PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MAY 24, 2007

Work Session – City Council Chambers

Present: Mayor Dana Williams; Council members Marianne Cone; Jim Hier and Joe Kernan. Members Candace Erickson and Roger Harlan were excused.

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Eric DeHaan, City Engineer; Chief Lloyd Evans; Gary Hill, Budget Manager; Jerry Gibbs, Public Works Director; Pace Erickson, Public Works Operations Manager; Matt Twombly, Trails Planner; Max Paap, Special Events Manager; Myles Rademan, Public Affairs Director; Alison Butz, Project Manager

1. Council questions/comments. Marianne Cone commented on the success of Bike to Work Day. She thanked Maria Barndt for landscaping the Sandridge Lots buffer strips and Zions Bank for installing curb cuts on their sidewalks. She mentioned the passing of Jack Dozier, former High School principal, from whom she learned the importance of discipline. Jim Hier also participated in the Bike to Work Day activities. He reported the Inter Agency Task Force received a presentation about wildlife migration activities and discussed growth in Wasatch County. He also noted that Gary Hill gave an excellent presentation to the Chamber Board of Directors. Joe Kernan participated in Pride in Your Park Day and thanked Maria Barndt for distributing seedlings to participants. In advance of the solid waste discussions, he disclosed he owns a recycling business. Mayor Williams reported on a recent wedding trip to Southern Utah where he ran into a number of former “Parkites.”

2. Pavement management. Pace Erickson, Public Works Operations Manager, explained that the pavement management program maximized pavement life and minimized pavement costs by identifying the timeframe for appropriate maintenance based on the remaining service life. Based on the ever-increasing cost of asphalt it is important to maintain a higher service life, which will eliminate the need for repairs.

Mayor Williams commented on the incongruity of promoting walkability and bikeability versus the use of slurry seal, which creates a rough surface that is difficult for bicyclists. He suggested that Council discuss alternatives at the Visioning Session next year.

Joe Kernan wondered whether they could avoid main arteries so road riders would only be impacted on side roads, create bicycle lanes without it, or explore alternatives that use smaller gravel.

Pace Erickson explained there are different types of slurry seal, however a smaller aggregate only lasts about three years as opposed to five, so costs would be increased. He noted the aggregate is a problem the first summer it is put down. Traffic tends to push the aggregate into the asphalt and it smoothes out once the snow plows have gone over during the winter season. He indicated they could research alternative ways of applying it and noted they were going to experiment with a fog seal on some bike paths to see how well it holds up against traffic. He stressed they had tried unsuccessfully to roll freshly applied seal on Geronimo Court.

3. Backhoe report for the Main Street core. City Engineer Eric DeHaan updated Council on the public and private sector projects that will impact the Main Street core this summer. Projects include UDOT work on the Belt Route, soil removal from the Montage project in Upper Deer Valley, and numerous business and residential construction in the Main Street area.

Marianne Cone stated it would be nice if Deer Valley Drive were reconfigured to create turning lanes and add space at the edges for bicycle lanes.

4. Main Street short-term parking and deliveries. Kent Cashel, Public Works Deputy Director, explained the policy for short-term delivery zones had been in place on Main Street since 2000, and Staff has determined a need to revisit the geographic distribution of several thirty-minute free parking spots located on Main Street, Heber Avenue and Park Avenue. Staff periodically receives requests from business owners who desire to have dedicated use of parking spaces to accommodate their business. The reallocation of spaces offer a net-zero change in the total of short-term parking spaces offered on Main Street.

In addition, Staff requested that Council consider creating a pick-up/drop-off zone for non-City buses on the west side of Swede Alley an area near the compactor building. During the summer, we experience a heavy volume of buses that include Park City as a short-term tour destination. Double-parked delivery trucks often hinder transit operations in that area, and there are safety issues in terms of people backing into the traffic flow. From 12-15 spaces would be lost, however the new parking structure provides additional spaces in Swede Alley. He explained the Transit Center is at full capacity and cannot accommodate additional use by private buses.

Jim Hier commented that all buses have to come into Swede Alley now and allowing access on the lower portion, with access to exit through the transit center was appropriate. Providing a spot for loading/unloading would be a big help. Marianne Cone suggested a pick-up spot at the bottom of Main Street to accommodate tour groups walking downhill from the top of Main. Mr. Cashel stressed that Staff would explore Council’s comments and noted this would accommodate a need for the summer months.

Ken Davis, HMBA President, felt it was critical not to lose any spots and suggested that Staff consider drop zones at both the top and bottom of the streets to allow flexibility. Mike Sweeney, business owner, requested an opportunity to review the report in detail with Staff since they had not had time to review it.

Mr. Cashel clarified that deliveries are not allowed in red curb zones and it was helpful to provide spaces in the nearby vicinity for business deliveries. Council members wished to have the busses turn into the transit center to exit the area.

5. Main Street commercial trash. Jerry Gibbs, Public Works Director, presented two items for Council's consideration: 1) trash removal from Main Street, formation of a Business Improvement District, and 2) storage of trashcans in Old Town.

The County will no longer be involved in commercial trash hauling effective July 1, 2007 and there will be new fees at the landfill that will increase the cost of hauling commercial trash thirty to forty percent. Staff is seeking direction for handling, at a minimum, community dumpsters located in Swede Alley (two compactors and two eight-yard containers).

In addition, the HMBA has submitted a petition, which is under review by the Legal Department, to request formation of a Business Improvement District. If it meets requirements, a 45-day period begins wherein Council issues intent to form a BID and provides an opportunity for affected parties to respond.

Mr. Gibbs reviewed options for consideration and requested short-term and long-term direction from Council. Staff can prepare an RFP for commercial trash to deal with community dumpsters, at a minimum, but allowing the City to provide commercial services to Main Street if the BID is formed. We also need to plan to provide additional short-term coverage through Allied Waste during the RFP/contract process that could be completed in August. Also, Gordon Raymond of Allied Waste has indicated they are willing to continue commercial services. They are concerned with the collection rate in community dumpsters and associated costs and need some assurance to proceed.

Jim Hier encouraged extending temporary service as we go through these changes and recommended moving forward. He favored the BID as a vehicle for accomplishing the general task.

Manager Bakaly clarified that PCMC is getting into the commercial trash business. Part of the RFP, in addition to the community dumpsters will include commercial hauling on Main Street if the BID is successful. The City will contract temporarily with Allied to ensure that the services jibe. Council members indicated they supported a BID option.

Trash can time limits for Old Town. Mr. Gibbs explained that Staff has received a handful of complaints over the past few years and Council has discussed the issue numerous times. Staff has advised complainants of the neighborhood process for requesting enhanced levels of service. Due to the amount of enforcement that would be required, costs could be as high as $5,000 per month. He asked Council if they wished to impose restrictions to times trashcans could be left on the street.

Joe Kernan asked the level of buy-in from neighbors to initiate the Neighborhood Enhancement Process. Mr. Gibbs explained that a petition signed by five residents begins the process, issues are identified and staff holds neighborhood meetings to determine whether there was neighborhood support. Mr. Kernan supported the concept, but needed to be convinced that the neighborhood supported the request. He suggested that a private company manage enforcement.

Marianne Cone suggested trading the big blue cans for two smaller brown cans. Mr. Gibbs explained that fees are based on the number of cans, not the volume. Mr. Raymond, Allied Waste, explained this was a unique market in Utah and the smaller bins aren't of use anywhere else. He suggested the County might buy the smaller bins and maintain ownership of them. Ms. Cone indicated she would speak to Park Avenue residents to determine their interest in enhanced levels of service.

6. Capital Improvements Budget and introduction of walkability projects. Gary Hill, Budget Manager, reviewed the upcoming budget schedule and noted Council was set to adopt the tentative budget on June 7, with final adoption on the June 21, 2007. Mr. Hill began the discussion with a presentation about revenue projections that influence the City's budget, particularly the CIP budget. The City is likely to experience a significant reduction on potential revenues due to the recent tax changes. Staff estimates that by 2012 the City will lose approximately $928,000 due to the hold harmless clause and approximately $480,000 due to removal of food from the sales tax base. With a change to the City's sales tax rate, Staff projects a loss of only ½ of that revenue and projections relative to the budget and CIP budget anticipate such an increase.

As an example, Mr. Hill referred to OTIS, the Old Town Improvement Study, which identified 21 significant projects to be completed over the course of 18-20 years. Three projects have been completed, and the 18 remaining projects, balanced with new projects are contingent upon available general fund surplus and continued growth in sales tax. Every two years the CIP Committee considers all projects, proposed as well as existing, and ranks them based on criteria, which includes Council priorities, funding availability, impact, timeline and investment. This year's committee consisted of Lori Collett, Ken Fisher, Eric DeHaan, Kathy Lundborg, Jonathan Weidenhamer, Jerry Gibbs, Stacey Noonan, and Gary Hill.

Joe Kernan wished to discuss the sales tax increase and the projected losses. He stressed that Park City had experienced amazing sales tax growth over the past five years, and it had also been good for the past 12 years. He asked why Staff had forecast a drop in sales taxes from 2007 to 2008 before the legislative change. Mr. Hill explained the sales tax model on which we base forecasts is an econometric model which takes into account not only historical information, but leading indicators. The analysis is not simply based on past trends or average growth, but changes in the economy as well as sales tax history. The model is based on past history in large part which suggests that we would see an average growth, but that average growth happens to be less than actual growth we have seen this year. He added that 2007 figures are predicted because we have two months remaining of collection. He added that the majority of our sales occur between November and March. He added the hold harmless changes have been in effect for a year. Reduced sales tax on food begins in 2008.

Mr. Hill reviewed ongoing CIP projects, including the Police Facility, Town Plaza and Shell Space, and the Marsac Seismic Upgrade. Due to rapidly increasing construction costs, budgets have been increased and he explained budgeting sources to address the increases, noting that some funding would come from sales of assets and bond proceeds. The Marsac Seismic Upgrade now includes a budget increase to reconfigure internal space to move Engineering and Planning to the main floor to create "one-stop shopping" environment. Based on the magnitude of change to the original estimate, Mr. Hier requested an analysis of the same level cost variance versus the change of scope increase. Marianne Cone suggested separating the Shell Space and Town Plaza projects, which Mr. Hier concurred was "not a bad idea."

Mr. Hill introduced the Walkability Implementation Projects. From the Landmark Study, Council identified issues that were important to solve as well and a level of service and provided direction to Staff to consider how proposed solutions affected traffic, transportation, and funding. The Walkability Steering Committee considered the issues and has identified a number of projects, including some that differ from Landmark's recommendation. On May 31st Staff will present Council with a detailed listing of recommended projects as well as timing. Some of the Committee's recommendations are different, and most are less expensive. A contingency budget has been created, in addition to the implementation and maintenance budgets, which could cover projects overruns, or fund additional projects. Staff feels they can accomplish the desired level of service more economically than Landmark's projected costs.

Mr. Hill briefly reviewed Recreation CIP Projects, including tennis bubble replacement, Quinn's Fields Phases II and II, and Ice Facility Capital Improvements. Public Works and Streets improvements include the Meadows Drive Traffic Signal, purchase of a pavement recycler, improvements to the Deer Valley Drive Roundabout, Public Works site cleanup, China Bridge improvements and cleaning equipment, as well as various water projects. Marianne Cone wanted to ensure the cleaning equipment could be used in other areas than just China Bridge.

Continuing with Other Significant Projects, Mr. Hill explained the 5-Year CIP includes an increase for reimbursement from the sale of property; Biocell Remediation includes an increase for the remediation project at the end of Poison Creek; Historic District Guidelines Update; purchase of Time and Attendance Software; and purchase of the Park Avenue Fire Station.

Mr. Hill summarized requests for the future discussions: cost variance analysis for the Marsac Building that would point out what portions of increase are related to cost of construction versus scope change; separation of shell space and plaza project; cost saving analysis on time and attendance software; sales taxes; and walkability projects.

Prepared by Sharon Bauman

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 24, 2007

I ROLL CALL

Mayor Dana Williams called the meeting to order at 6:00 p.m. Roger Harlan and Candace Erickson were excused. Jim Hier, Joe Kernan and Marianne Cone were present. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Gary Hill, Budget Manager; Alison Butz, Project Manager; Ken Fisher, Racquet Club Manager; Matt Twombly, Trails Planner; Jonathan Weidenhamer, Economic Development Coordinator; Pace Erickson, Public Works Operations Manager; Jerry Gibbs, Public Works Director

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Jim Hier commented on an e-mail regarding levels of service regarding snow removal and requested a Staff response prior to the final budget vote.

Jonathan Weidenhamer announced a public input session on Friday at McPolin Elementary regarding the school drop zone on Lucky John.

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

Puggy Holmgren urged Council to scrutinize the museum remodel. As resident of Old Town and member of HPB, she had many questions about it and felt it was not acceptable.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF MAY 10, 2007

Marianne Cone, "<u>I move approval of Work Session Notes and Meeting Minutes of May 10, 2007"</u>. Jim Hier seconded. <u>Motion unanimously carried</u>.

VI CONSENT AGENDA PUBLIC HEARINGS *(items listed will be open for public hearing prior to consideration for adoption or rejection; hearings may also be continued by vote of the Council)*

1. <u>Consideration of an Ordinance approving the Roundabout Subdivision, 300 Deer Valley Loop, Park City, Utah</u> **(motion to continue to June 14, 2007)**
Marianne Cone, "<u>I move to continue Consent Agenda Item 1 to June 14, 2007"</u>. Jim Hier seconded. <u>Motion unanimously carried</u>.

2. <u>Consideration of an Ordinance amending Title 4 of the Municipal Code of Park City Utah regulating liquor-licensed establishments</u> - Jon Weidenhamer read minor revisions to the Ordinance into the record. Section 4-5-1 would be amended to include, "No Beer license shall be issued for any Private Club or Bar in the HCB District or HRC District, unless the general public may join the club, either as a member or visitor, and the cost of that membership or visitor card is not more than $50.00"; and, 4-6-1 would read, "No Liquor license shall be issued for any Private Club or Bar in the HCB District or HRC District, as described in Sections 4-6-2 and 4-6-3 unless the general public may join the

club, either as a member or visitor, and the cost of that membership or visitor card is not more than $50.00."

The general intent of the ordinance is to assure that private clubs, bars and restaurants on Main Street would allow public access at all times. He explained the $50 fee was based on double the average of the norm of general Main Street fees. City Attorney Mark Harrington emphasized this addressed temporary visitor cards as well as annual membership cards and did not prevent private events such as fund raisers.

Mayor Williams questioned the need to include a specific fee. Attorney Harrington expressed concern that unless it included a cap, exorbitant fees, or fees attached to private home ownership, could be charged and this was the safest way to ensure public access. He explained we were not interfering with the State definition of a private club, we are just addressing local consent for clubs within a limited area.

Mayor Williams opened the public hearing.

Mike Wong, Main Street businessperson, understood it could be beneficial for the Main Street district and it was important to place a cash limit so portions of the population were not excluded. He supported the changes and encouraged Council to prevent loopholes in the ordinance.

Mike Sweeney, speaking on behalf of the HMBA, his tenants and himself. He expressed concern about the wording to prevent loopholes. He did not want to preclude businesses that collect cover charges to pay for performing groups. He was supportive of Council's consideration of the changes.

John Burdick, director of restaurants for Sky Lodge, opposed including the cost of membership in the ordinance changes.

Attorney Harrington emphasized this ordinance would not regulate cover charges nor special event ticket prices. This ordinance is most defensible if we follow the state regulatory categories and not attempt to distinguish differences in membership types. Jim Hier commented this was a great first step in trying to ensure the viability of Main Street and encouraged Staff to consider additional measures to help maintain that economic viability.

With no additional input, the Mayor closed the public hearing.

VI CONSENT AGENDA *(items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not*

imply a predisposition for approval and may be removed by motion and* discussed *and acted upon under "Additional Discussion – Agenda Items")

Mayor Williams mentioned he had discussed landscaping, xeriscape and drip irrigation methods with Matt Twombly, and felt it would be good to include that information in Staff Reports so the public knows we are doing that.

Manager Bakaly clarified a revision to Consent Agenda Item 3, which deals with affordable housing. Any affordable housing projects the City does would comply with energy savings and certification standards. Marianne Cone asked for a clarification of differential pricing. Alison Butz explained it was a description for pricing differences between costs of standard construction method opposed to alternate methods, i.e., the cost of a sod roof for the shell space is $80,000 versus a standard membrane roof that costs $20,000.

City Attorney Harrington requested they insert "annual" and "temporary" membership language in Item 1.

Jim Hier "I move approval of Consent Agenda as modified and corrected by the City Attorney and the documents issued supplemental to the packet that Council received". Marianne Cone seconded. Motion unanimously carried.

1. Ordinance amending Title 4 of the Municipal Code of Park City Utah regulating liquor licensed establishments – See Staff Report and discussion in Work Session

2. Award of a Construction Contract, in a form approved by the City Attorney', to Action Snowplow and Lawn Care Inc., in the amount of $45,876 for the Quinns Junction Recreation Sports Complex – See Staff Report

3. Resolution adopting green high performance building requirements for all new or renovated public buildings, owned and controlled by Park City, Utah and allocation of 4% maximum additional budget to achieve higher levels of certification and promote energy efficiency and sustainable design – See attached Resolution and Staff Report

VII NEW BUSINESS

1. Consideration of acceptance of the 2007 Pavement Management Plan, authorizing the City Manager to enter into an agreement, in a form approved by the City Attorney, with: a. Kilgore Paving for pavement overlays in the amount of $ 289,203; b. Intermountain Slurry Seal for slurry seals in the amount of $111,005; c. Kilgore Paving for crack seal in the amount of $71,760; and d. CTS Utilities for utility adjustments in the amount of $34,800. – See Staff Report and Work Session Discussion.

Council Members had no questions and there was no public input.

Joe Kernan, "I move approval of acceptance of the 2007 Pavement Management Plan" . Marianne Cone seconded. Motion unanimously carried.

VIII OLD BUSINESS *(pending items that have been continued from a previous meeting)*

1. Consideration of a Resolution adopting a Joint Use of Facilities for Recreation Inter-local Agreement between Park City School District, Snyderville Basin Special Recreation District, and Park City Municipal Corporation - See Staff Report

Marianne Cone, "I move approval of a Resolution adopting the Joint Use of Facilities for Recreation Interlocal Agreement" . Joe Kernan seconded. Motion unanimously carried.

IX ADDITIONAL DISCUSSION – AGENDA ITEMS

Marianne Cone expressed confusion about the Museum expansion review process. Because the Historic Preservation Board lacked a quorum, the design review was continued for two weeks. The Planning Commission approved the Conditional Use Permit by a 3-2 vote and two members were absent, one of whom submitted a letter of opposition to the project.

City Manager Tom Bakaly explained that Council could call up the CUP if they wished. The design review was being conducted by the Historic Preservation Board at Council's request since it is a City-owned building. City Attorney Harrington clarified that an appeal of the design review process would go through Board of Adjustment. Project Manager Alison Butz clarified that design review was typically conducted following the CUP approval in case mitigation issued needed to be addressed.

Mayor Williams asked if Council wanted to call up the CUP approval granted for the Museum expansion. Although Marianne Cone wanted to call it up, neither Jim Hier nor Joe Kernan wished to call it up at this point. City Attorney Harrington clarified there was a 15-day appeal period, during which the action could be called up by City Council or appealed by the public.

X PUBLIC HEARING ON BUDGET

1. Revised budget for fiscal year 2007 and the budget for fiscal year 2008 for Park City Municipal Corporation and its related agencies – See Staff Report and Work Session Discussion.

Mayor Williams open the public hearing, which was continued without any input.

XI ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned at 6:45 p.m.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 1:30 p.m. Members in attendance were Mayor Dana Williams, Marianne Cone, Jim Hier, and Joe Kernan. Staff present were Tom Bakaly, City Manager; and Mark Harrington, City Attorney., Tom Daley Assistant City Attorney; Myles Rademan, Public Affairs Director; Dave Gustafson and Alison Butz, Project Managers; Jonathan Weidenhamer, Economic Development Coordinator. Joe Kernan, "I move to close the meeting to discuss property". Jim Hier seconded. Motion carried unanimously.

The meeting opened at approximately 3:00 p.m. Joe Kernan, "I move to open the meeting". Marianne Cone seconded. Motion carried unanimously.

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

Prepared by Sharon Bauman.