seniors. He relayed that they requested some maintenance services, including turning on the irrigation system, fixing the stove and front door, striping the parking lot and repairing the pot holes in front of the center. He strongly suggested that the cell phone for their bus service be reinstated since the transportation office closes at 5 p.m. for reservations. Kent Cashel explained that there isn't a driver available after 5 p.m. which has always been the case. If a trip is scheduled in advance after 5 p.m., the Department makes special arrangements, but Council could elect to fund an expanded service. There are only two people using the later service and the cost per ride is already very expensive. The only change in the system is that scheduling has been centralized at the front desk at Public Works and Mr. Cashel indicated that he will be meeting with the seniors on Monday. He felt that there probably needs to be better on-going communication between staff and the seniors. A bus field trip is planned to the Justice Center next week where transit information will be disbursed. Toby Ross added that the City has not traditionally had a responsibility for maintenance. The building is leased by the seniors but it is free, and the program is run by the County. The City would be responsible for the pot holes in the street, but not necessarily the other capital projects. The Mayor asked whether the seniors received a portion of the rental revenue from the Olympics. The City Manager explained that an arrangement was made with regard to improvements to the center accomplished with these funds, but the above mentioned items were not on the list. He felt that the seniors have expectations beyond our legal obligation. Ms. Bodell disagreed and felt that they simply don't want our building in disrepair and recommended that a clear policy be established.

The Mayor thanked staff for its participation in the CARG water session. In a letter from UDOT regarding investigating the mine road, the state is suggesting 30 mph downhill, the use of a mandatory brake test area located near the top, and additional warning signs installed in front of the stop sign at the intersection. He added that it is his personal observation that directing trucks to Royal Street is not a valid alternative because there is not a wide enough radius for semi-trucks to negotiate curves in the road. The Mayor stated that he received nine letters of support for installing the Olympic tower. Myles Rademan indicated that SLOC is willing to donate $20,000 toward the installation cost. This project will be scheduled before the Planning Commission on June 26. Kay Calvert disclosed that she received some negative calls.

2. **Participation strategies.** Based on comments from Council from the last

election and the recent visioning process, Myles Rademan referred to his report outlining a number of ideas and requested Council direction. Approaches include community long-range visioning, assessing community sentiment, communicating with the public on a regular basis, and educating residents. He understood that the Council would like to present its goals to a broader group than the 70 members involved in the visioning session. Fred Jones commented that he supports the *living room* sessions to be held in the Fall and added the importance of getting the County and the ski resorts to participate in a visioning process. With regard to living room sessions, Mr. Rademan pointed out that participants could be a mix from different neighborhoods, as done in the past, or there could be neighborhood meetings. Mr. Jones suggested that visioning addresses long term goals, while neighborhood meetings focus on immediate local needs. It would also be beneficial to initiate discussions with the County and the ski resorts to ensure that the City's objectives are not in conflict with other entities.

Peg Bodell believed that the lengthy visioning process has concluded and felt that the next step is problem solving work shops between entities and more visioning may be a result of that effort. She proposed that the next step is meeting with neighborhoods to identify specific problems and solutions. Fred Jones emphasized the importance to fold the Council's goals into a broader range of visioning to eliminate conflicts so there is agreement on common elements with the County and others. This may be very constructive in achieving goals and does not preclude Ms. Bodell's neighborhood meeting concept. For example, how important is Main Street and the Historic District to The Canyons? Is it important to Summit County that Main Street is viable? If it is, it is important that Main Street and Kimball Junction are not in competition as they are distinct. Entry corridors is another topic that could be addressed and these projects can not be funded by the City or the County alone.

Jim Hier pointed out that Council has not yet received Lyle Sumak's final report, making it difficult to implement a plan. After a published document is received he would like it disseminated to the public at a meeting so it is available for review by the public. After this is accomplished, the neighborhood meetings can be held with citizens and special interest groups. The Mayor's Advisory Task Force and special association meetings, which should be scheduled quarterly apart from Council meetings, are missing options in the report. Myles Rademan explained that traditionally, it has been more convenient for groups to schedule Council on their agendas and suggested setting up a general meeting for City boards and commissions. Jim Hier agreed that that may be a better approach, but people need time to review the Sumak Report and the Mayor added that Council needs to finalize the document. Kay Calvert expressed her desire to have a complete report available for distribution and Jim Hier added that the format needs to be understandable and clear. Ms. Calvert relayed that the first step may be formulating an effective communication strategy, and a start and an end date which she felt can be accomplished in a short amount of time. Peg Bodell suggested the need for a realistic calendar. Mr. Rademan pointed out that the list includes successes from the past and new concepts and the Council can't do them all. They involve a lot of meetings and Council already has a variety of commitments; a strategy is needed before a calendar can be designed. The Mayor concluded that the final report from Lyle Sumak must be available and reviewed by Council and Mr. Rademan suggested preparing more refined strategies for the next discussion on this topic.

3. Review of regular meeting.

Budget review. Mark Christensen stated that staff is adjusting revenues to better reflect a more favorable situation than anticipated. Other changes involve amending the special service contract policy as a result of the May 23 discussion and language to streamline the process for grant requests. Specifically YAC will have a $500 discretionary authority without Council approval. A deadline of March 31 will be established to provide the special service committee an opportunity to review all requests in advance of the budget process. With regard to the Sports Life application, staff is recommending continuing a decision until June 20 as staff is still collecting information. Ms. Calvert understood that Sports Life has retracted its application and will submit another request. There was discussion about this application being part of YAC's Fall review. Mr. Christensen indicated that the committee is recommending the $830 award to the Domestic Peace House and referred to the Historical Society's fully funded cash allocation established at last year's $28,000. Fred Jones commented that he appreciated the information provided by staff on the history of the formation of the grant fund, which is based on a percentage of the General Fund. Increasing funding for the Historical Society without understanding potential implications on other programs would be remiss. The two-year cycle is designed to address all budget impacts at one time and he is uncomfortable with the timing of this particular request. This is the reason he is reluctant to support the request. Mr. Jones also pointed out that increasing the director's salary may become an on-going expectation and it is more appropriate to consider this request next year, not mid-term.

Ms. Calvert suggested a compromise that the City increase the Historical Society's funding but not earmark it for the director's salary. Fred Jones clarified that the additional $28,000 is not the issue but his *hang up* is considering a request out of cycle and its implications on other demands. Ms. Erickson agreed with both Council members, but believed the City could provide additional funds for the Historical Society this year. There may be future options for the Historical Society such as applying for RAP tax revenues. She believed Council should set a policy with regard to preserving its historical heritage to support our financial commitment. Jim Hier stated that he has a problem with this approach as the request is specific with regard to the director's salary. If there are other needs, they should appear in the application and if there is an emergency, he would agree wholeheartedly. This is discretionary and out of context with the budget planning cycle and Council's decision should be deliberate and clear. The Mayor stated that he supports the seed money concept and Ms. Bodell emphasized that the consideration is a service contract with the Historical Society, for a service that the City does not want to perform itself. The City Manager indicated that the Council could fund the request with the proviso that the Historical Society look at other resources in the future.

Mark Christensen agreed that the request is for the director's salary but other projects and/or programs are highlighted as a part of the application. Ms. Calvert emphasized the importance of this organization which fits within the goals of the City. Ms. Bodell argued that this is not piece-mealing like the Olympic tower which has no accompanying legacy plan. The Community Celebration Committee formulated a document which has been totally ignored. In this particular case, the Historical Society has been providing a service that the City values and appreciates. The director's position needs to be full-time now and the Historical Society has every right to approach Council at this time. Fred Jones clarified that Ms. Bodell may have missed his point. He is not commenting on the merits of the application, but timing of the budget process as this is probably not a one-time request. If there is a need to fund a full-time position, it should be explored but as a matter of policy, he has a difficult time with this matter. Kay Calvert philosophically agreed with Council member Jones from a policy stand point, but there are exceptions. This organization is really trying to capitalize on the Olympic momentum and the increase in expected visitors. Candace Erickson recommended granting the Historical Society an additional $20,000 this year, noting that it is to be used to expand the program and the Council will look at the full-time salary in next year's budget review. Peg Bodell suggested $22,000 and the Council ultimately agreed to $21,000.

Mr. Christensen added that the HMBA has prepared a strategic plan and ways to fund it. Council approved $12,500 last year which is budgeted again for this year. Changes from the budget since May 2 are outlined in Exhibit B and changes from the entire two-year document are broken down in two categories, itemized details, and technical adjustments. These include cost-of-living, Olympic budget, 27th pay period, and the elimination of a trash service option. The $540,000 capital option for the Racquet Club; $240,000 for the roof and ceiling repairs, and $300,00 for the pool are included in the exhibit. There is a technical adjustment to the five-year capital improvement budget for the Main Street RDA. The City is still reconciling the Olympic budget as some expenses have not yet occurred but staff feels comfortable with the estimated $315,000 economic benefit. This exhibit also reflects the elimination of the sales tax stabilization.

JSSD water sales agreement. Jerry Gibbs stated that staff has been negotiating this agreement for four years with limited success until last Fall when an understanding was reached for a five-year short-term water supply. Subsequently, JSSD has offered a 20 year contract with five-year renewal clauses for 1,000 gpm, minimum 1,000 acre feet with a potential to take more water if capacity is available. This is the most expensive water the City has purchased, but the advantage is that as of July 1, it looks like the pipeline will be operating, connecting to JSSD, making real water available. This year the City has subscribed for 200 acre feet which provides 45 days of 24 hour pumping which will be well received in our system. In response to a question from Jim Hier regarding the transfer of water from one basin to another, Mr. Gibbs explained that this issue has not been resolved but it is a requirement of the contract that a permanent exchange be approved by the state engineer. JSSD feels confident that they will receive that approval and deliver the water as outlined. In response to a question from Fred Jones, Mr. Gibbs emphasized that he feels proceeding with the agreement is a better alternative than speculating on whether Rockport will be completed in a reasonable time frame. The Mayor expressed that this transaction could lessen the need to pursue Rockport. Mr. Gibbs felt that it lessens our demand from that source but may not lessen the need to have an alternate water strategy. The advantage of having another surface water source is to augment our system so wells can be used for peaking capacity and not on a long-term basis which result in the degradation of the well and water quality over time.

Farmers Market. Alison Butz stated that an application has been received from HMBA to hold a farmers market in the flagpole lot from June 24 through October 14 from 2 p.m. to 6 p.m. on Mondays. It is proposed that the lot be closed from noon to parking and would open at 7:30 p.m. Because this is a new event, she recommended an additional condition of approval stating that if staff finds that parking or other adverse impacts have not been mitigated, the master festival license shall be revoked. In response to a question from the Mayor about clearing parked cars, Barb Clark explained that every effort will be made not to tow cars. She felt the event could work around this problem and can be handled through an educational process. The lot will be signed the week before the first event. The City would not be responsible for towing cars and Ms. Clark explained that no cars were towed from the Park City Mountain Resort when the event was hosted in that location. Fred Jones suggested that the HMBA staff the lot for the first event in the morning to inform people about the noon closure. There was discussion about operating the Monday after Arts Festival and Miners Day.

Ms. Bodell asked for justification for waiving the $12,326 fee. Ms. Butz explained that the majority of the fee represents the special use parking application. The flagpole lot is free in the summer so the City is not losing revenue and reiterated that the fee is listed because there is an application process. Fred Jones pointed out that the waiver is really only $220.

Plat amendment questions.

Flagstaff plats. Pat Putt explained that Council will be taking action on a series of plats that form the subdivisions and right-of way dedication for the first phase of the Flagstaff MPD, including the realignment right-of-way for Guardsman Pass Road which will now be known as Marsac Avenue. The plat dedication will run from the old Guardsman Road connector in the vicinity of the horse stables, up and around Pod A and connect to the new road improvements to the new Empire Day Lodge. The subdivision plat is for ten single family lots as a part of the MPD approved by the Planning Commission on May 22, 2002 and three multi-family lots at the base of the Northside Lift. Approval of plat will create the lots and not result in density entitlement for those lots, which is subject to review of the next phase of the MPD. A lot of record will also be created for the Empire Day Lodge and the associated utilities. Finally, a 3.4 open space parcel will be created at the northeastern most entrance to the Mountain Village. The Planning Commission and staff have forwarded a positive recommendation to Council based on the findings of fact, conclusions of law and conditions of approval that address the requirements of the Development Agreement.

Fred Jones asked about the timing for improvements of the Mine Road from the connector area. City Engineer Eric DeHaan advised that road construction is anticipated in the Summers of 2003 and 2004 per the Development Agreement, which include some grading and the installation of a center passing lane. He clarified that this improvement is on the mountain and not on the Mine Road and valued at $4 million plus; the contract is ready to be let if approval is rendered tonight. There will be a number of additional improvements in subsequent years, including the Mine Road improvements tied to the balance of the development. Pod D review triggers the secondary access discussion to a greater degree. In response to another question from Mr. Jones regarding whether improvements to the Mine Road will be solely a state decision, Mr. DeHaan felt this would be discussed in detail at the Planning Commission level whether or not SR224 is transferred to the City at that time.

Letter of intent - SBSRD. Tom Bakaly explained that this was approved by SBSRD and clarified that while the City is committing $2 million of its $4 million bond toward ice, we would have the ability to increase that amount by reassessing the allocation of bond funds for parks. This is language that the City is proposing to add. The Basin Recreation Board requested that the language specifically referring to The Canyons lower village be removed and replaced with verbiage in the revised letter of intent. Kay Calvert asked about consensus on the location of the ice facility and Mr. Bakaly noted that the letter of intent would expire the end of December and the site will be identified by way of the interlocal agreement. Generally the focus is on the lower Canyons area, however, the letter of intent encompasses the SR224 corridor. It also contemplates a survey to involve the public and there will be opportunities for public input. The survey will be reviewed by Council prior to distribution to City and Basin residents.

Jim Hier expressed his confusion that the instrument is very general except for the details on the locker rooms. Tom Bakaly agreed that this provision is more specific than is typical for a letter of intent, but sets the table for discussions on programming. Fred Jones understood that this will ultimately be a $6 million facility, leaving an outstanding $2 million. Tom Bakaly explained that this shortfall will be addressed in the survey to determine tax payer tolerance. The Basin feels comfortable, once a site is identified, that fund-raising can be initiated, but has committed to a $2 million match. It is hoped that

Summit County will also assist with Restaurant or RAP Tax funding. Fund-raising will also be detailed in the interlocal agreement. There was discussion about the timing of a decision on the location of the ice facility and its placement on the survey. Chairman Dean Schulman added that it is hoped that discussions on the lower Canyons site will yield enough information to be address the location issue in the survey.

See regular meeting minutes.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 6, 2002

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 6, 2002. Members in attendance were Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Jonathon Weidenhamer, Planner; Brooks Robinson, Planner; Kirsten Whetstone, Planner; Patrick Putt, Planning and Zoning Administrator; Alison Butz, Facilities and Special Events Manager; and Jerry Gibbs, Public Works Director.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda.

Water rate flyer - Joe Kearnin - In response to the City's concerns on his flyer an acre-based water proposal, he stated that he has removed his Recycle Utah board position disclosure on the flyer and apologized for any implication that the proposal came from Recycle Utah. The board neither reviewed or endorsed his proposal. Additionally, information was clarified with regard to the 20,000 gallon figure in the block outlined in the consultant's recommendation from 7,000 to 30,000 gallons. Mr. Kearnin advised that acreage information for Park City can be obtained from the County at a fee of about $250 which can probably be waived.

Hearing no further comments, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

None.

IV WORK SESSION NOTES AND MINUTES OF MAY 9, 2002

The Mayor corrected roll call to reflect Ms. Calvert's attendance. Ms. Bodell corrected a typographical error. Hearing no further corrections, the Mayor requested a motion to approve. Peg Bodell, "I so move (as corrected)". Candace Erickson seconded. Motion unanimously carried.

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving a plat amendment to combine all of Lots 12, 13, 14, and portions of Lots 11, 15, and 16 of Block 13 of the Park City Survey into one lot, located at 151 Main Street, Park City, Utah - Planner Jonathon Weidenhamer explained that the

applicant is Bill White, owner of Grappa Restaurant. Approval of the plat would allow the applicant to construct an addition to the commercially zoned portion of the property; the design will be reviewed under the Historic District Guidelines. The Planning Commission recommended a positive recommendation to City Council on May 22, 2002. Peg Bodell asked if the design of the addition will alleviate existing trash problems and Mr. Weidenhamer indicated that staff believes so, but a final set of plans have not yet been submitted. This trash issue was brought up at the Commission public hearing where it was pointed out that a trash receptacle will be installed. Ms. Bodell suggested that the existing landscaping to be disturbed be replanted. Hearing no further questions from the Council or the public, the public hearing was closed.

2. <u>Ordinance approving a record of survey for Hotel Park City, located at 2001 Park Avenue, Park City, Utah</u> - Planner Brooks Robinson stated that the subdivision for this project has been approved and the plat determines the land uses in a condominium for the restaurant, hotel, office, spa and pro shop. This also provides expandable area for the future cottages. Staff recommends approval as outlined in the staff report. In response to a question from Kay Calvert regarding inquiries from the public on this action referred to in the staff report, Mr. Robinson explained that they related to concerns about changes to the project. Hearing no comments or questions from the Council or the audience, the public hearing was closed.

3. <u>Ordinance approving amendments to the final subdivision plat known as the Roosevelt Gap Subdivision, located at 2300 Deer Valley Drive, Park City, Wasatch County, Utah</u> - Planner Kirsten Whetstone explained that the application is a request to amend the final subdivision plat, which is located in Wasatch County and in Park City, east of Summit County. This is part of Deer Crest which was annexed to the City in 1999. The subdivision plat was approved and recorded in Wasatch County. During the review of the Rosewood CUP for the hotel, the applicant requested a shift of the north development parcel line about 60 feet to the north. This will better accommodate construction disturbance and keeps it within the development parcel. In exchange for that, the applicant would dedicate a north facing slope and the City would realize a net increase of open space of about .75 acre. The third item is to realign and narrow the easement for the private drive as a result of the redesign of the hotel. She continued that on May 22, 2002, the Planning Commission held a public hearing where no public comment was rendered. The Commission added a condition regarding conducting another balloon test to make sure the hotel meets height limitations. She believes the changes will tuck the hotel further into the hillside and well behind the ridge line. The Planning Commission forwards a positive recommendation as outlined in the staff report. Hearing no comments or questions from Council or the public, the Mayor closed the public hearing.

4. <u>Ordinance approving the final plats for Northside Subdivision; Northside Subdivision II; Parcel A, Mountain Village Subdivision; Parcel E, Mountain Village Subdivision; and the Marsac Avenue right-of-way located at Flagstaff Mountain Resort</u>

MPD, Park City, Utah - Pat Putt stated that three years ago, Council adopted Ordinance No. 99-30 which approved an annexation and development agreement for Flagstaff Mountain Resort which comprises 1,655 acres of land now within the City, located between Deer Valley and Park City Mountain Resort. Ordinance No. 99-30 granted an equivalent of a large scale MPD and set forth sites and locations of land uses, maximum densities, the timing of development, the development review processes as well as development conditions and amenities for each of the parcels in the annexation area. The development agreement specified that only 147 acres would be developed and the remainder would be designated as passive and recreation uses, and open space. The agreement further limits the mix use development in the Mountain Village area, located in Pods A, B-1 and B-2. No more than 705 unit equivalents can be built, and no more than 470 residential units. In addition, support resort commercial is limited to 75,000 square feet and a maximum 35,000 square footage for the Empire Day Lodge is specified. Prior to construction, the applicant was required to receive a site specific MPD and final plat approval for each phase of development. Ordinance No. 99-30 also specifies that the applicant submit 14 technical reports for review and approval by the City. The Planning Commission approved all studies. The LMC, development agreement and General Plan form the standards by which all future development phases for the Flagstaff Resort will be reviewed. The Commission held several public hearings on Phase 1 and the MPD consists of the following. A density assignment and configuration of ten single family lots in the B-1 area in the Northside Subdivision; one lot of record for the Empire Canyon Day Lodge in Pod B-2, three multi-family lots in the areas of Pods A and B-1, known as the Northside Subdivision II, which are subject to subsequent MPD review and approval; an open space parcel located at the entrance of the Mountain Village in Pod A; and the realignment of the Guardsman Road aka Marsac Avenue. Mr. Putt continued that the Planning Commission reviewed and approved the MPD on May 22, 2002 and forwarded a positive recommendation to the City Council.

The realignment will finalize an irrevocable offer for public use and the proposed right-of-way is 50 feet wide and extends from existing SR224 below the stables up around Pod A to the newly constructed round-about at B-2. A master home owners association will be formed by contract and will participate in all road maintenance expenses which exceed normal City or state costs (i.e., primarily snow plowing). The Planning Commission spent many meetings reviewing the realignment with a series of visual simulations and established five additional vantage points together with the Sensitive Lands Ordinance for the project. The goal was to tuck the road into the hillside to minimize cuts and fills and most of the retaining walls will be constructed on the downhill side of the road to save the larger more mature stands of trees.

Mr. Putt stated that the ten single family lots range in size from .33 acre to one acre and the building pads have been designed to save vegetation and minimize areas of disturbance. The maximum house sizes have been reduced and range from 7,500 square feet to a maximum of 10,000 square feet. Building heights will be limited to the 33 foot requirement of the RDM zone and a maximum disturbance limit is specified for each lot. By way of an exhibit, the buildable area for each lot was illustrated. The MPD also provides that a survey of significant trees must be submitted to allow staff the flexibility to work with the owner to site the structure within the buildable area. The plat refers to all provisions of the MPD rather than plat notes. The three multi-family lots at the base of B-1 are subject to future MPD approval and density assignment and the setbacks will be regulated by the RD zone. There will be a height discussion on Building H in Pod D relating to the hotel before the Planning Commission next week. Once MPDs and plat approvals are obtained there will be a CUP review process considering the finer details under the LMC. The open space lot is 3.4 acres and will be dedicated to the home owners association or Deer Valley.

With regard to siting the lots in the Northside Subdivision, Doug Clyde gave a computer assisted presentation. He explained that clusters of trees were identified and will be surveyed and analyzed at the time of issuance of a building permit. This will be done in tandem with compliance of limits of disturbance requirements. He discussed a winter field trip of the area with the Planning Commission which, in some cases, resulted in improved solutions for individual building pads.

Pat Putt explained that staff finds the project, as proposed, consistent with the development agreement and meets the standards of the subdivision ordinance. With approximately 88% open space, the project exceeds the required 60%. The development agreement specifies that the applicant must dedicate all open space in the MPD area and all open space outside the remaining development pods, which are currently zoned ROS within 30 days of the MPD approval. As of today, the City Attorney is reviewing drafts of those agreements. There is an area in the southeast portion of the annexation area subject to negotiation between UPCM and other property owners and UPCM is requesting that the conservation easement in that area await subsequent MPD approval. The development agreement provides for a density reduction in the event the other property owners do not reach consensus. Also, given the fact that the property is already zoned ROS, staff feels comfortable in removing those portions from the dedication at this time.

In light of the recent Evergreen Subdivision issues, there was discussion on ski-in and ski-out easements and their interface with building pads. Candace Erickson asked if the retaining walls become the responsibility of the City if UDOT transfers the road. Eric DeHaan responded that the retaining walls would become part of the road system, but they will be subject to a rigorous building permit and inspection process. He added that the design is solid and is free of the drainage and utility conflicts. Most walls are downhill eliminating salt infusion and allowing snow to cascade over the side. Staff is confident that the design is structurally sound. Ms. Erickson noted that there are eight retaining walls and expressed concern about associated maintenance costs borne by tax payers. Mr. DeHaan stated that the inspections will be superior to those provided in the past and to some extent the City's hands are already tied by virtue of the development agreement. A more maintenance free option would have been fill slopes which would have taken out large portions of the aspen trees. Doug Clyde added that the walls meet a higher design standard than those typically seen on UDOT roads. In response to a question from Peg Bodell, the City Engineer stated that the official name of the road from our round-about to the top round-about is Marsac Avenue. From the upper round-about at the Empire Canyon Day Lodge, it turns into the Guardsman Pass Road. Hearing no further comments from the Council, the Mayor opened the public hearing to the audience.

Ilene Stewart asked if the road will be private or public and the delegation of snow-plowing responsibilities. Through illustration of a map, Doug Clyde explained that there will be year-round public access up to the Empire Canyon Day Lodge. When it is dedicated to the City, there is some City obligation, but the property owners have agreed to pay for the differential based on average costs. With no further comments or questions from the public, the Mayor closed the public hearing.

5. Master Festival License for the Farmers Market to be held at the Flagpole lot from June 24 - October 14, 2002 - HMBA - Alison Butz explained that the applicant is seeking an approval of a farmers market in the flagpole lot on Mondays from June 24 through October 14 from 2 p.m. to 6 p.m. Parking in that lot will be closed from noon to 7:30 p.m. on Mondays. She suggested adding a condition reading that *if staff finds that parking or other adverse impacts can not be mitigated, the master festival license shall be revoked.* The Mayor opened the public hearing. Hearing no comments, the public hearing was closed.

VI CONSENT AGENDA

The Mayor requested a motion to approve the Consent Agenda. Fred Jones, "I so move". Kay Calvert seconded. Peg Bodell indicated that she would like to register a negative vote on Item 7 and include the additional condition on Item 5 discussed above. The Council concurred to add the condition of approval for the farmers market. Motion carried.

Peg Bodell	Aye, Nay on Item 7
Kay Calvert	Aye
Candace Erickson	Aye
Jim Hier	Aye
Fred Jones	Aye

1. Ordinance approving a plat amendment to combine all of Lots 12, 13, 14, and portions of Lots 11, 15, and 16 of Block 13 of the Park City Survey into one lot, located at 151 Main Street, Park City, Utah - See staff report and public hearing

2. Ordinance approving a record of survey for Hotel Park City, located at 2001 Park Avenue, Park City, Utah - See staff report and public hearing.

3. Ordinance approving amendments to the final subdivision plat known as the Roosevelt Gap Subdivision, located at 2300 Deer Valley Drive, Park City, Wasatch County, Utah - See staff report and public hearing.

4. Ordinance approving the final plats for Northside Subdivision; Northside Subdivision II; Parcel A, Mountain Village Subdivision; Parcel E, Mountain Village Subdivision; and the Marsac Avenue right-of-way located at Flagstaff Mountain Resort MPD, Park City, Utah - See staff report, work session notes, and public hearing.

5. Master Festival License for the Farmers Market to be held at the Flagpole lot from June 24 - October 14, 2002 - HMBA - See staff report, work session notes, and public hearing.

6. Resolution adopting retention schedules for certain record series maintained by Park City Municipal Corporation pursuant to the Utah Governmental Records Access and Management Act and replacing Resolution 21-98 in its entirety - See staff report.

7. Ratification of ordinance amending Title 4, Chapter 8A of the Municipal Code regulating Outdoor Music Plazas (Mountain Town Stages) - See staff report and motion.

8. Revision to letter of intent for joint ice facility with Snyderville Basin Special Recreation District - See staff report and work session notes.

9. Rescind award of cemetery fence bid and reject all bids - See staff report.

VII PUBLIC HEARING

Revised budget for fiscal year 2001-2002 and the tentative budget for fiscal year 2002-2003 for Park City Municipal Corporation and its related agencies - See staff report and work session notes. Hearing no questions or comments from the Council, the Mayor asked if anyone in the audience has a comment or question of staff regarding the budget. Hearing none, the public hearing was closed.

VIII NEW BUSINESS

1. Revised budget for fiscal year 2001-2002 and the tentative budget for fiscal year 2002-2003 for Park City Municipal Corporation and its related agencies - Peg Bodell, "I move to approve the revised budget for fiscal year 2001-2002 and the tentative budget for fiscal year 2002-2003 for Park City Municipal Corporation and its related agencies". Kay

Calvert seconded. There was discussion about adopting a final budget on June 20. Motion unanimously carried.

2. Water sales agreement Jordanelle Special Service District - Fred Jones expressed his concern about the exorbitant price of the water. The City Manager explained that this transaction represents today's high water costs. The City spent less in the past because water rights were actually dedicated to the City which is not now the case. He emphasized that this agreement is for 20 years while ten years would be much more desirable, but would result in escalated costs. He acknowledged that this is a tough decision, but staff is prepared to recommend proceeding. In response to a question from the Mayor, Jerry Gibbs stated that the water is already treated resulting in a low hardness quality product. He added that there will be substantial electrical savings because it will reduce the pumping demand to Deer Valley. Fred Jones, "I move to approve the water sales agreement with the Jordanelle Special Service District". Candace Erickson seconded. Motion unanimously carried.

IX ADJOURNMENT

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

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MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2:30 p.m. Members in attendance were Mayor Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. No staff was present. Jim Hier, "I move to close the meeting to discuss personnel". Peg Bodell seconded. Motion carried unanimously.

The meeting opened at approximately 3:30 p.m.

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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