PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JUNE 5, 2008

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Bret Howser, Budget Analyst; Hugh Daniels, Emergency Management Manager; and Nate Rockwood, Budget Analyst

1. Council questions/comments. Candace Erickson reported that the Historical Society's Home Tour is scheduled on June 14 and reported on Recreation Advisory Committee business including the Friends of the Dog Park's fund-raiser to purchase accessories for the facility. Mayor Williams referred to the letter sent to members from Stanton Jones and disclosed that he briefly talked with him about his concerns about the Racquet Club competing with his private fitness center. Candace Erickson sadly reported that Nick Badami passed away yesterday.

2. Quarterly goal update. Tom Bakaly referred to the table in the staff report and with regard to Goal 1, Water, Jim Hier suggested that with regard to the water demand reduction plan, that the Building Department's requirements relating to landscaping new projects should be modified and it was agreed to add this as an action item. Ground-breaking for the Snowcreek affordable housing project was estimated for July. The Mayor updated members on the status of the Wasatch Back Environmental Alliance and the liaison role of the City with this group. With regard to Goal 2, Transportation, the Mayor spoke about bio-fuels, and suggested that the City fleet convert to a higher usage rate during the warmer months. With regard to open and responsive government, the low attendance at the second home owners, event was discussed.

3. Budget review. Bret Howser explained that the fee resolution contains modifications to water and ice rink fees which were discussed last week and recommended for adoption tonight. It was pointed out that the tentative budget is also scheduled for adoption today, ten days before approval of the final budget according to state law. Mr. Howser continued that in August 2007, the Comprehensive Emergency Management Plan was adopted by resolution and it was decided that this be addressed annually in conjunction with the budget process. Hugh Daniels explained that the plan had not been updated since the mid-1990s with the exception of the Olympics. The CEMP outlines the City's response to disasters and emergencies and changes to the resolution made in January were administrative in nature. In order to be reimbursed from the federal government in a disaster situation, an emergency management plan must be in place, and compliance is also a requirement for some grants. He stated that City staff has completed 315 of the required 420 courses; most will be completed the end of the month, which is an incredible accomplishment. Mr. Daniels commented on the required tests for Council members and the emergency preparedness classes attended by staff.

Nate Rockwood addressed three proposed modifications to the budget policies. The first clarifies the reason for the $5 million reserve policy in the CIP, which is key in maintaining the City's good bond rating. In response to a question from Roger Harlan about increasing the amount, Bret Howser stated that the City's financial advisor recommends capping it at $5 million. Jim Hier asked that the relationship of the CIP budget to reserves be analyzed on June 12. Mr. Rockwood advised that another change is the inclusion of a cost benefit analysis on all contracts and projects over $20,000, on all contracts awarded through the formal bidding process, and any other item over $10,000 not included in the budget. This was a request of Council members Kernan and Hier. The third, is the addition of the asset management policy which is part of the CIP. There was discussion and clarification of the term, *non-existing assets*, in response to a question from Liza Simpson and staff agreed to reword the provision to make it clearer.

With regard to outstanding issues, Mr. Howser pointed out the $100,000 budgeted in the Planning Department for contract personnel to assist with historic preservation and general planning. Another budget issue relates to meeting obligations under the Mayor's Climate Protection Act and establishing a community baseline carbon footprint. The Sustainability Department is requesting $45,000 to contract with a firm to establish base levels. The Mayor interjected that this information will supplement data from Johnson Controls to comply with Kioto Accords and having a baseline study is very useful. Jim Hier expressed concerns about the impact on staff's workload to provide the consultant with data back to 1990. Bret Howser explained that staff's time is basically budgeted and Mr. Hier asked how much additional workload will be placed on existing budgeted staff to provide the needed data to complete the study. Phyllis Robinson explained that this is a community not city study and much of this information already exists and is available. The modeling and software is included in the contract amount.

Tom Bakaly stated that staff can return with this topic on June 12, including information on staff time. Mayor Williams noted that many countries that have subscribed to the Kioto Accord acknowledging that getting there is not going to be that easy and some will not meet the goal. Discussion ensued about Council adopting a resolution agreeing to the Kioto Accord and Ms. Erickson stated that she needs to know more about the proposal before she can support it. Liza Simpson noted that she is comfortable moving ahead but wasn't aware that the study was community-wide. The Mayor pointed out that members of the Kioto Accord are typically countries, not cities, which is the reason why the City joined the local group. Roger Harlan commented that we're purchasing $45,000 worth of information which doesn't necessarily translate into compliance or a higher level of sustainable practices among the citizenry. The Mayor countered that the information is a basis for setting goals and discussed community buy-in for wind power.

Jim Hier asked that the Kioto Accord be distributed to Council members. He also asked about a corresponding reduction in the budget for paying mileage because of the purchase of vehicles. The Mayor stated that he preferred to have funding earmarked in the budget for the Racquet Club remodel even though a plan as not been formalized. This will return on June 12. In response to a comment from Mr. Hier that the $8 million is budgeted but doesn't really exist, the City Manager emphasized that the funds are there. Bret Howser explained that half was transferred from the General Fund this year and the other is in Fund 31. This money is basically interest earnings that have not been appropriated to a project. Roger Harlan disclosed that he has a problem with the Little Kate sidewalk project but not the remainder of the budget and the tentative budget is scheduled for adoption. Jim Hier requested expanded work session discussion on the overall water consumption forecast.

3. Planning Commission interviews. Members interviewed residents John Stafsholt, Glen McConkey and Adam Strachan for the vacancy on the Commission.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 5, 2008

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Library and Education Center on Thursday, June 5, 2008. Members in attendance were Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, and Liza Simpson. Joe Kernan was absent and excused. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Dave Gustafson, Project Manager; Jim Carter, Contractor; and Kirsten Whetstone, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

High School graduation party fee waiver request - Mike Sweeney, on behalf of the High School graduating class, explained that a graduation party will be hosted at The Yard. He asked that the required building permit for two inflatables in the amount of $180 be waived. Council directed the City Manager to review the application and if everything is in order to waive the fees.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF MAY 22, 2008

Roger Harlan, "I move approval of the work session notes and minutes of the meeting of May 22, 2008". Candace Erickson seconded with a minor spelling correction. Motion carried.

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

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

1. Resolution designating June 14 – 21, 2008 as National Invasive Weed Awareness Week in Park City, Utah – Candace Erickson, "I move we approve a Resolution designating June 14 – 21, 2008 as National Invasive Weed Awareness Week in Park City, Utah". Liza Simpson seconded. Motion carried.

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

2. Resolution amending Section 2, Water Fees; and Section 9, Ice Arena Fee Schedule; and replacing and repealing Resolution No. 13-07 in its entirety – Tom Bakaly indicated that Council has reviewed these fee amendments on several occasions. The Mayor opened the public hearing and with no comments, closed the hearing. Liza Simpson, "I move we approve a Resolution amending Section 2, Water Fees; and Section 9, Ice Arena Fee Schedule". Candace Erickson seconded. Motion carried.

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

3. Resolution adopting a Comprehensive Emergency Management Plan for Park City, Utah – See work session commentary. Jim Hier, "I move we approve a Resolution adopting the Park City Comprehensive Emergency Management Plan". Candace Erickson seconded. Motion carried.

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

4. Consideration of a Resolution adopting a tentative revised budget for fiscal year 2008 and the budget for fiscal year 2009 for Park City Municipal Corporation and its related agencies - The Mayor invited the public to comment and with no input, closed the public hearing. Roger Harlan asked if the budget could be separated by components as he is uncomfortable with voting for the extended Little Kate sidewalk project (not beyond Evening Star) but supports the remainder of the budget and hopes he doesn't have to vote against the entire budget. Jim Hier pointed out that not installing a sidewalk on Little Kate will prompt improving the sidewalk on Monitor at a cost $650,000 and he believed that the link from Monitor to Lucky John is roughly $250,000. Mr. Harlan did not agree that Monitor should have to be improved because it is unsafe. The perception of safety can be very different for individual households and

he can not justify investing money toward a perception when it's taxpayers' dollars. Mayor Williams asked if other members share the same opinion. Liza Simpson stated that she has thought about this project quite a bit and considered the expanded role of the Racquet Club and potential increased use. She feels that extending the sidewalk to Lucky John is a good long-term solution. Jim Hier felt that the short link from Evening Star to Lucky John probably equates to $50,000 and would make the Racquet Club more accessible to the east side Park Meadows neighborhood. He felt this is not worth further discussion and recommended moving forward. Candace Erickson noted her support of the extended sidewalk. The Mayor believed that once the sidewalks are installed, the speeds will increase which is his biggest concern. On the other hand, he was impressed by the number of residents who became involved which changed his opinion but not his fear of the perception of safety with sidewalks. Ms. Erickson pointed out the growth in the neighborhood and more kids in the street. Roger Harlan again expressed his hope that the Little Kate project could be separated out of the budget to be approved. Jim Hier, "I move we approve a Resolution adopting a tentative revised budget for fiscal year 2008 and the budget for fiscal year 2009 described in the staff report". Candace Erickson seconded. Motion carried.

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

5. Consideration of authorizing the City Manager to enter into a contract with Johnson Controls, in a form approved by the Legal Department, in an amount not to exceed $1.4 million – The Mayor emphasized the long-term energy benefits of the proposal and Jim Hier asked members if they are committed to the photovoltaic cells proposed at Quinns Junction. He acknowledged that $133,000 is not significant in consideration of the total contract cost but given the minimal return, did not feel it is a wise expenditure of funds. Liza Simpson expressed that she hates to lose photovoltaic as a teaching tool and suggested applying $60,000 of the $100,000 Rocky Mountain Power grant and implementing half of the project at half the cost. Jim Hier felt this is an excellent compromise. Dave Gustafson described elements of the array and cutting it back to a $60,000 project may allow the cells to be mounted on the side of the building. The Mayor felt it worthwhile to build a demonstration project to increase public awareness and Roger Harlan believed the revised project makes a lot of sense. Candace Erickson agreed especially since learning the grant is not a matching one. Jim Hier, "I move that we approve the contract with Johnson Controls in a form approved by the Legal Department in an amount not to exceed $1.4 million, as indicated in the staff report, with further direction to eliminate the photovoltaic cell project or to

shorten it down to the $60,000 or $70,000 as discussed. Liza Simpson seconded. Motion carried.

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

6. Consideration of approving an Ordinance annexing approximately 286.64 acres of property located at the southwest corner of the SR 248 and US40 Interchange in the Quinns Junction area, known as the Park City Heights Annexation, into the corporate limits of Park City, Utah, and amending the Official Zoning Map of Park City to zone the property in the Community Transition Zoning District (CT) – Jim Carter referred to the staff report and clarified that this is the third meeting and public hearing on the annexation. He requested direction on open space, frontage protection, enhanced public benefits, trails and pedestrian improvements, inclusion of affordable housing, proposed configuration and mix of housing types, site considerations, and residential unit density. He asked if Council input from previous meetings is characterized correctly in the staff report and Jim Hier suggested reviewing each point in the table (Pages 128 and 129) individually. Members agreed with Item 1, open space, and discussion ensued about the 200 foot no-build frontage protection zone and the possibility of the City using the property for fields in the future. In response to a question from Liza Simpson about parking, applicant Walt Plum explained that most parking is designed within garages and Spencer White further clarified that there will be some off-street parking. Jim Hier noted that this is well within the 40% identified in the criteria for a density increase and pointed out that the provision is really designed for commercial projects to discourage large parking lots.

Members agreed with Item 4, pubic transit facilities. With regard to Item 5, enhanced public benefits, Mr. Hier stated that designating 24 acres as private open space in a subdivision is not as public as PC Heights deeding 24 acres to the City. Candace Erickson acknowledged that she now agrees with Mr. Hier on this point because of the potential of the City building fields. Mayor Williams noted that this property is counted as open space and he is not convinced that recreation fields are open space. Spencer White clarified that the applicants intend to dedicate another 100 acres over the 24 acres as open space. This is the upper section where the trails are located; the project has 73% open space and approximately 210 acres which translates to seven acres open space. Mayor Williams clarified that his concern deals with the definition of open space. Members agreed with Item 5. Jim Carter addressed Item 6, public trails and pedestrian improvements and suggested that finalizing the proposed trail system take place at the time that the MPD is reviewed. Jim Hier felt trails are an important element of the project and Mr. White described the trail connections. Mr. Hier believed that the rest of the trail system will need to be developed in tandem with the final site plan at the MPD level.

Mr. Carter stated that the Planning Commission found that the project substantively complies with the sensitive lands ordinance (Item 7). There was initial discussion of applying the SLO approach with regard to the calculation of density. Jim Hier suggested that the Planning Commission take another look at the CT Zone for clearer wording on the intent of the SLO as it applies to the CT Zone. Mr. Hier corrected an error in Planning Commission Finding No. 11 by pointing out that the stated 23.55 AUEs be changed to 31.4 AUEs. Phyllis Robinson confirmed that this is the correct number.

Jim Carter stated that the Planning Commission felt the density proposed on the site is too much but forwarded a positive recommendation to the City Council without a density number. Staff found that the project meets the General Plan and meets the requirements of the CT Zone. Jim Hier believed that the Planning Commission did as well as reflected in the minutes. The General Plan is not specific to density and he suggested focusing on the CT Zone as to a determination for density. He discussed meeting the nine criteria for a bonus density of 1:1 and substantially meeting the nine criteria for something less than 1:1. There are 12 purpose statements for the CT Zone and he felt these can be applied to determine a density. Mark Harrington advised that the zoning and the General Plan are not mutually exclusive but the more narrow the review, the better. Kirsten Whetstone interjected that the annexation agreement will be very helpful to the Planning Commission in its upcoming review of the project. Spencer White spoke about the MPD being in play and the importance of providing some flexibility to arrive at the best design. Jim Hier emphasized that the annexation task force considered all properties in the area and adjacent parcels when formulating the CT Zone. The Mayor reviewed each purpose statement individually from (l) to (a):

(l) Minimize curb cuts, driveways, and access points to the highway. Members agreed with the statement. Roger Harlan pointed out the possible unintentional consequence of high use of the Old Dump Road.

(k) Encourage development which preserves the natural setting to the greatest extent possible. Jim Hier felt that the statement is contradictory and mutually exclusive. Members agreed that preservation of the natural to the greatest extent possible is not achieved.

(j) Encourage the development of high quality public places such as parks, trails, and recreation facilities. Jim Hier viewed the project as a private development which incorporates these features not a recreational development. Kirsten Whetstone pointed out park opportunities with the 100 acre dedication. Council concurred the project doesn't meet the statement.

(I) Promote significant linkages to the broader community open space and trail network. Members agreed PC Heights meets the statement.

(h) Encourage transit-oriented development and uses. Members believed the project met the transit purpose.

(g) Preserve Park City's scenic entry corridor by providing significant open space and landscape buffers between development and the highway corridor. Members agreed that the project meets the statement. Jim Hier spoke about compliance with the frontage protection zone.

(f) Preserve and enhance environmentally sensitive lands such as wetlands, steep slopes, ridge lines, wooded areas, and stream corridors. Members believed the project complies with the purpose statement.

(e) Require building and site design solutions that minimize the visual impacts of parking and parking lot lighting from the entry corridor and adjacent neighborhoods and land uses. Members felt the project design will meet the purpose statement.

(d) Prohibit highway service commercial, regional commercial and limit residential land uses. Members believed the project meets the statement, especially if a clustered approach is used. Walt Plum briefly discussed a concept for a hotel and property management service.

(c) Enhance and expand public open space and recreation uses compatible with the adjacent public deed-restricted open space. Council concurred that the proposal meets the statement.

(b) Encourage low density development designed in a manner so as to cluster uses in the least visually sensitive areas and maximizes open space. Members agreed.

(a) Encourage low density public, quasi-public, and/or institutional uses relating to community open space, recreation sports training and development, tourism, and community health. Members did not feel the project meets this statement, which applies to the IHC and USSA developments. Liza Simpson felt that the affordable housing addresses the community health aspect and community open space is met. Members did not believe the project meets the statement.

Mayor Williams summarized that a final determination on compliance with Subsections (a), (b), (j) and (k) will be made during the MPD process. Jim Hier pointed out that members determined that eight of 12 elements are met, which is 2/3rds or 66.6%. Using this percentage to formulate density results in 132 units on 200 acres which could be used as a base density recommendation for the Planning Commission. Coming into compliance with one or more of the unmet four elements could result in adding to the base density. Jim Carter felt that establishing a density range makes the most sense and warned against using a mathematical approach. Applicant Walt Plum spoke about the expense of providing a location for IHC's affordable housing and associated infrastructure on the PC Heights site. Mayor Williams expressed his concern with applying a mathematical formula to determine density but is not necessarily opposed to the baseline number. Jim Hier felt that it is incumbent on Council to provide a base number to the Commission and this is only a recommendation. He encouraged the applicant to meet again with staff pointing out the logic of the exercise based on the purpose of the CT Zone. Spencer White understood the density range to be 131 to 157. Discussion ensued about identifying a beginning density number without the benefit of a master plan but the need to relay a recommendation on density to the Planning Commission.

Mark Harrington advised being clear with regard to the question of going above the 157 units under any circumstance versus just going back to the Planning Commission. Jim Hier hoped this could be worked out in the next two weeks. The City Attorney discussed the level of specificity that can be accomplished through the legislative capacity of Council when considering an annexation to ensure a quality development within the City limits. The burden shifts at the MPD stage and he encouraged that Council identify the important elements it expects to be met as PC Heights goes through the MPD phase but are deal-breakers in terms of quality development. The Mayor confirmed consensus for clustered development and noted that in his mind, a well designed site plan is more important than a hard density number and the reduction in the number of units is dependent on the MPD determination. Reconfiguration of some units to multi-family was supported. The Mayor expressed concerns about the creation of a village center and introducing commercial uses in the area. Jim Hier felt some services are appropriate like day care centers and a church. Other members did not feel a church would be an appropriate use. Roger Harlan liked the idea of providing a park for families. Mayor Williams did not feel that the project is large enough to justify a commercial element and Mr. Hier noted that across the street on the IHC site, there are opportunities for restaurants and other services. Candace Erickson stated that if 132 is used as the base number, some credit is due for the IHC units on the PC Heights site but she is not sure what that value would be and Jim Hier noted that the offset is considered with the market unit mix. He added that Council agreed to eliminate 52 AUEs of attainable housing and he would like to explore further eliminations with feedback from Talisker. Mr. Hier referred to the findings included in the minutes of the Planning Commission meeting and reiterated his corrections. Mark Harrington explained that they reflect the Planning Commission deliberations at that point in time and do not include modifications made after the meeting.

The Mayor opened the public hearing.

Scott Loomis, Mountainlands Community Housing Trust, expressed his support of the work accomplished by the applicant, task force and Planning Commission. He encouraged Council to be open to some commercial uses which is an important element for the affordable housing component and may decrease car trips to businesses in Park City.

With no further input, the public hearing was closed. Jim Hier, "I move that we continue the public hearing to June 19". Candace Erickson seconded. Motion carried.

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

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 2:30 p.m. Members in attendance were Mayor Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, and Liza Simpson. Joe Kernan was absent and excused. Staff present was Tom Bakaly, City Manager; Tom Daley, Deputy City Attorney; Rebekkah Coburn, Legal Assistant; Jerry Gibbs, Public Works Director; Phyllis Robinson, Public Affairs Manager; and Mark Harrington, City Attorney. Jim Hier, "I move to close the meeting to discuss property". Liza Simpson seconded. Motion carried. The meeting opened at approximately 3:30 p.m. Roger Harlan, "I move to open the meeting". Jim Hier seconded. Motion unanimously.

Candace Erickson	Aye
Roger Harlan	Aye

Jim Hier	Aye
Joe Kernan	Absent
Liza Simpson	Aye

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