PARK CITY
1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 22, 1997

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, May 22, 1997.

AGENDA

Work Session - To be held in Work Session Room - Main Level

3:00 p.m.	Council questions and comments
3:30 p.m.	Budget review
4:30 p.m.	Joint meeting with Planning Commission Platted and unbuilt rights-of-ways
5:45 p.m.	Review of regular meeting

Regular Meeting - To be held in Work Session Room - Main Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

Resolution of appreciation to Pat Montgomery for her many contributions to the community

IV WORK SESSION NOTES AND MINUTES OF MEETING OF MAY 8, 1997

V PUBLIC HEARING

Ordinance approving the Malach replat, a plat amendment to the Park City Survey Lots 10, 11, and 12, Block 32 located at 139 Woodside Avenue, Park City, Utah

VI CONSENT AGENDA

1. Ordinance approving the Malach replat, a plat amendment to the Park City Survey Lots 10, 11, and 12, Block 32 located at 139 Woodside Avenue, Park City, Utah

2. Resolution of appreciation to Pat Montgomery for her many contributions to the community

VII NEW BUSINESS

Award of construction contract for Ontario Avenue and the Main Street storm drain improvements for 1997 in the amount of $483,555

VIII OLD BUSINESS

Authorization to staff to negotiate a contract with Spectrum Construction for Phase I improvements for the Library and Education Center Reading Garden in an amount not to exceed $45,000

IX ADJOURNMENT

Posted: 5/19/97

Note: It should be noted that the action on the resolution under Communications from Council and Staff and Consent Agenda occurred at the meeting and was not posted.

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MAY 22, 1997

Present: Mayor Brad Olch; Council members Hugh Daniels, Roger Harlan, Chuck Klingenstein, and Paul Sincock

Planning Commissioners Karri Hays, Bruce Erickson, Chris Larson, Michael O'Hara, and Jim Hier

Toby Ross, City Manager; Jodi Hoffman, City Attorney; Tom Bakaly, Finance Manager; Hope Bleecker, Transportation Director; Eric DeHaan, City Engineer; Bob Johnston, Leisure Services Director; Meg Ryan, Planner; Bob Stephens, Administrative Services Director; Pat Putt, Planning and Zoning Administrator

Tom Billings, legal counsel, and Leslie Miller, applicant for Sandridge Heights Subdivision

Absent: Shauna Kerr

1. **Council questions and comments.** Hugh Daniels referred to a letter from the Fire District regarding its objections to the traffic calming island. He commented on his 12 years in emergency medicine in the city of Pasadena which probably included 36,000 emergency calls under more difficult traffic situations. Mr. Daniels stated that he is certified by the National Highway Traffic and Safety Administration as an emergency instructor trainer. He felt there are methods to get through the intersection and is not in favor of it going away. Mr. Klingenstein noted that Chief Gee didn't approach staff before sending the letter and the City has always been supportive of the Fire District. He continued that there was an ice cream truck operating in his neighborhood which was quite disruptive and asked if it was the newly licensed vendor. Mr. Klingenstein added that he has had a discussion with Mountainlands Community Trust about a design competition for an affordable housing project on the Wortley property. Mr. Ross responded that he has been contacted by several people with inquiries about the property. He added that water service is not currently available and development is not timely and would not encourage a design competition as it doesn't work well for housing projects. The City Manager felt it more appropriate to have an RFP, formulated with input by the Planning Commission. In response to a question from Paul Sincock, Jerry Gibbs explained the crack sealing work on Lucky John Drive. Mr. Harlan referred to Chief Gee's letter and didn't feel that the attached schematic was realistic. He reported that there were several home owners adjacent to the park present at the Parks, Recreation, and Beautification Board who discussed interest in developing their properties.

2. Budget review. Finance Manager Tom Bakaly explained a report on projects and the funds budgeted and expended. He explained that the Council will be adjusting the capital improvement budget for this current fiscal year. There is $4 million in new appropriations during the year, including the Pace water purchase and the Baingo-Wortley purchase. He explained that many capital improvement projects have been anticipated for years and the Council will be approving a 1997-98 budget and a 1999 plan. Hugh Daniels further explained that approving a plan for additional years justifies the City's investment approach under the state statute. Tom Bakaly referred to the 1999 plan budgeted at $37.2 million of which $28.2 million relates to the transportation and parking projects where two parking structures are included. A capital improvement project committee consisted of him, Rick Lewis, Eric DeHaan, Jerry Gibbs, and Bob Johnston. All of the projects were reviewed and priorities assigned; the highest priority was health and safety. Funds have been reassigned as old projects were removed. Mr. Bakaly added that impact fee legislation is effective July 1 and a consultant has been hired to develop a plan for impact fee projects relating to the capital improvement budget. Mr. Ross explained that the City has relied on impact fees for much of the capital improvement program for almost two decades which may be more difficult in the future because of the new legislation and potential Olympic grants. Impact fees can not be collected on portions of projects funded by grants. The legislature is concerned about impact fees as more cities are collecting them and there may be legislation that caps Park City's ability to impose impact fees and the City is planning a very aggressive capital improvement plan. The Council will be discussing the philosophical and technical issues relating to impact fees before July 1.

Mr. Bakaly discussed the land acquisition entry and noted that $900,000 is budgeted in 1998-99 and after Baingo-Wortley is paid off, the fund decreases. He explained that the Osguthorpe property is categorized under debt service and appropriations for open space will be discussed on June 5 and 12.

Hope Bleecker, Transportation Director, explained that the Sand Ridge parking lot is budgeted at $220,000 which is a combination of in-lieu fees and RDA monies. Concept 1 contemplates 60 spaces with a buffer and a trail that leads to a proposed park next to the China Bridge Parking Garage. The drawback to the proposal is limited buffering and setbacks from Marsac Avenue. The cost for Concept 1 with grading, drainage, landscaping, lighting, signage and miscellaneous is $200,000 and the cost per space depending on landscaping is anywhere from $2,600 to $3,300. She continued that Concept 2 contains 99 spaces and less buffer and is budgeted at $310,000 and netting additional spaces will be advantageous to the City in the long run. Concept 3 provides 60 spaces and is more sensitive to residents' concerns as it increases the buffer area and landscaping and is estimated at $310,000. She urged Council to make a decision on the additional $90,000 as it is hoped that the project will be completed by late October. In response to a question from the Mayor, Ms. Bleecker explained that the landscaping would be installed in the spring. The Mayor suggested budgeting enhancements in next year's budget. The City Manager clarified that it is not a question which year it is budgeted in, but rather how large the project will be, as it is currently budgeted at $220,000. Ms. Bleecker added that the landscaping in Concept 3 is about $52,000. In response to a question from Paul Sincock, the City Manager explained the drainage system. Paul Sincock felt that it would be easier for snow removal services to have two accesses. Toby Ross stated that the snow would be pushed over the hill. There was discussion about aesthetics and the flexibility to alter the proposals and Mr. Ross admitted that there is less efficiency with the third alternative. He explained that staff is not seeking a resolution of the design, but rather if Council is interested enough in Concepts 2 and 3 to warrant increasing the capital improvement budget. Paul Sincock pointed out that building parking isn't going to get any cheaper, and could support Concept 2. In response to a question from Hugh Daniels regarding funding, the Finance Director added that the funding for this project is from in-lieu fees and staff would recommend the balance on June 5. Revenues from a paid parking plan have not been projected. Chuck Klingenstein expressed his willingness to spend extra money as his biggest concern is mitigation of neighborhood concerns. He felt that the Planning Commission should review the plan to determine how it fits in the area. The Mayor agreed and would like to see Option 3 pursued, but had concerns about the dollars like Mr. Daniels and again suggested budgeting this project over time.

Ms. Bleecker noted that staff feels that the Sand Ridge lot is a logical move, and the second logical option which is a policy decision that needs to be discussed, but still needs to be indicated in the budget, is another level on the China Bridge Garage. The capital cost for the structure with an additional 72 to 75 spaces is $650,000. This would have a ramp connecting with Marsac Avenue at $60,000 and in the event it is desirable to connect the garage, there would be a fifth level helix which would be $200,000. There is a $7.1 million item for 300 additional spaces on the China Bridge Garage and another project in the side of the hill for $8.4 million. She advised that one option be selected and there be a total of $8 million worth of parking improvements. This does not mean that it has to be built, but it has to be represented in the capital improvement budget. The subterranean $8.4 million structure located on the north side of Marsac Avenue is represented as being grant funded by the federal government if the City could locate an intermodal center there. Chuck Klingenstein expressed concern that having this item in the budget creates false expectations. He doesn't want this to undermine mass transit and parking mitigation efforts and has reservations about including the $8 million project in the budget. Toby Ross explained that this provides Council with the opportunity for an option. Roger Harlan stated that he is resistant to any parking structure until all strategies are implemented and agreed that it could create expectations. Mr. Bakaly explained that Council is not appropriating money for a parking structure at this time but planning. Chuck Klingenstein wanted the message to be clear. Ms. Bleecker added that it is anticipated receiving $8 million in grant money on an intermodal facility, but there will be a 20% match from the City. With regard to the Olympic thoroughfare at $3 million, Ms. Bleecker explained that 80% would be grant funded; this project includes a tram, trails and improvements to the sidewalks in Deer Valley. With regard to the proposed tram to the Winter Sports Park, there would have to be a contribution from the County. The City Manager explained that these numbers are from grant applications for the Olympics and staff is trying to minimize the number of temporary facilities, but there will be some. Ms. Bleecker stated that all of the projects total about $24 million in the five year capital improvement budget and grants are estimated at $13 million. She explained there are eight transit coaches at 75% grant funding; four would be replacements and four additional coaches. Ms. Bleecker described changing the look of the fleet with graphics before the Olympics. In response to a question from Paul Sincock regarding the balance of $11 million, Tom Bakaly discussed issuing bonds and creating a revenue source to pay them back.

Tom Bakaly explained that funding the Hillside Project will take a few more years and it is identified as an impact fee project. The Mayor expressed concern about the stability of the street. Eric DeHaan responded that there has been a soils test and it is not in imminent danger. Hugh Daniels was concerned about safety and the Mayor felt that it is not a matter of "if" but "when" there will be a mishap. Roger Harlan pointed out that because the road looks dangerous, people exert a level of caution and improvements may create the possibility of people driving differently. Mr. DeHaan explained that the road will be widened only by about five feet, and there will be a guard rail on the downhill side and a sidewalk on the uphill side. He emphasized that Hillside doesn't have an accident record. John Lind explained the pavement management plan and maintaining the roads at a 70% factor.

Mr. Bakaly referred to a community entryway project, including the Snowcreek to Holiday Ranch Loop Trail budgeted at $800,000 over the next five years. Paul Sincock pointed out that the Osguthorpe project doesn't include trails. Mr. Ross explained that the resort entryway project has funding for trails in the area. There are trails that could be built as a part of the barn project, but the Parks, Recreation, and Beautification Advisory Board preferred other improvements. Bob Johnston explained that the Board held a special meeting on the $300,000 which had to be spent within a two year time frame and there have been additional funds since the meeting that have been allocated and don't have to be spent in that time frame. The Board focused on securing the property including a fire suppression system, and its second priority was cleaning up the area, demolishing some of the buildings, making improvements to the access of the property, and parking improvements on the east side. Paul Sincock asked why improve the access if there are no trails; Toby Ross pointed out that there are some trails by the barn. Bob Johnston explained that at the Parks and Recreation meeting, Council member Sincock suggested bringing in the Mountain Trails Foundation to develop trails. The Board discussed this at great length but trails didn't result as a high priority. He added that there is a greenbelt project planned to protect the building from wildfires. He continued that the Board will develop a site plan for the compound that would ultimately incorporate the trails Mr. Sincock is suggesting. The City Manager pointed out that the Council has a choice of nearly $300,000 to almost $600,000 for this item. The City Manager continued that a $20,000 trail would not affect the budget dramatically. Mr. Sincock believed it is appropriate that the project be defined by the Parks and Recreation Board. Bob Johnston added that the Board will explore developing trails at the barn and will invite the Mountain Trails Foundation to a meeting for a presentation. Mr. Harlan interjected that until the barn is secured, it wouldn't be prudent to invite the public to the area until that project is completed.

Tom Bakaly explained that a public safety facility is a project that would be eligible for impact fees. The City Manager clarified that this project could be a remodel, an addition to an existing City facility, or a new satellite building, but it can't be funded with impact fees unless the Council contemplates it in the budget.

Planner Meg Ryan explained that four years ago, the Council committed to $250,000 for affordable housing. Some projects included the acquisition of the Baingo-Wortley property, Silver Meadows, Park Avenue project, and Aspen Villas. The employee mortgage assistance program has helped six employees finance their homes and there is a contract arrangement with Mountainlands Community Trust. Currently there is a balance of $90,000 in the Housing Authority and it is recommended to not fund it further but to work with Mountainlands. She indicated that $30,700 is being requested for the next two years to continue the employee mortgage assistance program. Mr. Bakaly explained the revenues from the sale of a Silver Meadows unit and a refund from Silver Meadows which will be applied to this project. Ms. Ryan added that the City has a $20,000 contract with Mountainlands which will be renegotiated this fiscal year. She anticipated that it would probably be higher, but its services are helpful.

With regard to the new telephone system, Mr. Bakaly explained that there is $350,000 in equipment replacement money. Bob Stephens explained that it is desirable to have all City facilities integrated on the same system and the computer based technology will help with the need for lines. With the Olympics coming in five years, it is anticipated there will be a demand on the phone system. Currently, there is no more capacity in the Marsac Building. Some of the criteria includes expandability and elimination of some maintenance and programming currently required by U S West. Mr. Stephens explained the conduit project recently approved by Council which is being installed in conjunction with the sewer project. He stated that the $25,000 budgeted for the GIS system is a needs analysis, primarily for the mapping. There is also a records management and imaging program, as storage is becoming a problem. Tom Bakaly noted that on June 5, the Council will tentatively adopt a budget and on June 12, the tax rate will be available and a final budget can be adopted. Paul Sincock suggested considering selling City property rather than bonding for capital projects.

3. **Joint meeting with Planning Commission.** Eric DeHaan explained that Council discussed platted and unbuilt rights-of-ways at its meeting of March 6, 1997. He added in 1877, the original Park City Survey was drawn up in the state of Michigan. There was a good idea of where Park Avenue and Main Street were located but a less accurate idea, for instance, of where Empire Avenue and properties on Rossi Hill were located. Mr. DeHaan described a matrix, designed by Paul Sincock, which tries to contemplate all of the issues. He understood that the meeting is to focus on Sand Ridge Heights and the discussion of when and under what circumstances the Council would approve a petition to vacate a City right-of-way. He pointed out that the petition process is straight forward but a policy needs to be formulated. Through illustration of a map, Mr. DeHaan discussed platted Ridge Avenue, platted Norfolk Avenue, and Eastern Avenue. The latter was discussed at the

Parks and Recreation Board meeting because it abuts City Park. He showed an illustration of Rossi Hill where there are 47 platted lots and discussed a number of platted unbuilt streets.

Mr. DeHaan referred to a rendering of the Sand Ridge Heights Subdivision where there are platted lots along unbuilt platted streets, a piece of RDA property, and an unsubdivided parcel owned by United Park City Mines. It is a very complex proposal, involving subdividing property, vacating City streets, and replating of the platted lots, together with transferring the RDA parcel. He continued that the request is to take all of the property and create 25 lots for 28 units and building a new better aligned road, replacing Ontario Road, which is at a 24% grade. In response to a question from Karri Hays, Mr. DeHaan indicated that the proposed road is at a 12% grade. The Mayor asked Planning Commissioner Bruce Erickson to comment.

Bruce Erickson stated that the Planning Commission agrees with the City Council that each vacation petition needs to be looked at individually, however, it was felt that there are some general "sideboards" or guidelines that could be highlighted from components of the Land Management Code. The Planning Commission makes a distinction between platted lots, access by street rights-of-way, and parcels of ground that potentially could be accessed by a street vacation. He continued that generally the Commission does not support increases in density through vacation of rights-of-way or increases in the total number of units as derived by platted lots. Also, the Commission would typically not support vacations of rights-of-way where loss of snow storage would be significant. Mr. Erickson pointed out that the design components of the Sensitive Lands Ordinance should be applied on hillsides with regard to the issues of significant vegetation, grade, and size and location of retaining walls. In the hearings on vacation related projects, the Commission did not hear overall neighborhood consensus to vacate the rights-of-way. The Commission want public uses maintained for utility easements and trails unless there is another acceptable location. Mr. Erickson continued there should not be a loss of parking because of proposed units. These are the general sideboards the Commission talked about in the last three or four vacations reviewed.

Paul Sincock stated that the alignment of the road makes sense, and the number of lots, setbacks, and size of the structures seem to be separate from the road alignment. Bruce Erickson responded that those issues are separate but linked as the development could not proceed without the road vacation. He felt that the effects of putting a proper road were generally negatively received by the neighborhood as a whole and the overall community. There would be a retaining wall height of 10 to 12 feet at the intersection location and a loss of snow storage. Commissioner Chris Larson interjected that the community expressed that this was not necessarily a good thing and it was difficult to separate the street vacation from the replat in the context that there were components missing from the plan. This was the direction the Commission was headed when the application was denied due to the applicants' desire. Mr. Sincock asked if it would have made a difference if there were half as many lots. Mr. Erickson explained this plan tended to add access to additional development land which is contrary to the general goals of not increasing the number of units by a vacation. If the number of units were reduced, but there was still a 15 foot high wall, the Commission would have to review that plan as the density may have been mitigated, but the Sensitive Lands Ordinance determining if the wall is acceptable comes into play. Chris Larson added that tangible community benefits like trails and circulation of the area needed to be evaluated. Roger Harlan stated that this discussion reinforces for him that vacations are site specific and pointed out the retaining wall issue. Mr. Erickson noted that there have been potential vacations on upper Norfolk and King Road that tended to make the situation better or at least not worse. Chris Larson added that the land use needs to be evaluated on the site.

Hugh Daniels stated that he is pleased with the process the Commission used and the discussion helps him understand how it considered the project. He believes that each application is site specific and felt it helpful to hold joint meetings, especially on projects that have components that the Planning Commission does not have the authority to make decisions on. Mr. Daniels encouraged the Commission to request a meeting with Council when it is helpful to get direction, and emphasized that he doesn't want to do the Planning Commission's job. Since Sand Ridge will be remanded, he asked if there is input the Council could render. Bruce Erickson responded that the criteria for vacations is all couched in the Land Management Code and currently established, however, it is not organized in one section. He suggested compiling the guidelines in a policy statement and applying it fairly across the board which could accommodate a technical response. City Attorney Hoffman explained that there could be an amendment to the LMC so that the criteria is reorganized; the Council could amend the criteria; but the criteria can not be made stricter once an application has been filed.

Chuck Klingenstein understood that when vacations meet the criteria of the Planning Commission, the Council has historically approved the petitions. He believed each situation needs to be evaluated individually. He emphasized that the public owns the rights-of-ways and the RDA parcel and therefore in order to vacate or dedicate, there must be a public benefit. Mr. Klingenstein pointed out that the minutes of July 10, 1996 indicated that the neighborhood didn't feel this was compatible. Paul Sincock referred to the criteria disbursed throughout the LMC, and recommended gathering that information into one document so it is helpful to the applicant to understand the process. Mr. Erickson believed there could be a resolution outlining the Council's policy and it would be a relatively simple task. Mr. Harlan believed the issue of neighborhood compatibility is extremely important for Planning Commission consideration and if discussed early in the process, may eliminate extraneous discussions. Chris Larson added that there should be some tangible net community benefits with a project. Council member Klingenstein indicated that with regard to neighborhood compatibility, the road was a major issue as density drives road design.

Tom Billings, counsel for Sand Ridge Heights, believed that it is a "chicken and egg" situation. It is still uncertain that if the Planning Commission follows the guidelines and makes a positive recommendation, that the Council will accept and support the recommendation. Also applicants needs to understand what "net tangible benefit" means. He questioned if a neighbor objects, if the applicant loses. Chuck Klingenstein stated that he wouldn't delegate authority to a neighborhood, but its input is important. The Commission is charged with coming up with the planning solutions and listen to the neighbors, the applicants, and other interested people. Net tangible benefits could involve public accesses, trail systems, open space, and density. He reiterated that each project is different and with regard to the "chicken and egg" statement, Council has always vacated once the Planning Commission has performed a thorough review process. Hugh Daniels emphasized that the Council would not abrogate to the Planning Commission as it would not abrogate to the neighborhood. The Commission does not have the right to vacate. Mr. Daniels emphasized that if the Planning Commission renders a recommendation, it is likely he will follow it, but can not absolutely guarantee that. Mr. Harlan agreed and felt that there is always a risk inherent in an application. Mr. Billings felt that the review by the Council should determine if the Planning Commission exercised its discretionary authority in a reasonable and a non-arbitrary and capricious manner. There should be some reliance that the City Council will approve the recommendation to vacate and if the Council has no intention of vacating, the applicants should know that now. In response to a question from Paul Sincock about the history of the Council accepting the Commission's recommendation, Jodi Hoffman explained that the Commission makes a recommendation about the planning aspects of the project and leaves the vacation to the Council's discretion.

Mr. Erickson noted that in terms of "chickens and eggs", the Planning Commission could make a finding and a subsequent recommendation that either a development proposal was linked to property vacation as in the case of the Sand Ridge project or is separate from a development project in which case a vacation would be sent quickly to the Council. However, in the other case, the application would be processed according to the master plan in the LMC and the vacation would be a subsequent act. In terms of net tangible benefit, the LMC has clear conditions about acceptable conditional uses and an MPD is a conditional use. He continued that it is important to consider net loss to the community which is also in the LMC, and it is the applicant's obligation to demonstrate there is no net loss under the criteria under conditional use, subdivision, or the lot criteria. Mr. Harlan asked if there was a time when the Council could have been brought in earlier to benefit everyone. Chris Larson didn't believe so in this case as the Commission was looking at 10 or 15 specific planning criteria, but the negotiation process was short circuited. If Council's position was never to vacate a street, that would be helpful to know. He agreed with Mr. Erickson that adopting a policy would be a good approach.

Leslie Miller, Sand Ridge Heights Subdivision applicant, asked if the Planning Commission and Council would be interested in new information as she has revised plans. This issue goes particularly to private versus public roads and she requested some direction as it will drive the density issue. She would like to take this opportunity to discuss in some detail options before they go back to the Planning Commission. This discussion isn't about planning issues but a policy decision on a preference of a public or private road, which may not require a vacation. There have been some modifications in ownership which have changed the boundaries. Chuck Klingenstein emphasized that no one has looked at her plans, and he preferred to talk in generalities. Ms. Miller responded that the Council doesn't have to look at drawings, but there could be a discussion on the road. The Mayor appreciated Ms. Miller's concern but felt it more appropriate for the Planning Commission to review the development aspects. He didn't feel that the Council is in a position to look at plans today. Ms. Miller argued that with regard to a public or private road, they will end up before the Council when there could be some direction today.

Hugh Daniels pointed out that the community has both public and private roads and the RDA parcel has similar considerations as vacations. If there is good benefit, he personally would consider her requests. He hoped that the Commission and applicants would not have preconceived ideas, but rather look for the best plan based on the constraints placed by the LMC. The City Manager explained that there is a policy with regard to public and private roads, relating to the development surrounding the road. Subsequent to adopting the policy, the Council has entertained private roads that would have conflicted with the policy, but the current policy is public roads unless the project is a detached condominium-type of development which can be private or other circumstances that have a broader public benefit. Ms. Miller asked for information about financing a public and private roads. The City Manager responded that in almost all circumstances where there is a subdivision or replating, whether the road is public or private, the applicant is responsible for the initial installation. The design standards for a public road are higher and subsequent to development of a public road, the public generally assumes most of the maintenance obligations. In response to a question from Ms. Miller about replating, Mr. Ross explained that building or improvements to a road would be the obligation of the applicant. He added that there is no policy for the dedication of the RDA parcel, except there has to be a determination of public interest or compensation to the public. Jodi Hoffman added that if someone wanted to acquire an RDA parcel, the property would be appraised and the City may sell it at fair market value in consideration of public trust. In the event of a master plan development, there are net tangible benefits that accrue to the public associated with the resubdivision or replating.

Bruce Erickson stated that the Council should make sure that it severs road standards from the issue of whether the road is public or private. The City Manager clarified that the private road standard is less than a public road standard but there is flexibility to reduce the public road standard. Mr. Erickson noted that the Planning Commission will look at alternatives. Paul Sincock asked what right the public has to use a Ontario Avenue which is located over private land. Ms. Hoffman explained that the state statute provides that if the road is used by the public continuously it is a public right-of-way through prescriptive use. When the property was acquired, it wasn't free and clear if the public was allowed historic continuous use across the property.

Ms. Miller asked for a delineation of the process and when a petition to vacate would be appropriate. Mr. Ross clarified there are specific benefits that accrue to the applicants out of the appeal denial, as there would be a fairly short review process without fees. Upon submittal of a new complete application, staff will schedule a hearing before the Planning Commission within 60 days.

If the application includes the presumption of a vacation, it might be helpful to file that simultaneously, although the petition would probably not come back to Council prior to a recommendation from the Commission, but it would provide everyone the necessary information at the earliest possible date. Jodi Hoffman stated that staff could create a list of required information for a complete application for the subdivision application and a vacation petition.

Pat Putt asked for direction about putting provisions from the LMC into some kind of policy resolution. He pointed out that it will be clarified when the LMC is codified. He understood that a vacation should not result in an increase in density beyond what would be obtainable under the current platting, and an example was discussed. Mr. Erickson further explained that since the UPCM parcel is unplatted, the density would be determined at one as generally the Commission doesn't want to see an increase of total units. Mr. Ross added that there are physical, legal, and access constraints. Mr. Erickson stated that the Commission will apply the criteria of the LMC as to whether or not a lot is developable based on access. He reiterated the Planning Commission is not interested in increasing density created by right-of-way vacations. The Mayor asked if everyone had sufficient direction. Mr. Sincock felt that Mr. Putt's question was not answered. Jodi Hoffman asked Council if it wanted the Legal Department to displace its work load to move this up in priority. Bruce Erickson believed the easiest thing to do would be to amend the LMC to add language that vacations of rights-of-way should be treated using the criteria of the conditional use process. The second quickest way would be to adopt a policy that vacations be treated according to the conditional use process as the criteria he discussed is no different than the conditional use process. The third option is to hash out the language, reference the LMC, and then adopt a policy. The Mayor noted that he would like to see Sand Ridge move along and a policy would facilitate the process.

Roger Harlan asked if there were other LMC revisions that this could supplant. Ms. Hoffman responded no, but there will be opportunities in the rewrite to make this clearer. Mr. Erickson pointed out that the two places, outside of the conditional use process, is in terms of the policy relative to unplatted metes and bounds parcels and the density question. There would be a three-part policy including no increase in density, platted lots are treated as platted lots with access considerations under the LMC, and unplatted parcels are treated as a straight subdivision using the Sensitive Lands Ordinance and reviewed under the conditional use process. Karri Hays suggested that when the Commission is considering annexations, large scale MPDs, or vacations, that there be a joint meeting with the Council. The Mayor urged the Commissioners to request a joint meeting anytime. There was discussion about involving Council in the Park City Ski Area expansion sooner. Toby Ross pointed out that there is a joint meeting scheduled for July 17.

Prepared by Janet M. Scott

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PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 22, 1997

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 22, 1997. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Chuck Klingenstein, and Paul Sincock. Shauna Kerr was excused. Staff present were Toby Ross, City Manager; Eric DeHaan, City Engineer; Pat Montgomery, Library Director; Alison Kuhlow, Planner; Bob Johnston, Leisure Services Director; Pace Erickson, Parks and Golf Course Superintendent; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter not on the agenda. Rick Brough of KPCW asked if Council wanted to comment on the letter from United Park City Mines. Members of the Council indicated that they just received the letter and weren't prepared to comment.

III COMMUNICATIONS FROM COUNCIL AND STAFF

1. Community projects - Eric DeHaan reported that the sewer line project is proceeding onto Sullivan Road. Eagle Pointe is closing Meadows Drive at the intersection of American Saddler Drive so that the Mountain Top Road can be reconstructed. UDOT has issued the contract for the signal work at the intersection of Park Avenue and Deer Valley Drive and there will be some temporary change to the traffic calming device during the installation. There will also be improvements made to the curb and sidewalk returns at the intersection to comply with ADA requirements. The Chatham Crossing Subdivision will be graded and Snow Creek will be revegetation on some of the cut slopes. He discussed the mine tunnel and shaft discovered by the Sewer District at the intersection of Deer Valley Drive and Sullivan Road which was filled.

2. Resolution of appreciation to Pat Montgomery for her many contributions to the community - See Consent Agenda. The Mayor read the commendation and presented Ms. Montgomery with the framed resolution and flowers. Ms. Montgomery noted that it has been hard work but has been fun and thanked the Council.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF MAY 8, 1997

The Mayor requested a motion to approve. Paul Sincock, "I so move". Roger Harlan seconded. Motion carried.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Absent
Chuck Klingenstein	Aye
Paul Sincock	Aye

V PUBLIC HEARING

Ordinance approving the Malach replat, a plat amendment to the Park City Survey Lots 10, 11, and 12, Block 32 located at 139 Woodside Avenue, Park City, Utah - Planner Alison Kuhlow explained that there was a public hearing held on April 23 before the Planning Commission. Since that time the staff has been working with the applicant and his neighbor on the terms of the reconstruction of the rock retaining wall and a condition has been added to the ordinance that the neighbor will be contacted when any application is submitted for design review or building permit. Mrs. Morris, neighbor, stated that her concerns have been met by the additional condition of approval. With no further comments or questions, the public hearing was closed.

VI CONSENT AGENDA

The Mayor requested a motion to approve the Consent Agenda. Chuck Klingenstein, "I so move with the modification to Item 1 with the additional Condition No. 8". Hugh Daniels seconded. Motion carried.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Absent
Chuck Klingenstein	Aye
Paul Sincock	Aye

1. Ordinance approving the Malach replat, a plat amendment to the Park City Survey Lots 10, 11, and 12, Block 32 located at 139 Woodside Avenue, Park City, Utah - See public hearing and attached staff report.

2. Resolution of appreciation to Pat Montgomery for her many contributions to the community - Since the resolution was not included in a staff report, it appears here for the record:

Resolution No. 11-97

**RESOLUTION OF APPRECIATION TO PAT MONTGOMERY
FOR HER MANY CONTRIBUTIONS
TO THE COMMUNITY**

WHEREAS, Pat Montgomery was hired on May 16, 1983 as Library Director of Park City, and the City Council has reluctantly accepted her resignation after 14 years of extraordinary service; and

WHEREAS, during her tenure, Pat monitored and accommodated the needs of our growing community by implementing an automated library computer system, initiating book discussion groups, formulating an aggressive plan for the acquisition of books and other resource materials, providing improved customer service, devising a cost recovery program for non-resident users; and working with other interagency groups to coordinate and improve library services in the Summit County area; and

WHEREAS, in 1992, the City Council recognized the limitations of the Miners Hospital and decided to move the Library to a new location at the Carl Winters School, where Pat's planning efforts included interior design, furniture, computer system, shelving, equipment, and staff needs, while at the same time, she administered the operations at the Miners Hospital; and

WHEREAS, Pat was the guiding force, instrumental in the new Library's architectural design and layout and more importantly sensitive to public sentiment and emotional attachment to the charming historic Miners Hospital Library; and

WHEREAS, the renovation of the Carl Winters School reinforced a civic pride in the preservation and utilization of a unique historic building with a meaningful past, and far exceeded the community's expectations, becoming a well loved and well used facility; and

WHEREAS, Pat has long been a key player in Utah library professional circles. She held several positions in the Utah Library Association, and in 1994 was recognized as the Librarian of the Year, a prestigious award to honor her long-term service to libraries and librarianship in Utah;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council hereby acknowledge the many contributions of Library Director Pat Montgomery and greatly appreciate her commitment to quality library services and programs offered to the Park City citizenry over the past 14 years.

PASSED AND ADOPTED this 22 day of May, 1997.

VII NEW BUSINESS

Award of construction contract for Ontario Avenue and the Main Street storm drain improvements for 1997 in the amount of $483,555 - See staff report. Hugh Daniels, "I move approval to award the contract for Ontario Avenue and Main Street storm drain improvements for 1997 in the amount of $483,555 to SCI, Inc.". Paul Sincock seconded. Motion carried.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Absent
Chuck Klingenstein	Aye
Paul Sincock	Aye

VIII OLD BUSINESS

Authorization to staff to negotiate a contract with Spectrum Construction for Phase I improvements for the Library and Education Center Reading Garden in an amount not to exceed $45,000 - Chuck Klingenstein understood that more of the scope will be met within the frame work of the money and he is more comfortable with the approach. Bob Johnston added that Pace Erickson met with the contractor on site and it appears that negotiations are $5,000 lower than the initial contractor and when a more defined scope of work is available, it will be shared with Council. Mr. Ross estimated that it may be a 10% expansion of work. Pace Erickson added that the contractor is anxious to get started and is committed to a quality project. Chuck Klingenstein, "I move approval to authorize the staff to negotiate a contract with Spectrum Construction for Phase I improvements to the Library and Education Center Reading Garden in an amount not to exceed $45,000". Roger Harlan seconded. Motion carried.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Absent
Chuck Klingenstein	Aye
Paul Sincock	Aye

IX ADJOURNMENT

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

* * * * * * * * * ** *

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

Page 5
City Council Meeting
May 22, 1997

Prepared by Janet M. Scott

Janet M. Scott

Janet M. Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1,
1884

Budget Agenda-Capital Improvement Plan

May 22, 1997

- CIP Introduction and Process-(pages 133-162)
- Impact Fees
- Parking and Transportation
    1. Sand Ridge Parking Options-Project #s 620 & 651-(pages 136, 153 & 156)
    2. Old Town Parking Structure(s)-Project #s 481 & 668-(pages 136, 147 & 156)
    3. Intermodal Facilities-Project # 672-(pages 138 & 156)
    4. Other
- Open Space Acquisition and Management
- Roads
    1. Hillside Avenue-Project-Project# 37-(pages 136 & 139)
    2. Pavement Management-Project # 85-(pages 136 & 141)
    3. Other
- Parks and Trails
    1. Resort Entryway-Project #s 198 & 627-(pages 135, revised project description for 198 & 154)
    2. Dairy (Barn) Property Improvements-Project # 473-(pages 137 & 147)
    3. Other
- Public Safety Facility-Project # 671-(pages 134 & 156)
- Employee/Affordable Housing-Project # 445-(pages 137 & 146)
- Telephone System Options-Project # 613-(pages 138 & 153)
- Other Capital Projects
- Other Budget Questions and Comments

198- Community Entryway (31-42061) Pedestrian/Buffer/Lights
Public Affairs / Jennifer Harrington

These improvements are all planned along Olympic Parkway (U-224) and include trail construction, landscaping, wetland improvements, and environmental restoration.

This is a multi-year project. Funding sources include: ISTEA Enhancements, Utah Riverways, Utah Non-motorized Trails, and Park City CIP funds.

Phase 1 is currently under construction and scheduled for completion during the summer of 1997. Improvements extend from Adolph's to Payday Drive, along Holiday Ranch Loop to McLeod Creek, and along McLeod Creek to Meadows Drive.

Gateway Trees - Approximately 260 trees were planted during the summer of 1996. This project was originally funded entirely with private donations and non-city sources. Some trees are expected to need replacement during the summer of 1997. The nurseries that provided the original trees will supply replacements at no charge. Installation is expected to cost about $5000-$7000.

Phase 2 (1997-1998) Construct 10'-14' wide gravel trail from Payday Drive to the McPolin Farm and the U-224 bicycle/pedestrian underpass. Install trees to complete gateway trees from Payday Drive to the visitor information kiosk and north of the bicycle/pedestrian underpass to the Farm access road. Install vegetation enhancements within the former Peterson parcel. Improve The Farm access road and control gate. Construct trailhead and parking facilities for 10 cars and associated berms, landscaping, and buffering at the former Osguthorpe Dairy parcel. Install gravel trail along the east side of the highway from Meadows Drive to the bicycle/pedestrian underpass.

Phase 3 (1998-1999) Construct 10'-14' wide gravel trail from The Farm to White Pine Canyon Road along the west side of the highway and along an upper trail route that skirts the aspen trees. Install vegetation enhancements along the trail corridor to provide an improved trail user experience, enhance wildlife habitat, improve wetland functioning, and provide visual screening.

Phase 4 (1998-2000) Construct restrooms and reconstruct/restore the McPolin Residence and outbuildings to accommodate site uses. Construct paved 10'-14' wide paved trail from bicycle/pedestrian underpass north to the proposed trail at Brookside subdivision. Pave the gravel trail south of the bicycle/pedestrian underpass on the east side of the highway to Meadows Drive.

Phase 5 (1999-2001) Construct interpretive trails along McLeod Creek through the Farm parcel. Provide vegetation enhancements as appropriate to improve wildlife habitat, wetland functioning, and visual screening. Install interpretive signs and facilities throughout the McLeod Creek corridor trail system and the Farm from Holiday Ranch Loop to White Pine Canyon Road.

BLAKE L. FRAZIER
Auditor

Summit County
State of Utah

1909
SUMMIT COUNTY COURT HOUSE

May 12, 1997

Park City Corp
c/o Tom Bakaly
P.O. Box 1480

Park City, Utah 84060

Dear Taxing Entity:

Within the past two weeks the State Tax Commission has issued a decision involving WilTel, Inc., a communications company, that may have a major impact on your budget and the budgets of all taxing entities within the county.

We are writing to alert you to the potential impact that this decision may have on your tax revenues and your budget process.

The decision by the Tax Commission essentially eliminated property taxes that may have been paid by large centrally assessed taxpayers in the past on intangible property such as stocks, customer lists, good will, intellectual property and so on. For 1997, there may be a significant increase in the appeals filed as a result of the decision. The deadline for these companies to file an appeal is June 1st.

We see two problems if there are a large number of appeals filed. First, under new law passed this year, your 1997-98 tax rate will be set using the undisputed portion of the tax base. By increasing the amount of tax base in dispute, the tax rate on all other property, namely homes, farms and small businesses, will go up. That may have political ramifications for all of us. Second, if there is an increase in the amount of tax base excluded in setting your next years tax rate, you may be at or near your levy maximums and thus unable to raise the amount of tax revenue you budgeted for.

Because of these potential problems and because we cannot determine the extent of the impact on all taxing entities, we have filed a request with the Tax Commission seeking a delay in finalizing the 1997 assessment roll until after the filing deadline for centrally assessed property. This means you will not receive 1997 certified rate and valuation information from the auditor until after June 10th if our request is granted by the Commission.

It is in the interest of all taxing entities to wait and see what appeals are filed and how much value is excluded from our tax base stemming from those appeals.

If you have any questions about these issues or the timing of the information we will be sending out, please contact our office.

Sincerely,

Barbara J. Kresser

Barbara J. Kresser
Summit County Assessor

Blake L. Frazier

Blake L. Frazier
Summit County Auditor

BLF:BJK: rsw

P.O. BOX 128 • COALVILLE, UTAH 84017 • (801) 336-4451 • FAX (801) 336-4450

PARK CITY
1884

CITY COUNCIL REPORT

DATE: May 22, 1997
DEPARTMENT: Planning Department
AUTHOR: Alison Kuhlow AK
TITLE: 139 Woodside Avenue Plat Amendment
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Adopt the attached Ordinance approving the Malach Replat which combines Lots 10, 11 and 12 of Block 32, of the Park City Survey into two (2) single family building lots, one lot for an existing historic structure and new addition and one lot for a future structure.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Project Name:	139 Woodside Avenue - Plat Amendment
Applicant:	Suzanne and Ken Malach
Location:	139 Woodside Avenue
Zoning:	Historic Residential District - HR-1
Adjacent Land Uses:	Residential
Project Planner:	Alison Kuhlow

B. Background.

The applicants, Suzanne and Ken Malach, are the owners of Lots 10, 11, and 12 of Block 32 of the Park City Survey. The applicant would like to combine Lot 10 and a portion of Lot 11 into one 3,000 square foot parcel (Lot A). The applicant's house currently sits on lot 10 and the southern portion of Lot 11. The first request is to eliminate the common lot lines on lot 10 and the southern porion of Lot 11. The remaining portion of Lot 11 and the entire area Lot 12 would be combined to create a 2,644 square foot parcel which would permit a future single family structure (Lot B).

On April 23, 1997, the Planning Commission voted to forward to City Council a positive recommendation to approve the proposed Plat Amendment.

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An HDC Design Review Application has also been submitted to the Planning Department for an addition to the existing historic single family structure located at 139 Woodside Avenue. The application includes a request to remove a non-historic addition that sits on the north side of the existing home. The Historic District Commission approved the proposed addition at the May 5, 1997 Meeting.

C. Analysis

This request is to formally combine three (3) existing lots to create two parcels for single family residences. The size of the structures located on the parcels will be limited by the current setback, floor area ratio and height requirements of the Land Management Code for the HR-1 District.

The request to remove the non-historic addition on the north end of the existing structure allows the structure to comply with the total side yard setbacks required for a lot with a width of 41 feet. Staff is requesting, as a condition of approval, that the addition be removed within one year from the date of City Council approval. The applicant agrees to this condition.

	Lot Square Footage	Maximum Floor Area
Lot A	3000 Square Feet	2024 Square Feet
Lot B	2644 Square Feet	1917 Square Feet

Lot combinations which result in larger than standard lots have been allowed in the past, in areas where the ownership pattern is one of several lots and surrounding houses are larger than typical old town houses. In the surrounding area, the lot ownership pattern is typically one and a half contiguous lots or more. Lots, in the area, range in size from approximately 1,875 square feet to 3,750 square feet.

At the previous Planning Commission Public Hearing, the neighbor to the north brought up a concern regarding access to a crawl space located on the south side of her home and the rock retaining wall which begins on Lot B of the Malach Replat and crosses the property line onto the neighbor's adjacent lot, Lot 13. The Building Department Staff inspected the wall and concluded that the eight (8') foot retaining wall, if removed would cause potential significant problems to the existing house located at 149 Woodside Avenue. There is no proposal for a structure on the new lot at this time. Staff recommends that a condition of approval be adopted that prior to the issuance of a Building Permit, the owner shall provide the Chief Building Official and City Attorney with information and/or plans demonstrating that any impacts or reconstruction of the existing rock wall will not adversely affect slope retention on the lots, nor impact the integrity of the historic structure located on Lot 13. The applicants agree to this condition of approval. The placement of the future home and potential snow release issues will be mitigated at the time of Historic District Commission Design Review and the Building Permit review.

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D. Notice
Notice of this hearing was sent to property owners within 300' on April 28, 1997. No additional comments have been filed at the time of this report.

E. Department Review.
The Community Development Department and City Attorney's Office have reviewed this request. The request was discussed at a Staff Review Meeting on March 18, 1997, where representatives from local utilities and City Staff were in attendance.

ALTERNATIVES

A. Approve the proposed subdivision plat amendment by combining Lot 10 and a portion of Lot 11 into Parcel A and thereby removing the common lot line between two lots. The remaining portion of Lot 11 and entire Lot 12 will be combined to form Parcel B, which will now form a sufficient size lot available for a future single family residence.

B. Deny the subdivision plat amendment and retain the original Record of Survey.

C. Continue the item and request further evaluation or modification.

SIGNIFICANT IMPACTS:
The proposed amendment will result in two (2) lots which are larger than the standard "Old Town" lot measuring 25' x 75'. The plat amendment will allow for an addition to the existing historic residence and for the construction of a single family residence of approximately 1900 square feet on the proposed parcel. Given the required setbacks, the Historic District height restrictions, parcel and house sizes in the area, the lot combination will result in structures which are compatible in mass and scale with the immediate neighborhood.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:
If the plat amendment is not approved as proposed, the existing single family residence would remain non-conforming (as it is currently constructed across common lot lines in violation of the UBC), which would limit any additions to the existing structure. The owner could propose to construct a home on Lot 12. This home, constructed on Lot 12, would be slightly smaller than the house under the proposed lot combination and potentially closer to the neighbor's house on Lot 13.

RECOMMENDATION:
Staff recommends that the City Council approve the Malach Replat for 139 Woodside Avenue based on the following findings with the following conditions:

Findings of Fact:

1. The proposed Plat Amendment will combine three (3) lots into two (2) lots in order to allow for an addition to an historic structure and the future construction of one single family dwelling.

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2. The proposed plat amendment rectifies the existing non-conforming condition of a structure that crosses property lines.

3. Dedication of a ten (10) foot non-exclusive snow storage easement along Sampson Avenue is necessary to provide adequate snow removal services.

4. A rock retaining wall exists on Lot B of the Malach Replat and extends onto Lot 13. The applicant agrees to a condition that prior to the issuance of a Building Permit on Lot B of the Malach Replat, the owner shall provide the Chief Building Official and City Attorney with sufficient information and/or all plans necessary to demonstrate that any impacts or reconstruction of the existing rock wall on Lot B of the Malach Replat and Lot 13 of the Park City Survey, will not adversely affect slope retention on said lots, nor the structural integrity of the adjacent historic house on Lot 13.

5. The property is located in the HR-1 District.

6. The applicant stipulates to all the conditions of approval

<u>Conclusions of Law</u>:
1. There is good cause for the amendment.

2. As conditioned, neither the public nor any person will be materially injured by the proposed plat amendment.

3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

<u>Conditions of Approval</u>:
1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. The non-historic addition located on the north side of the existing home, located at 139 Woodside Avenue shall be removed within one year from the effective date of this Ordinance in order for the existing home to comply with the current side yard setbacks.

3. A note shall be added to the plat stating that prior to the issuance of a building permit on Lot 2 of the Malach Replat the owner shall provide the Chief Building Official and City Attorney with sufficient information and/or all plans necessary to demonstrate that any impacts or reconstruction of the existing rock retaining wall on Lot B of the Malach Replat and Lot 13 of the Park City Survey will not adversely affect slope retention on said lots, nor the structural integrity of the adjacent historic house on Lot 13.

4. A ten (10) foot non-exclusive snow storage easement along Woodside Avenue shall be

dedicated to the City on the plat.

5. Execution and Recordation of the plat is a condition precedent to the issuance of a building permit for the addition.

6. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).

7. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

EXHIBITS:
Exhibit A - Ordinance
Exhibit B - Location Map
Exhibit C - Existing Conditions
Exhibit D - Proposed Plat
Exhibit E - Standard Project Conditions

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Ordinance No. 97-

AN ORDINANCE APPROVING THE MALACH REPLAT, A PLAT AMENDMENT THE PARK CITY SURVEY LOTS 10, 11, AND 12, BLOCK 32 LOCATED AT 139 WOODSIDE AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 10, 11, and 12, Block 32, Park City Survey have petitioned the City Council for approval of a revision to the final plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on April 23, 1997, to receive input on the proposed condominium plat;

WHEREAS, the Planning Commission, on April 23, 1997, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 22, 1997, The City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the record of survey and plat amendment.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The proposed Plat Amendment will combine three (3) lots into two (2) lots in order to allow for an addition to an historic structure and the future construction of one single family dwelling.

2. The proposed plat amendment rectifies the existing non-conforming condition of a structure that crosses property lines.

3. Dedication of a ten (10) foot non-exclusive snow storage easement along Sampson Avenue is necessary to provide adequate snow removal services.

4. A rock retaining wall exists on Lot B of the Malach Replat and extends onto Lot 13. The applicant agrees to a condition that prior to the issuance of a Building Permit on Lot B of the Malach Replat, the owner shall provide the Chief Building Official and City Attorney with sufficient information and/or all plans necessary to demonstrate that any impacts or reconstruction of the existing rock wall on Lot B of the Malach Replat and Lot 13 of the Park City Survey, will not adversely affect slope retention on said lots, nor the structural integrity of the adjacent historic house on Lot 13.

5. The property is located in the HR-1 District.

6. The applicant stipulates to all the conditions of approval

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey for Lots 10, 11, and 12, Block 32, to be known as the Malach Replat, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. The non-historic addition located on the north side of the existing home, located at 139 Woodside Avenue shall be removed within one year from the effective date of this Ordinance in order for the existing home to comply with the current side yard setbacks.

3. A note shall be added to the plat stating that prior to the issuance of a building permit on Lot 2 of the Malach Replat the owner shall provide the Chief Building Official and City Attorney with sufficient information and/or all plans necessary to demonstrate that any impacts or reconstruction of the existing rock retaining wall on Lot B of the Malach Replat and Lot 13 of the Park City Survey will not adversely affect slope retention on said lots, nor the structural integrity of the adjacent historic house on Lot 13.

4. A ten (10) foot non-exclusive snow storage easement along Woodside Avenue shall be dedicated to the City on the plat.

5. Execution and Recordation of the plat is a condition precedent to the issuance of a building permit for the addition.

6. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).

7. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.
PASSED AND ADOPTED this 22nd day of May, 1997 .

PARK CITY MUNICIPAL CORPORATION

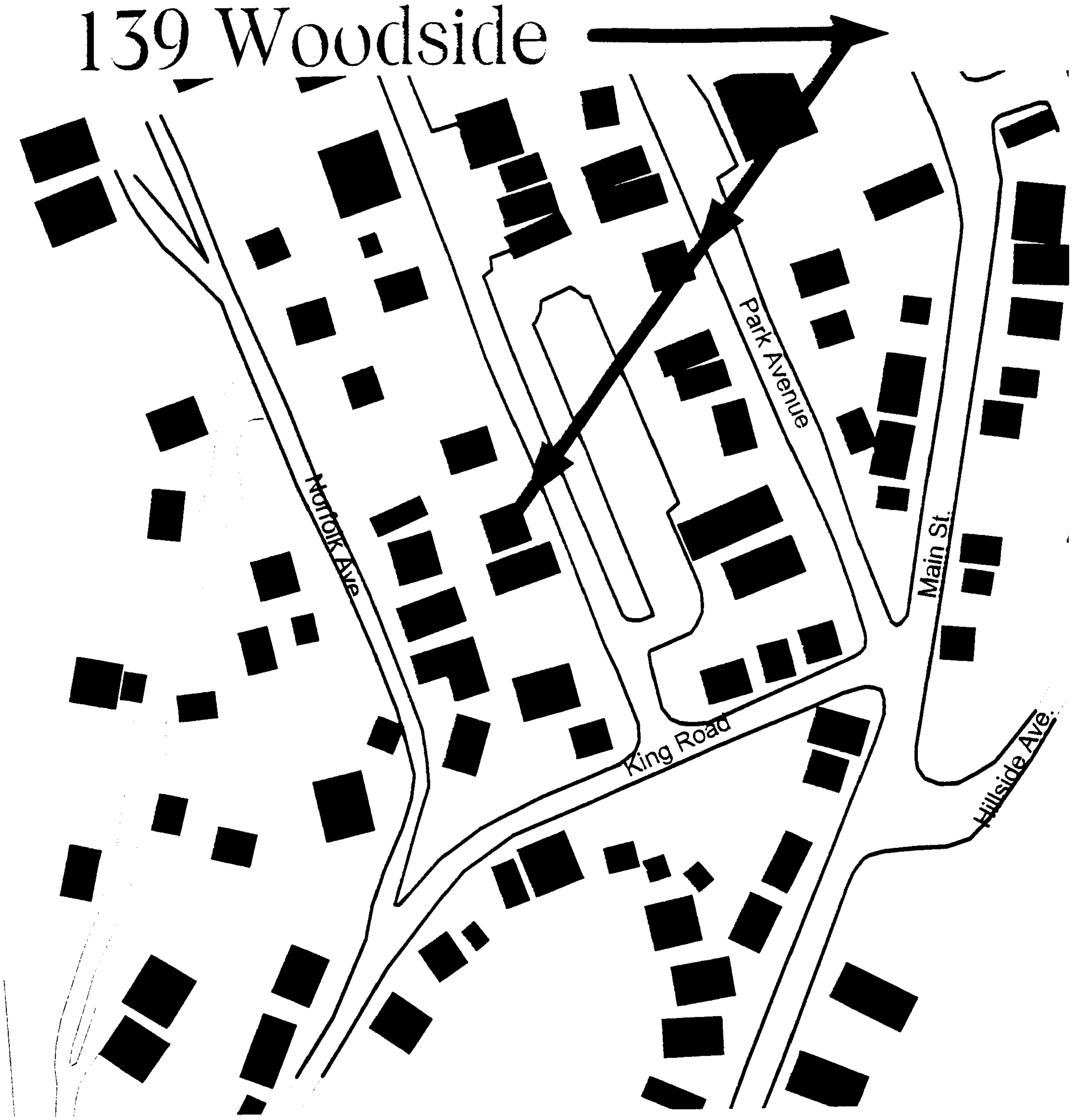
____
Bradley A. Olch, MAYOR

ATTEST:

____
Jan Scott, City Recorder

APPROVED AS TO FORM:

____
Mark Harrington, Assistant City Attorney



PARK CITY
1884

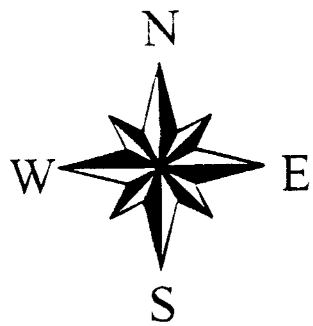


Exhibit B - Location Map

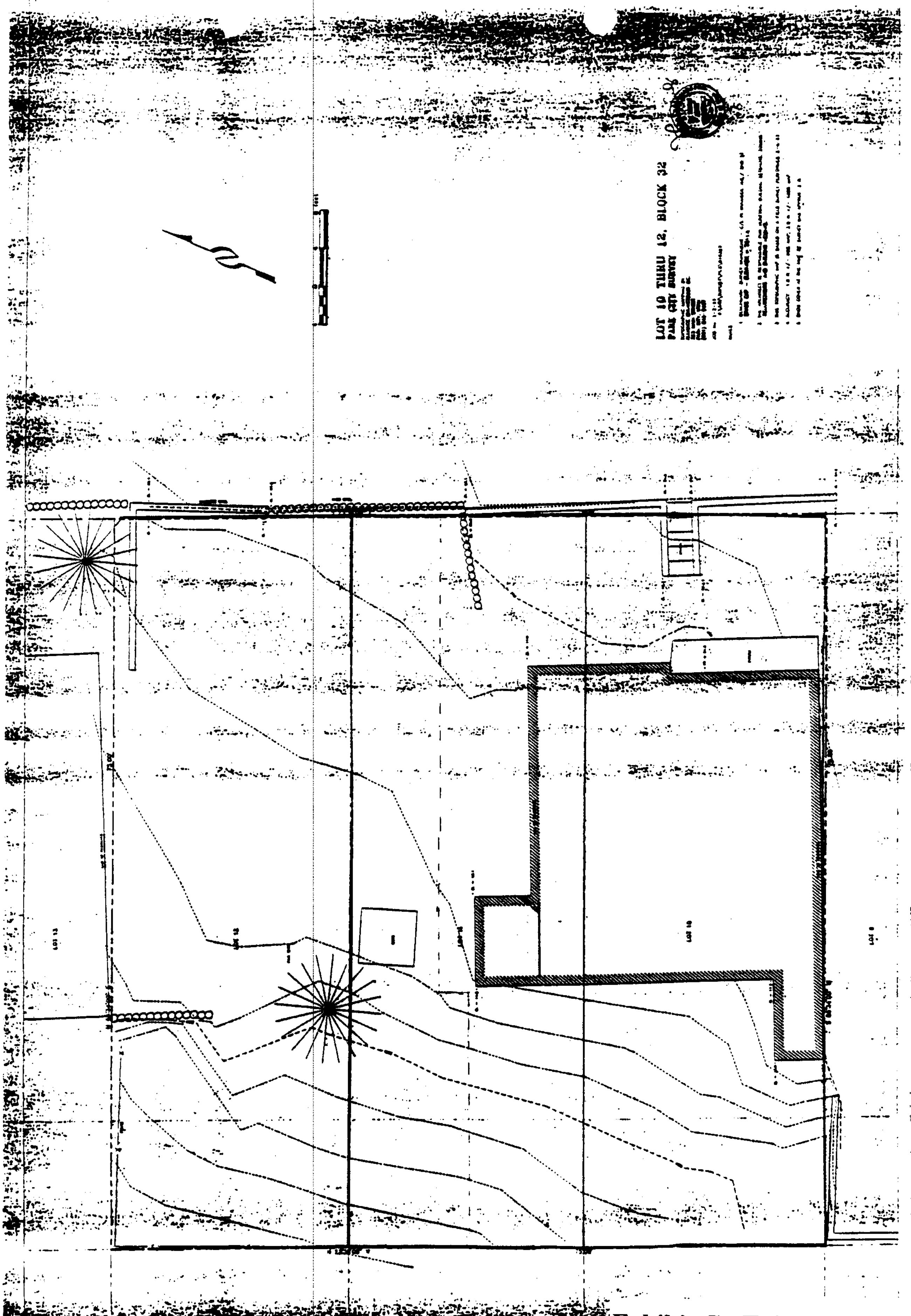
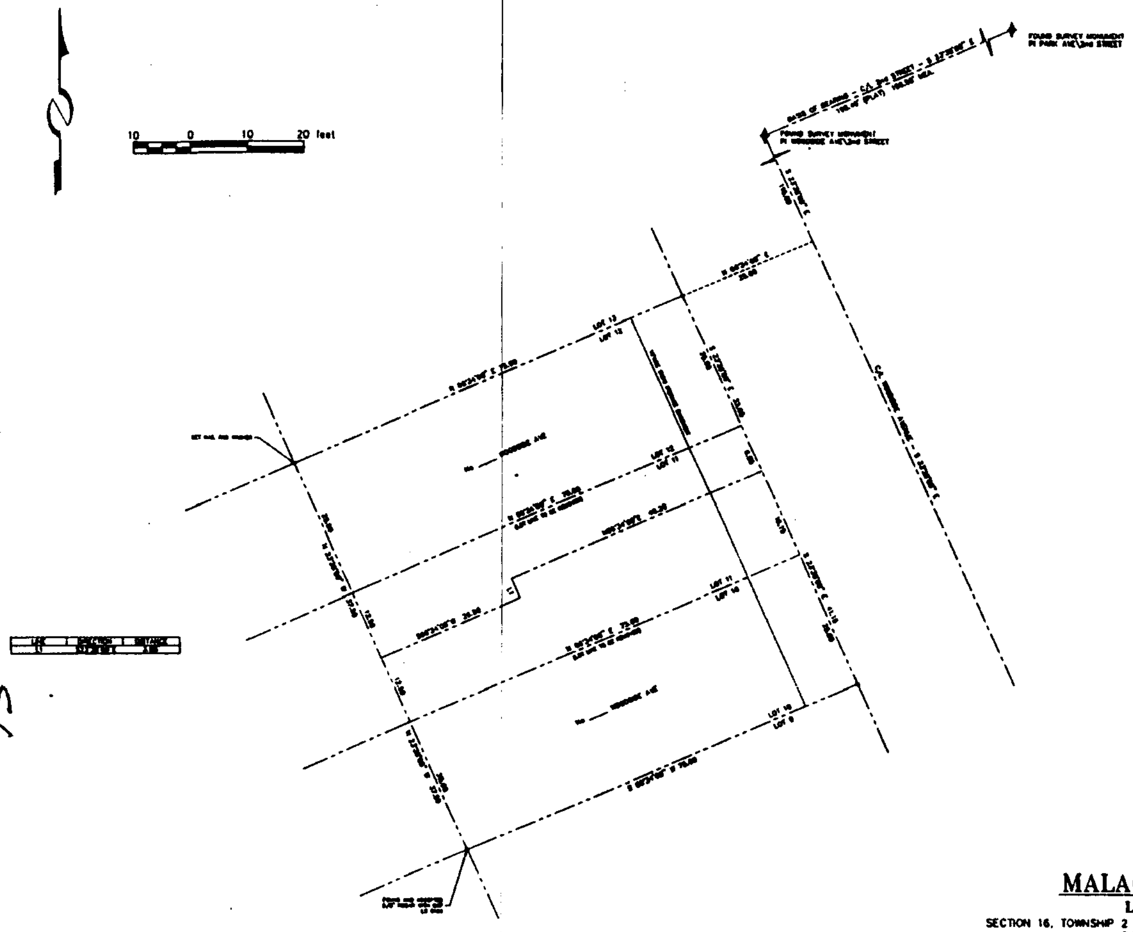


Exhibit C - Existing Conditions



MALACH R E P L A T

LOT LINE ADJUSTMENT

SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SURVEYORS CERTIFICATE

[illegible]

John Demkowicz ____________ Date ____________

LEGAL DESCRIPTION

[illegible]

OWNERS DEDICATION

[illegible]

Kenneth A. Malach

Suzanne E. Malach

ACKNOWLEDGEMENT

[illegible]

Residing in: ____________

My commission expires: ____________

NOTES

1. [illegible]
2. [illegible]
3. [illegible]

PAGE 1 OF 1

ALLIANCE ENGINEERING INC.	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	COMMUNITY DEVELOPMENT DIRECTOR	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ______ DAY OF ____________ 1997 A.D. BY ____________ S.B.S.I.D.	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ____________ 1997 A.D. BY ____________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF ____________, 1997 A.D. BY ____________ PARK CITY ATTORNEY	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ____________ 1997 A.D. BY ____________ DEVELOPMENT DIRECTOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ____________ DATE ______ TIME ______ BOOK ______ PAGE ______ FEE ______ RECORDER ______

-2-97 Y:\SRV\SRV97\PCS\010297

RECEIVED
PARK CITY
PLANNING DEPT.

56

Exhibit D - Proposed Plat

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes; the Park City Design Standards, Construction Specifications, and Standard Drawings; and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
2. All modifications to plans as specified by conditions, and all final design details, such as material and color samples, shall be submitted to and approved by the Community Development Department prior to issuance of any building permits.
3. The applicant is responsible for compliance with all conditions of project approval.
4. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
5. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof.
6. Construction staging areas shall also be clearly defined and approved by the Community Development Department, and shall be placed so as to minimize site disturbance. The landscape plans shall include plans for revegetation of all areas disturbed during construction.
7. Final grading, drainage, utility, erosion control and revegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
8. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.
9. All construction shall be completed according to the approved plans on which building permits are issued. The approved plans include all site improvements shown on the site plan. "Site improvements" shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grades, walls, landscaping, lighting, planting, paving, paths, and trails, and similar improvements, as shown on the set of plans on which final approval and building permits are based.
10. Any desired modifications to approved plans, after the issuance of a building permit, must be specifically requested and approved in writing prior to execution.
11. Plans shall conform to all design standards for persons with disabilities as required by any applicable federal, state and local laws.
12. Access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
13. The required utility easements along street frontages shall include language to allow for these areas to be used for snow storage. Typically, a 10-foot snow storage easement is required above Deer Valley Drive (approximate elevation of 7,200 feet). A five feet easement is necessary below this elevation.
14. Lockout units are not permitted unless specifically approved.
15. The infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or termination of the permit as specifically conditioned.

Exhibit E - Standard Project Conditions

PARK CITY
1884

CITY COUNCIL REPORT

DATE: May 22, 1997
DEPARTMENT: Community Development/Engineering
AUTHOR: Eric W. DeHaan, P.E.
TITLE: Construction Contract for Ontario Avenue and the Main Street storm drain improvements for 1997
TYPE OF ITEM: Approval of Contract

SUMMARY RECOMMENDATIONS: Approval of a contract in the amount of $483,555.00 for construction of the Ontario Avenue and Main Street 1997 improvements. The contract is with SCI, Incorporated.

DESCRIPTION:

A. Topic: This project includes the reconstruction of the northerly portion of Ontario Avenue and a portion of Main Street's gutter and sidewalk between 5th and 6th Street on the west side.

Ontario Avenue is a historic street with failing plumbing. The Sewer District (SBSID) is undertaking a major sewer improvement project (also included within this contract) running nearly the whole length of Ontario; it is desirable for Park City to upgrade our water lines, service laterals, fire hydrants, and pavement at the same time. This will allow us to take advantage of an economy of scale and accomplish all of the work while the road is shut down. The Main Street storm drain is a separate bid schedule with Park City paying the cost to install a storm drain on the west side of Main Street from 509 Main down to 6th Street.

Bids were opened on May 13. A copy of the Bid Tabulation is attached. Bids were as follows:

Company	Ontario Avenue	Main Street	Total
SCI, Inc.	$ 410,742.00	$ 72,813.00	$483,555.00
Claude H. Nix Construction	375,815.80	122,385.00	498,200.80
DRD Paving	415,122.55	164,042.40	579,164.95

B. Background: The staff feels that the project on Ontario and Main, although inconvenient to residents and merchants, is the optimum long-term solution to many recurring problems. The Ontario water main hasn't broken too many times yet, but its useful life is over. The old 6-inch line needs to be replaced by an 8-inch line (with nearly twice the capacity) to adequately handle fire flows in this densely built-out neighborhood. A large pressure-reducing-valve vault will also be installed. The Main Street drainage problem is caused mostly (not entirely) by roof drains and sump pumps discharging into the gutter. During the cold temperatures there is a resulting ice buildup which take about 3 man-hours per day on the part of Public Works to minimize, and complaints from adjacent merchants have still been numerous. The Council has discussed this problem in at least two work sessions in the early spring.

C. Analysis: The Old Town Streets and Utilities Master Plan Implementation funding in the Capital Improvements budget was provided to address a long list of Old Town projects. Although Ontario Avenue was not specifically prioritized, it is a logical extension of the program to use the existing budgeted funds as we cooperate with the Sewer District on Ontario and also to use these funds to install a 12-inch steel drain line under the portion of Main Street with the worst drainage problem together with a direct connection for the offending drains and pump lines. The C.I.P budget (accounts 34-49052 and 31-42079) contains over $700,000 which will easily cover the City portion of the construction cost of $318,970.50. SBSID's share is $164,584.50, which will be reimbursed to Park City as the work is completed. A separate agreement with SBSID exists to guarantee their prompt reimbursement.

Earlier projects accomplished through the Old Town program include the King Road reconstruction and last summer's repaving of most of Upper Empire Avenue.

Incidentally, the water being drained down Main Street is a high-quality spring water which will not degrade Silver Creek. The ultimate discharge point is east of Park Station Condominiums, so the streamflow volume will be enhanced past City Park and throughout Prospector. Unless the storm drain between 509 Main and 6th Street is installed this summer, next winter's problem will be even worse because of the new building proposed at 545 Main and buildings with basements proposed at 509 Main, 511 Main, and 577 Main. It is the sump pumps which drain water out of basements which cause the worst problems. The new 12-inch drain line will solve the problem and can be installed without closing Main Street to traffic. Parking between 5th and 6th Streets will be affected. $24,000 worth of new curb, gutter, and sidewalk is included.

Please note that because of a lack of right-of-way or easements there is no real opportunity to underground the existing overhead power and phone lines along Ontario Avenue, and this project will also not affect the existing Thrill Hill. To install underground power and phone lines, easements would need to be purchased from dozens of property owners and the drops to every house would need to be reconstructed. Costs would rise by about 200% which would adversely affect the City's ability to perform more important projects. The disturbing trend of high bids continues; the low bid on this project as designed is 15.67% over the engineer's estimate.

D. Department Review: The project has been coordinated with Community Development and Public Works. When construction is imminent there will be additional coordination with police and other public safety agencies.

ALTERNATIVES:

A. **Approve the Request:** This will allow design work to occur with adequate time for the construction contract to be substantially complete by Miners Day.

B. **Continue the Request:** If the Council needs more information about the project, or if the project as described herein appears to be undesirable, the contract could be continued with direction as to appropriate changes. Significant delay in approving the contract would jeopardize 1997 construction and our cooperative effort with SBSID.

SIGNIFICANT IMPACTS: The contract for construction will cost $483,555.00 with a net cost to PCMC of $318,970.50 once SBSID's share is subtracted. This will leave our budget on track to consider doing the next item on the Old Town list, which is the reconstruction of Woodside from 8th Street up to King Road, in 1998. The money typically comes from impact fees on new construction and from the Main Street Redevelopment Agency.

RECOMMENDATION: Approve the contract in an amount of $483,555.00 for construction on the 1997 Ontario Avenue Reconstruction and Main Street Storm Drain project with SCI, Inc.

BID TABULATION
ONTARIO AVENUE MAIN STREET IMPROVEMENTS
BIDS RECEIVED 5/13/97

BID SCHEDULE "A" - ONTARIO AVENUE IMPROVEMENTS

NO.	DESCRIPTION	QTY	UNIT	SCI, INC. UNIT PRICE	SCI, INC. TOTAL PRICE	CLAUDE H. NIX CONSTR. UNIT PRICE	CLAUDE H. NIX CONSTR. TOTAL PRICE	DRD PAVING UNIT PRICE	DRD PAVING TOTAL PRICE	ENGINEER'S ESTIMATE UNIT PRICE	ENGINEER'S ESTIMATE TOTAL PRICE
1.	Mobilization (to be a maximum of 2% of total Schedule A price)	1	JOB	$5,360.00	$5,360.00	$6,000.00	$6,000.00	$7,943.00	$7,943.00	$6,632.80	$6,632.80
2.	Traffic and Pedestrian Control, Signage and Barricades (Schedule A Only)	1	JOB	$6,497.00	$6,497.00	$15,000.00	$15,000.00	$8,700.00	$8,700.00	$10,900.00	$10,900.00
3.	Import and Place Structural Fill Material	2250	TON	$23.00	$51,750.00	$15.81	$35,572.50	$15.95	$35,887.50	$13.89	$31,252.50
4.	Import and Place 1" Minus Gravel (Non-Utility Trench Use)	50	TON	$30.00	$1,500.00	$20.94	$1,047.00	$50.00	$2,500.00	$16.00	$800.00
5.	Remove and Disose of Existing Asphalt Pavement and Base Course, TBC Sta 2+50 to TBC Sta 11+45.	1	JOB	$29,160.00	$29,160.00	$10,000.00	$10,000.00	$10,949.00	$10,949.00	$12,138.68	$12,138.68
6.	Construct Asphaltic Concrete Pavement Section including Untreated Base Course, TBC Sta 2+50 to TBC Sta 11+45	1350	SY	$25.00	$33,750.00	$20.08	$27,108.00	$20.97	$28,309.50	$24.75	$33,412.50
7.	Construct Concrete Roll Gutter including Base Course and Asphalt Pavement Patching, TBC Sta 0+00 to TBC Sta 2+65	265	LF	$29.00	$7,685.00	$30.00	$7,950.00	$50.20	$13,303.00	$17.50	$4,637.50
9.	Construct Concrete Roll Gutter including Base Course, TBC Sta 2+65 to TBC Sta 11+45	850	LF	$22.00	$18,700.00	$27.50	$23,375.00	$23.02	$19,567.00	$15.05	$12,792.50
9.	Construct 4' Wide Drain Gutter including untreated base course.	40	LF	$21.00	$840.00	$44.00	$1,760.00	$24.00	$960.00	$25.00	$1,000.00
10.	Furnish and Install 8-inch Dia. DI Water Pipe, Pressure Class 250 mechanical joint w joint restraints and blocking.	702	LF	$75.00	$52,650.00	$101.29	$71,105.58	$72.79	$51,098.58	$39.11	$27,455.22
11.	Furnish and Install 8" Diameter Gate Valve and Valve Box.	7	EA	$1,000.00	$7,000.00	$1,236.91	$8,658.37	$1,319.58	$9,237.06	$850.00	$5,950.00
12.	Furnish and Install 4-inch Dia. DI Water Pipe, Pressure Class 250 mechanical joint w joint restraints and blocking.	20	LF	$50.00	$1,000.00	$115.84	$2,316.80	$309.31	$6,186.20	$35.00	$700.00
13.	Furnish and Install 4" Diameter Gate Valve and Valve Box.	1	EA	$766.00	$766.00	$553.11	$553.11	$734.28	$734.28	$650.00	$650.00
14.	Furnish and Install Single Water Meter Box and Service, Without Meter	1	EA	$2,864.00	$2,864.00	$848.31	$848.31	$2,221.40	$2,221.40	$1,700.00	$1,700.00
15.	Furnish and Install 3/4" Diameter Copper Water Service to Existing Meter Box, Complete	19	EA	$1,677.00	$31,863.00	$389.60	$7,402.40	$1,526.31	$28,999.89	$1,136.84	$21,599.96
16.	Furnish and Install 1" Diameter Copper Water Service to Existing Meter Box, Complete	1	EA	$1,779.00	$1,779.00	$569.02	$569.02	$1,599.00	$1,599.00	$1,600.00	$1,600.00
17.	Furnish and Install 1" Diameter Copper Water Service Stub With Curb Stop and Box.	4	EA	$2,396.00	$9,584.00	$459.21	$1,836.84	$2,188.63	$8,754.52	$1,000.00	$4,000.00
18.	Provide Temporary Water Service	1	JOB	$9,137.00	$9,137.00	$8,000.00	$8,000.00	$11,909.72	$11,909.72	$15,000.00	$15,000.00
19.	Remove Existing Fire Hydrant Assembly.Temporary Water Service	2	EA	$1,294.00	$2,588.00	$400.00	$800.00	$299.28	$598.56	$500.00	$1,000.00
20.	Furnish and Install Fire Hydrant, Auxiliary Valve and Service Line, Complete.	2	EA	$3,102.00	$6,204.00	$2,397.72	$4,795.44	$3,310.85	$6,621.70	$2,750.00	$5,500.00
21.	Adjust Existing Water Valve Box to Grade	2	EA	$800.00	$1,600.00	$350.00	$700.00	$424.56	$849.12	$500.00	$1,000.00
22.	Construct Pressure Reducing Valve and Vault, Complete	1	JOB	$22,089.00	$22,089.00	$20,444.56	$20,444.56	$22,051.60	$22,051.60	$22,500.00	$22,500.00
23.	Remove and Salvage Existing Pressure Reducing Valve and Vault, Complete	1	JOB	$3,000.00	$3,000.00	$3,000.00	$3,000.00	$2,582.16	$2,582.16	$3,000.00	$3,000.00
24.	Furnish and Install 8-inch Dia.PVC Sewer Line w/ solvent weld joints, abandon existing sewer.	850	LF	$41.00	$34,850.00	$85.43	$72,615.50	$66.89	$56,856.50	$34.16	$29,036.00

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BID TAB TION

ONTARIO AVENUE MAIN STREET IMPROVEMENTS

BIDS RECEIVED 5/13/97

NO.	DESCRIPTION	QTY	UNIT	SCI, INC. UNIT PRICE	SCI, INC. TOTAL PRICE	CLAUDE H. NIX CONSTRUCTION UNIT PRICE	CLAUDE H. NIX CONSTRUCTION TOTAL PRICE	DRD PAVING UNIT PRICE	DRD PAVING TOTAL PRICE	ENGINEER'S ESTIMATE UNIT PRICE	ENGINEER'S ESTIMATE TOTAL PRICE
25.	Furnish and Install PVC Sewer Lateral with Solvent Weld Joints to existing buildings located between SS Sta 0+00 and 8+50 along the west side of Ontario Avenue including locate and connect to existing sewer lateral.	1	EA	$1,412.00	$1,412.00	$549.18	$549.18	$1,190.16	$1,190.16	$2,013.89	$2,013.89
26.	Furnish and Install PVC Sewer Lateral with Solvent Weld Joints to existing buildings located between SS Sta 0+00 and 5+02 along the East side of Ontario Avenue including locate and connect to existing sewer lateral.	7	EA	$1,403.00	$9,821.00	$799.18	$5,594.26	$1,196.78	$8,377.46	$2,013.89	$14,097.23
27.	Furnish and Install PVC Sewer Lateral with Solvent Weld Joints to existing buildings located between SS Sta 5+02 and 8+50 along the East side of Ontario Avenue including locate and connect to existing sewer lateral.	6	EA	$2,228.00	$13,368.00	$1,050.40	$6,302.40	$1,271.94	$7,631.64	$3,055.56	$18,333.36
28.	Furnish and Install PVC Sewer Lateral Stub with Solvent Weld Joints to lots located between SS Sta 0+00 and 8+50 along the West side of Ontario Avenue	18	EA	$453.00	$8,154.00	$534.25	$9,616.50	$901.12	$16,220.16	$513.89	$9,250.02
29.	Furnish and Install PVC Sewer Lateral Stub with Solvent Weld Joints to lots located between SS Sta 0+00 and 8+50 along the East side of Ontario Avenue	4	EA	$492.00	$1,968.00	$527.50	$2,110.00	$933.22	$3,732.88	$513.89	$2,055.56
30.	Furnish and Install 4-foot dia. precast manhole with gasketed joints, complete.	1	EA	$2,904.00	$2,904.00	$1,499.81	$1,499.81	$2,516.04	$2,516.04	$4,000.00	$4,000.00
31.	Furnish and Install 4-foot dia. "Shallow Type" precast sewer manhole.	9	EA	$2,451.00	$22,059.00	$1,070.58	$9,635.22	$2,515.52	$22,639.68	$2,000.00	$18,000.00
32.	Remove and dispose of existing manhole	3	EA	$1,080.00	$3,240.00	$350.00	$1,050.00	$1,465.08	$4,395.24	$1,000.00	$3,000.00
33.	Cleanup (to be a minimum of total Schedule bid price)	1	JOB	$5,600.00	$5,600.00	$8,000.00	$8,000.00	$10,000.00	$10,000.00	$6,632.80	$6,632.80
	SCHEDULE "A" TOTAL BID				$410,742.00		$375,815.80		$415,122.55		$331,640.52

BID SCHEDULE "B" - MAIN STREET DRAIN LINE IMPROVEMENTS

NO.	DESCRIPTION	QTY	UNIT	SCI, INC.		CLAUDE H. NIX CONSTRUCTION		DRD PAVING		ENGINEER'S ESTIMATE	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1.	Mobilization (to be a maximum of 2% of total Schedule B price)	1	JOB	$100.00	$100.00	$2,400.00	$2,400.00	$3,138.00	$3,138.00	$1,728.80	$1,728.80
2.	Traffic and Pedestrian Control, Signage and Barricades (Schedule B Only)	1	JOB	$1,038.00	$1,038.00	$10,000.00	$10,000.00	$12,000.00	$12,000.00	$5,941.20	$5,941.20
3.	Furnish and Install 12-inch Dia. Slotted Drain Line (16 Ga. Aluminized Type 2 CSP) complete, including flowable fill backfill.	610	LF	$64.00	$39,040.00	$99.00	$60,390.00	$113.00	$68,930.00	$62.00	$37,820.00
4.	Furnish and Install 12-inch Dia. Drain Line (16 Ga. Aluminized Type 2 CSP) complete, including flowable fill backfill.	30	LF	$30.00	$900.00	$38.50	$1,155.00	$85.38	$2,561.40	$65.00	$1,950.00
5.	Furnish and Install 6-inch Building Drain Line (ductile iron pipe) complete, including flowable fill backfill, connections to existing building drains, fittings, complete.	11	EA	$567.00	$6,237.00	$660.00	$7,260.00	$1,087.00	$11,957.00	$800.00	$8,800.00
6.	Remove, Dispose of and Construct Concrete Curb and Gutter.	600	LF	$26.00	$15,600.00	$44.00	$26,400.00	$87.54	$52,524.00	$18.50	$11,100.00
7.	Remove, Dispose of and Construct Concrete Sidewalk, including untreated base course.	1100	SF	$8.00	$8,800.00	$8.80	$9,680.00	$8.12	$8,932.00	$16.00	$17,600.00
8.	Clean-up (to be a minimum of 2% of total Schedule B bid price).	1	JOB	$1,098.00	$1,098.00	$5,100.00	$5,100.00	$4,000.00	$4,000.00	$1,728.00	$1,500.00
	SCHEDULE "B" TOTAL BID				$72,813.00		$122,385.00		$164,042.40		$86,440.00
	TOTAL BID SCHEDULES A + B				483,555.00		498,200.80		579,164.95		418,080.52

EWP ENGINEERING INC.

BID SCHEDULE "A" - ONTARIO AVENUE IMPROVEMENTS

BREAKDOWN OF LOW BID - PCMC v SBSID

NO.	DESCRIPTION	QTY	UNIT	SCI, INC. UNIT PRICE	SCI, INC. TOTAL PRICE	PCMC PERCENTAGE	PCMC ALLOTTED PRICE	SBSID PERCENTAGE	SBSID ALLOTTED PRICE
1.	Mobilization (to be a maximum of 2% of total Schedule A price)	1	JOB	$5,360.00	$5,360.00	50%	$2,680.00	50%	$2,680.00
2.	Traffic and Pedestrian Control, Signage and Barricades (Schedule A Only)	1	JOB	$6,497.00	$6,497.00	50%	$3,248.50	50%	$3,248.50
3.	Import and Place Structural Fill Material	2250	TON	$23.00	$51,750.00	50%	$25,875.00	50%	$25,875.00
4.	Import and Place 1" Minus Gravel (Non-Utility Trench Use)	50	TON	$30.00	$1,500.00	50%	$750.00	50%	$750.00
5.	Remove and Disose of Existing Asphalt Pavement and Base Course, TBC Sta 2+50 to TBC Sta 11+45.	1	JOB	$29,160.00	$29,160.00	50%	$14,580.00	50%	$14,580.00
6.	Construct Asphaltic Concrete Pavement Section including Untreated Base Course, TBC Sta 2+50 to TBC Sta 11+45	1350	SY	$25.00	$33,750.00	50%	$16,875.00	50%	$16,875.00
7.	Construct Concrete Roll Gutter including Base Course and Asphalt Pavement Patching, TBC Sta 0+00 to TBC Sta 2+65	265	LF	$29.00	$7,685.00	100%	$7,685.00		
8.	Construct Concrete Roll Gutter including Base Course, TBC Sta 2+65 to TBC Sta 11+45	850	LF	$22.00	$18,700.00	100%	$18,700.00		
9.	Construct 4' Wide Drain Gutter including untreated base course.	40	LF	$21.00	$840.00	100%	$840.00		
10.	Furnish and Install 8-inch Dia. DI Water Pipe, Pressure Class 250 mechanical joint w joint restraints and blocking.	702	LF	$75.00	$52,650.00	100%	$52,650.00		
11.	Furnish and Install 8" Diameter Gate Valve and Valve Box.	7	EA	$1,000.00	$7,000.00	100%	$7,000.00		
12.	Furnish and Install 4-inch Dia. DI Water Pipe, Pressure Class 250 mechanical joint w joint restraints and blocking.	20	LF	$50.00	$1,000.00	100%	$1,000.00		
13.	Furnish and Install 4" Diameter Gate Valve and Valve Box.	1	EA	$766.00	$766.00	100%	$766.00		
14.	Furnish and Install Single Water Meter Box and Service, Without Meter	1	EA	$2,864.00	$2,864.00	100%	$2,864.00		
15.	Furnish and Install 3/4" Diameter Copper Water Service to Existing Meter Box, Complete	19	EA	$1,677.00	$31,863.00	100%	$31,863.00		
16.	Furnish and Install 1" Diameter Copper Water Service to Existing Meter Box, Complete	1	EA	$1,779.00	$1,779.00	100%	$1,779.00		
17.	Furnish and Install 1" Diameter Copper Water Service Stub With Curb Stop and Box.	4	EA	$2,396.00	$9,584.00	100%	$9,584.00		
18.	Provide Temporary Water Service	1	JOB	$9,137.00	$9,137.00	100%	$9,137.00		

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19.	Remove Existing Fire Hydrant Assembly.Temporary Water Service	2	EA	$1,294.00	$2,588.00	100%	$2,588.00		
20.	Furnish and Install Fire Hydrant, Auxialiary Valve and Service Line, Complete.	2	EA	$3,102.00	$6,204.00	100%	$6,204.00		
21.	Adjust Existing Water Valve Box to Grade	2	EA	$800.00	$1,600.00	100%	$1,600.00		
22.	Construct Pressure Reducing Valve and Vault, Complete	1	JOB	$22,089.00	$22,089.00	100%	$22,089.00		
23.	Remove and Salvage Existing Pressure Reducing Valve and Vault, Complete	1	JOB	$3,000.00	$3,000.00	100%	$3,000.00		
24.	Furnish and Install 8-inch Dia.PCV Sewer Line w/ solvent weld joints, abandon existing sewer.	850	LF	$41.00	$34,850.00			100%	$34,850.00
25.	Furnish and Install PVC Sewer Lateral with Solvent Weld Joints to existing buildings located between SS Sta 0+00 and 8+50 along the west side of Ontario Avenue including locate and connect to existing sewer lateral.	1	EA	$1,412.00	$1,412.00			100%	$1,412.00
26.	Furnish and Install PVC Sewer Lateral with Solvent Weld Joints to existing buildings located between SS Sta 0+00 and 5+02 along the East side of Ontario Avenue including locate and connect to existing sewer lateral.	7	EA	$1,403.00	$9,821.00			100%	$9,821.00
27.	Furnish and Install PVC Sewer Lateral with Solvent Weld Joints to existing buildings located between SS Sta 5+02 and 8+50 along the East side of Ontario Avenue including locate and connect to existing sewer lateral.	6	EA	$2,228.00	$13,368.00			100%	$13,368.00
28.	Furnish and Install PVC Sewer Lateral Stub with Solvent Weld Joints to lots located between SS Sta 0+00 and 8+50 along the West side of Ontario Avenue	18	EA	$453.00	$8,154.00			100%	$8,154.00
29.	Furnish and Install PVC Sewer Lateral Stub with Solvent Weld Joints to lots located between SS Sta 0+00 and 8+50 along the East side of Ontario Avenue	4	EA	$492.00	$1,968.00			100%	$1,968.00
30.	Furnish and Install 4-foot dia. precast manhole with gasketed joints, complete.	1	EA	$2,904.00	$2,904.00			100%	$2,904.00
31.	Furnish and Install 4-foot dia. "Shallow Type" precast sewer manhole.	9	EA	$2,451.00	$22,059.00			100%	$22,059.00
32.	Remove and dispose of existing manhole	3	EA	$1,080.00	$3,240.00			100%	$3,240.00
33.	Cleanup (to be a minimum of total Schedule bid price)	1	JOB	$5,600.00	$5,600.00	50%	$2,800.00	50%	$2,800.00
	SCHEDULE "A" TOTAL BID				$410,742.00		$246,157.50		$164,584.50

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BID SCHEDULE "B" - MAIN STREET DRAIN LINE IMPROVEMENTS

NO.	DESCRIPTION	QTY	UNIT	SCI. INC.		PCMC		SBSID	
				UNIT PRICE	TOTAL PRICE	PERCENTAGE	ALLOTTED PRICE	PERCENTAGE	ALLOTTED PRICE
1.	Mobilization (to be a maximum of 2% of total Schedule B price)	1	JOB	$100.00	$100.00	1	$100.00		
2.	Traffic and Pedestrian Control, Signage and Barricades (Schedule B Only)	1	JOB	$1,038.00	$1,038.00	1	$1,038.00		
3.	Furnish and Install 12-inch Dia. Slotted Drain Line (16 Ga. Aluminized Type 2 CSP) complete, including flowable fill backfill.	610	LF	$64.00	$39,040.00	1	$39,040.00		
4.	Furnish and Install 12-inch Dia. Drain Line (16 Ga. Aluminized Type 2 CSP) complete, including flowable fill backfill.	30	LF	$30.00	$900.00	1	$900.00		
5.	Furnish and Install 6-inch Building Drain Line (ductile iron pipe) complete, including flowable fill backfill, connections to existing building drains, fittings, complete.	11	EA	$567.00	$6,237.00	1	$6,237.00		
6.	Remove, Dispose of and Construct Concrete Curb and Gutter.	600	LF	$26.00	$15,600.00	1	$15,600.00		
7.	Remove, Dispose of and Construct Concrete Sidewalk, including untreated base course.	1100	SF	$8.00	$8,800.00	1	$8,800.00		
8.	Clean-up (to be a minimum of 2% of total Schedule B bid price).	1	JOB	$1,098.00	$1,098.00	1	$1,098.00		
	SCHEDULE "B" TOTAL BID				$72,813.00		$72,813.00		$0.00
	TOTAL BID SCHEDULES A + B				483,555.00		318,970.50		164,584.50

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COUNCIL AGENDA REPORT

DATE: May 16, 1997
DEPARTMENT: Leisure Services
AUTHOR: Bob Johnston
TITLE: Reading Garden Project

SUMMARY RECOMMENDATIONS: Authorize staff to negotiate a scope of work and contract amount (not to exceed $45,000) with spectrum construction for Phase I of the Reading Garden Project.

DESCRIPTION:

A. Background:

During the meeting on May 8, 1997, council rejected the bid of Warren construction and asked staff to solicit new bids for Phase I construction of the Reading Garden project. The goal was to try to get the unit prices down closer to the engineer's estimate. Staff has worked with Todd Claflin (Project Designer) this past week making phone calls. Reviewing the project and looking for ways to reduce project cost while still maintaining the design integrity and input received from the Project Committee.

We have received one new bid from Spectrum Construction and as of the writing of this report, they are approximately $5,000 lower than our previous bidder. However, we are negotiating with them on at least one component of their bid in hopes of bringing the cost down further.

B. Analysis

It has become clear that for a variety of reasons, this project is not very popular with the current construction trade. I do believe it has a lot of community support and a good deal of money (approximately $20,000) has been raised for site furnishings and project amenities. The manufacturing of the actual stones is set to take place in early March. Under the circumstances, it is probably in our best interest to proceed with this project and Spectrum construction.

ALTERNATIVES:

A. <u>Approve the request</u> - Authorize staff to negotiate a new scope of work and contract amount with Spectrum construction.

B. <u>Continuing Action</u> - Continue to solicit bids and work to reduce costs.

C. <u>Postpone</u> - Postpone any work until fall.

D. <u>Deny the request</u> - Cancel the project

CONSEQUENCES OF NOT TAKING ACTION

Holding up the project further may result in negative public relations. Moving ahead does save us money from previous bid's and may ultimately increase our project scope.