PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060

May 16, 2019

The Council of Park City, Summit County, Utah, met in open meeting on May 16, 2019, at 2:00 p.m. in the City Council Chambers.

Council Member Ware Peek moved to close the meeting to discuss property, personnel, and litigation at 2:00 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED
AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting at 3:30 p.m. Council Member Henney seconded the motion.

RESULT: APPROVED
AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

WORK SESSION

Council Questions and Comments:
The Council members reviewed the events and activities they participated in since the last meeting.

Discuss Use of City-Owned Land at Quinn's Junction Sports Complex for Mountain Trails Foundation and Summit Land Conservancy:
Heinrich Deters and Jonathan Weidenhamer, Sustainability Department, presented this item. Based on the proposal from Mountain Trails Foundation and Summit Land Conservancy, they requested use of City property for a maintenance building at Quinn’s Junction. Staff sought support from Council to conduct a deeper analysis of the underlying land use including the Mater Planned Development, deed restrictions, and Recreation Master Plan as well as input from internal City Departments for feasibility and potential use conflicts. The project supported staff goals including sustainability, planning, and open space priorities.

Jack Thomas, architect, thanked Council for their support of open space and introduced his partner in the project, Kenton Peters. Thomas viewed the project as a commitment to the open space core community value. Cheryl Fox, Executive Director of Summit Land Conservancy, thanked Council for their leadership in preserving open space and public access. Charlie Sturgis, Executive Director of Mountain Trails Foundation, stated the Mountain Trails Foundation and Summit Land Conservancy would like to combine resources to obtain a much needed permanent base of operations. He believed it would benefit not only the organization but the entire community. It would ensure the organizations' ability to provide their current level of service and grow with increasing demands. Their first choice was Quinn's Junction, adjacent to the existing Park City maintenance building and Round Valley open space. The proposed building would be two stories with a footprint of 2,800 square feet and would house heavy equipment, tools, educational signage, and management space. The long-term rent savings would be funneled back to open space and trails.

Mountain Trails Foundation and Summit Land Conservancy provided under-market trail building and maintenance, consulting, and public outreach which helped secure Bonanza Flat and Treasure Hill. They also secured funding from resources the City would not otherwise have access to. Sturgis indicated 80% of local residents utilized the trails three times a week or more and the economic impact could help pay for additional community amenities. A permanent home would provide security that the services the two organizations provide will continue.

Fox explained both organizations had a long working history with compatible missions. Sharing space would increase synergies and would allow increased donations to go back into the organizations' work. Park City's brand was open space and sustainability. Both organizations directly supported these priorities. Sturgis added the town was growing and trails were being increasingly utilized to the levels of state and national parks. This resulted in $50 million-$100 million in economic impacts.

Fox presented a map to indicate the proposed location. Thomas indicated the design would protect the surrounding fields and share parking instead of adding additional parking spaces. Sturgis concluded the future of both organizations were in question. Exiting their current location at Club Med would likely require the organizations to move outside the City due to rent cost. Fox researched options to stay within the City, both at Kimball Junction and near Home Depot and the cost results were devastating. They would like to stay in the community they served and it became clear the most cost effective option would be to do this project.

Council Member Henney asked for more information about what the long-term rent savings would look like as it was an investment from the community. Sturgis replied that a million dollars could be diverted away from trails and open space in 10 years.

Council Member Worel congratulated the two organizations on their collaboration and asked if the type of building they would create was dependent on if they leased a building versus bought a building. Fox responded they had the same question and would like to explore further. Sturgis added that while Quinn's Junction was ideal, they were exploring additional plans.

Council Member Joyce stated he would like to protect the recreational space that was planned for and was needed. There was land a quarter mile away from the proposed space; he asked if it would it be any different from the Quinn's Junction location. Deters responded they could draft a parameter of all the land that could be used and the associated deed restrictions and evaluate. Sturgis added their priority was to remain in the community, the specific location was secondary. Council Member Joyce also asked how long it would take to complete the project. Sturgis replied they were ready to start right away. Council Member Joyce voiced he would like additional information regarding parking requirements if the fields were to be developed as well as details on the recreation plans. He also requested information regarding how the project would meet Gilmore education requirements. Deters suggested he could contact the Gilmore trust for a statement to assist in defining requirements.

Mayor Beerman asked for confirmation that the space would also serve as a Round Valley visitor's center which may assist with the education requirement. Fox replied they would like to have the conversation to determine Council desires. Sturgis added it would also depend on the location of the building. Fox explained they also hosted children's outdoor programs and this location would serve as a hub for that purpose. Mayor Beerman stated there was an appeal to having a central hub to serve visitors and local residents.

Mayor Beerman opened the meeting for public input.

Joe Cronley, Park Meadows resident and Summit Land Conservancy Board Member, voiced his support of the proposal.

Tom Peek, past President and current Mountain Trails Board Member, worked on finding a permanent home for the organization for 15 years. He supported the two organizations working together, as well as the proposal.

Kathy Sturgis, asked what organizations would be housed in the Arts & Culture district and voiced there were additional nonprofits in need of assistance. Mayor Beerman responded Council attempted to assist nonprofits as much as possible and space for nonprofits might be included in the Arts & Culture district.

Mayor Beerman closed the public input portion of the meeting.

Council Member Gerber echoed there were many nonprofits that were valued and were in need of space, and she looked forward to further conversations.

Council Member Ware Peek disclosed she was on the Mountain Trails ambassador email list. Margaret Plane, Special Counsel, determined it was not a conflict of interest. Council Member Ware Peek compared Round Valley to Central Park in New York in its importance, and voiced a possible need for a centralized meeting space for local group that could be filled by this project. She was also interested in further information regarding recreation plans.

Council Member Joyce stated there were many demands on available land in Park City and there was no precedent for this type of project. Moving forward, he would like additional information about how the building would benefit both organizations long term as well as how it would meet needs and requirements. Council Member Henney stated he viewed the combined resources of the two organizations as leverage and was confident in the return. He would like staff and the organizations to move forward in exploring the project further. Council Member Worel applauded the collaboration of the two nonprofits. She would like further information about what would be involved if the land was leased versus sold.

Mayor Beerman concluded Council was supportive of staff, Summit Land Conservancy, and Mountain Trails Foundation exploring the project further.

REGULAR MEETING - 6:00 p.m.

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Council Member Lynn Ware Peek Council Member Nann Worel Diane Foster, City Manager Matt Dias, Assistant City Manager Margaret Plane, Special Counsel Leah Langan, Deputy City Recorder	**Present**

II) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communication Report

2019 Spring Runoff Update:

III) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Beerman opened the meeting for public input on matters not being addressed on the agenda. No comments were given. Mayor Beerman closed the public input portion of the meeting.

IV) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from May 2, 2019:

Council Member Gerber moved to approve the City Council Meeting minutes from May 2, 2019. Council Member Henney seconded the motion.

RESULT: APPROVED
AYES: Council Members Gerber, Henney, Joyce, and Worel
ABSTAINED: Council Member Ware Peek

V) CONSENT AGENDA

1. Request to Accept a Donation of Artwork Created by Artists Erin D. Garcia and Jillian Evelyn into the Public Art Collection in a Form approved by the City Attorney:

2. Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with Harrison Western Construction Corporation Inc., for the Spiro Mine Tunnel Reconstruction Project in an Amount Not to Exceed $66,681.00:

3. Request to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with Lithos Engineering Inc., for Design Services for the Spiro Mine Tunnel Reconstruction Project in an Amount Not to Exceed $150,000.00:

4. Request to Authorize the City Manager to Execute an Addendum to the 2018 Water Improvement Project Construction Agreement, in a Form Approved by the City Attorney, with Daley Excavators, L.L.C. for an Amount Not to Exceed $475,000.005.

5. Request to Approve the Third Addendum to the Professional Services Agreement (PSA) with Lochner Inc. for an Expanded Scope of Engineering and Environmental Document Preparation Services for State Route 248 Corridor Project with Additional Sufficient Funding of $82,273.42 and the New Project Total Not to Exceed $1,596,053.25:

6. Request to Authorize the City Manager to Sign a Professional Service Agreement, in a Form Approved by the City Attorney, with AECOM for Preliminary Design and Engineering for Six Bus Shelter Improvements and a Bus Stop Accessibility Study in an Amount Not to Exceed $168,676.00:

7. Request to Approve the Professional Service Agreement with Sparano & Mooney Architecture in a Form Approved by the City Attorney's Office in an Amount Not to Exceed $106,676.00:

Council Member Worel moved to remove items six and seven from the Consent Agenda. Council Member Gerber seconded the motion.

RESULT: APPROVED
AYES: Council Members Gerber, Henney, Joyce, Ware Peek, Worel

Council Member Joyce moved to approve the Consent Agenda Items one through five. Council Member Ware Peek seconded the motion.

RESULT: APPROVED
AYES: Council Members Gerber, Henney, Joyce, Ware Peek, Worel

6. Request to Authorize the City Manager to Sign a Professional Service Agreement, in a Form Approved by the City Attorney, with AECOM for Preliminary Design and Engineering for Six Bus Shelter Improvements and a Bus Stop Accessibility Study in an Amount Not to Exceed $168,676.00:

Alexis Verson, Transportation Department, presented this item. The cost associated with the contract had changed. The scope was altered for the bus shelter located at 1760 Park Avenue to include the design and replacement of a rock retaining wall that was currently there. This resulted in an increase in consulting services. An amendment for the approval of the new amount $182,314 was requested.

Council Member Worel stated the increased price seemed like a large amount and asked if the design could be used for shelters in the future. Verson responded there were 225 shelters in the system and the bulk of the cost was for designs that could be implemented City-wide. Council Member Worel asked if any further funds would be

requested for the project in the future. Verson responded nothing would be requested for additional design, and clarified that an additional portion of the cost related to a strategic accessibility study. Council Member Worel asked if all the shelters were within City limits or throughout the transit system. Verson stated the stops in this scope were in City limits, but they intended to work with Summit County for the accessibility study and improvements to countywide stops. Council Member Worel asked if Park City would be required to fund future designs for Summit County stops. Alfred Knotts, Transportation Director, stated Summit County would pay for their own stops, but the design would be similar. Council Member Worel stated it was difficult to approve the project when the total cost was unknown. Knotts replied they would have a better idea of the total cost when they received a final estimate from the engineer.
Council Member Gerber mentioned lockers/snowboard tuning sites might be included in the shelters and asked if local businesses could be included as sponsors to offset costs. Knotts replied that would be a post-construction improvement.

Council Member Ware Peek voiced the requested amount seemed very high. Knotts stated he felt the same way when he researched shelters in other towns and felt it was a nice compromise. Council Member Ware Peek asked if the engineering and design was the larger part of the cost. Knotts confirmed it was the largest portion plus sidewalk, drainage, and retaining wall work outside of the actual structure.

Council Member Henney asked if Park City and Summit County were running parallel processes where both were designing and funding these projects as opposed to working collaboratively and sharing resources to use system-wide. Knotts responded they were working collaboratively with Summit County and were currently working together to determine priorities.

Council Member Gerber moved to authorize the City Manager to sign a professional services agreement in a form approved by the City Attorney, with AECOM to provide design and engineering services for six bus shelter improvements and conduct a bus stop accessibility study with the amended contract price of $182,314. Council Member Joyce seconded the motion.

RESULT: APPROVED
AYES: Council Members Gerber, Henney, Joyce, Ware Peek, Worel

7. Request to Approve the Professional Service Agreement with Sparano & Mooney Architecture in a Form Approved by the City Attorney's Office in an Amount Not to Exceed $106,676.00:
Jason Glidden, Housing Manager, presented this item. Council Member Worel stated it was her understanding that Habitat had a preliminary design for 100 Marsac. Glidden responded Talisker had original designs that Habitat was using as well. Council Member

Worel asked if soil analysis was done at the time of the designs and if some of the preliminary work would be completed. Glidden replied they had soil reports, but would like to take a fresh look at the project as well as take a creative look at the property space.

Anne Laurent, Community Development Director, offered background information about the reasons the RFP was issued. It was issued largely because the project had past approvals that expired. The scope of the work was to submit a new approval with an application that met current codes.

Council Member Worel moved to approve the professional service agreement with Sparano & Mooney Architecture in a form approved by the City Attorney's office in an amount not to exceed $106,676.00. Council Member Ware Peek seconded the motion.

RESULT: APPROVED
AYES: Council Members Gerber, Henney, Joyce, Ware Peek, Worel

VI) NEW BUSINESS

<u>1. 2019-20 City Manager's Recommended Budget: Presentation and Review:</u>
Nate Rockwood, Redevelopment Director, presented an overview of the five-year Capital Improvement Plan (CIP) which was adopted as part of the annual budget. The CIP in the City Manager's budget was basically the same CIP that was adopted last year with very few adjustments. These adjustments included changes Council made with Treasure Hill, continuing the affordable housing plan, and additional projects. Only one new budget project was included, but it was significant. Rockwood reviewed the tables included in the budget document to ensure Council and the public understood the information.

CIP project ranking was performed by a committee and scored based on five item criteria and General Fund flexibility. Rockwood grouped major projects into a summary chart and sorted them according to Council priorities.

Council Member Joyce recalled changing stormwater fees a year ago so they would be self-funding, yet noted there was resort sales tax designated for a stormwater project. He asked when the City would be done tapping other sources to support stormwater. Rockwood responded the specific project was a carry-over which was originally created to be funded by resort sales tax, but was blended into stormwater funding. Council Member Joyce asked if this was the last stormwater project that would be funded from sources other than stormwater fees. Rockwood confirmed this was the final project.

Significant water projects were being planned and the budget team was adjusting the projections of when the projects would be completed. Rockwood would return to Council to review the water capital plan in the first week of June.

Affordable housing would be funded through the Lower Park Redevelopment Agency (RDA). With the Treasure Hill bond, the City also issued a second sales revenue bond against the Lower Park RDA and resort sales tax to make up the difference of the Treasure Hill amount. The community center in City Park is also budgeted from the Lower Park RDA.

Other major projects in the pipeline, including the Old Town Improvement Study (OTIS) project, were put on hold to save money for Treasure Hill. These projects would be revisited in the coming years and staff were looking at the projects in a more holistic way, including a City-wide street assessment to determine priorities. Council Member Ware Peek asked why sidewalks in Old Town were not included in OTIS. Rockwood replied OTIS pertained only to street replacement. Council Member Ware Peek asked for specifics about how the funds would be directed. Council Member Gerber added that more information would be required before funds marked for Old Town were redistributed throughout town. Mayor Beerman clarified that though some of the funds came from the same tax, they were designated for separate uses. Rockwood noted the majority of the OTIS projects were completed.

Council Member Joyce used the Brew Pub as an example of a project that was put on hold. Rockwood clarified that not all of the OTIS funds were removed and presented an ongoing list of projects that were either underway or currently scheduled to be completed. Mayor Beerman recalled the conversations that took place at that time were that the projects were suspended, but it was communicated that Council would like to continue the projects when possible.

Council Member Worel asked if the City would be able to access the Arts and Culture district funds for demolition and soil hauling. Rockwood responded funds were currently available for demolition.

Mayor Beerman asked for further information about what was included in the $3 million marked for Public Works renovation. Clint McAffee, Public Utilities Director, responded the amount was closer to the $1million range. Rockwood added he would come back to Council at a later date to clarify.

Council Member Joyce requested more information about Park Avenue being marked as pending. Rockwood responded that in addition to the Engineering Department conducting a study on City-wide streets, they were also assessing the need for the Park Avenue reconstruction project. Council Member Joyce stated Council communicated to the public that the project would begin this year and asked for clarification on the timeline. Rockwood stated it was pushed out two to three years.

Rockwood presented a table with information regarding General Fund transfers. Mayor Beerman asked if it was up to the department manager to determine how the funds were utilized after Council approved them. Rockwood affirmed fund utilization was determined by department managers, but the managers were required to have a plan. Mayor Beerman requested an itemized document detailing purchases at the end of the year. Rockwood replied they could provide a summary. Council Member Joyce agreed he would like details on the larger purchased items.

Council Member Joyce asked if staff investigated subsidies for electric vehicles for municipal use. Rockwood responded Luke Cartin, Environmental Sustainability Manager, monitored available subsidies, but the technology had not evolved enough.

Staff recommended a street maintenance project in Park City Heights. The budget department evaluated service level and would review. The Budget Department also maintained a list of projects that were not recommended that would be reviewed for possible future approval. Rockwood indicated if any funding remained at the end of the year, the Police and Engineering Departments strongly recommended a $50,000 gate on uphill Marsac Avenue, above Chambers Avenue. Council Member Gerber asked where the gate would prevent people from going. Rockwood replied it would be an automatic gate that would prevent people from traveling up Marsac when the roads became unsafe due to snow. Council Member Gerber asked if it was a state road and if UDOT would contribute. Rockwood answered he would have to confirm with the Transportation Department.

Council Member Ware Peek asked if restriping the Deer Valley pedestrian walk was scheduled to occur this spring. Rockwood stated the Deer Valley cost on the document was related to a facility, not restriping.

Council Member Gerber asked why the Old Town access and circulation plan was being pushed back. Rockwood responded they did not rescore that item due to not being approved in years past, but could relook at it. Council Member Joyce added it was related to Transportation Planning, not Transit. Rockwood stated it was the same project and Knotts had consulting funds available which he could contribute to the project. Council Member Gerber requested additional information regarding the difference in scope between the two projects.

Mayor Beerman voiced interest in bollards and asked if that project had other funding. Rockwood replied there was a phase one bollard project but phase two was not recommended for funding. All remaining money for that project was used for Treasure Hill. Diane Foster, City Manager, stated $30,000 was requested to offset staff costs that culminated in working with Silly Market to do the work at a reasonable cost. Police and Emergency Manager, Mike McComb agreed that phase two was not needed for this year, but was still needed long term. Council Member Joyce responded that with the decrease of Main Street events, the need for bollards might not be as great.

Rockwood asked Council if there were any additional questions. Council Member Gerber requested an explanation of the GO bond chart. Rockwood reviewed the chart and related debts. The sales tax debt consisted of several types of taxes which were related to the additional resort community sales tax. There were four different bonds issued against that. An additional debt was issued against the Lower Park Avenue RDA property tax revenue, but there was an inter-local agreement with the City that property tax revenue paid for the City's sale tax debt. One bond issued against the Transient Room Tax (TRT) in 2017 was used to purchase the land for the Arts and Culture district.

Council Member Joyce asked about the City's current bonding capacity, knowing the City did not exceed 65%. Rockwood responded the City was currently at the 65% threshold. With the funds transferred from the RDA, the RDA was bonded at 100% capacity. But since it was property tax based, the funds were guaranteed to come in over the lifespan of the RDA which was 15 years. Council Member Joyce asked about the resort sales tax. Rockwood answered the City did not bond against the resort sales tax, but bonds were issued against the municipal TRT which also had a 65% threshold-it was currently at 45%.

Council Member Joyce voiced concern regarding the spending that occurred from 2014-2019 and the affect it had on spending flexibility for the next ten years. Rockwood replied that we are not at capacity due to the 65% threshold and cash flow is still occurring. Council Member Joyce clarified that we borrowed two-thirds of the 15 year future revenue streams and spent it. Rockwood replied it was spent on critical priorities. Council Member Joyce felt like the City had maxed out its credit cards and then got new ones. Rockwood replied the 15 year bond was one of the shortest available to municipalities. Such a short term created flexibility for future Councils. Council Member Henney stated he believed the City was fiscally responsible and responded to the needs and crises of the community without limiting future Councils. Council Member Joyce replied housing was a crisis, but the need for an Arts and Culture district was not. Council Member Henney countered that the Arts and Culture district would change the community and it would benefit future generations.

Council Member Gerber added that rare and great opportunities have arisen within the last few years and the City sourced good funding. Mayor Beerman stated the community voted to increase sales tax to fund priorities and some funds were meant to be bonded against or the resource was lost. Mayor Beerman disagreed that the City had maxed its funding and stated large conversations with the community were had before spending on the large projects. He also reviewed other potential funding sources such as property tax. Council Member Worel was proud of Council for taking advantage of opportunities, but reminded Council that affordability of the community was affected by tax increases.

Council Member Joyce voiced concern that every time a tax was added, it was immediately bonded against and the 15 year revenue was depleted. Mayor Beerman responded the funds were spent in advance with input from the community. Council Member Henney added Council would receive direction from the community on future requests or if the public felt spending should be decreased. Council Member Joyce thought there was a list of projects Council or the public would want to do, but Council would not be able to afford them because the City would spend the majority of funds in five years. Council Member Henney replied he had not received negative feedback from the community and Council would address additional needs with community input as they arose. Mayor Beerman added Council Member Joyce's concerns were well stated, but Council was consistent with what was communicated to the public.

Council Member Henney asked Rockwood to list the Enterprise Funds. Rockwood replied the Enterprise Funds consisted of water, golf, stormwater, transportation, and parking.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

2. Consideration to Approve Ordinance 2019-06, an Ordinance Approving Land Management Code Amendments regarding Section 15-13 Design Guidelines for Historic Districts and Historic Sites and 15-15 Definitions

Hannah Tyler, Senior Planner, presented this item along with Douglas Stephens, Chair of the Historic Preservation Board (HPB). Tyler and Stephens returned from the May 2nd Council meeting to revisit the design guidelines discussion. The information presented were Land Management Code amendments. In 2017-2019, they were proposed as standards. The HPB requested they be called guidelines to provide additional flexibility. Staff operated using the term guideline and recommended continuing the use that term, but looked to Council if they would like to return to the term "standard."

An additional point of discussion was defining "shall" versus "should." "Shall" was a more direct term and was used when an action resulted in a reduction of historical integrity of the Historic District or landmark structure. "Should" was used when there were options that could protect the Historic District integrity and did not affect neighbors. The Planning staff would return to Council to discuss a parking management plan for Old Town.

Tyler had a productive discussion with Council Member Joyce where they clarified terms and inconsistencies in the Design Guidelines. The document was a result of five years of edits. Staff recommended Council adopt the ordinance.

Council Member Worel noted the terms “shall” versus “should” lent itself to interpretation and asked how it would be possible take the arbitrary out of the guidelines. She used the example of a woman renovating her home in Old Town and was denied after she read “should” in the guidelines. Tyler replied that project would have been under the 2009 guidelines which staff was amending. Council Member Worel added she understood that the guidelines pertained to old homes but wondered if the term “should” should apply to new homes in the historic district. Stephens responded that as a homeowner he liked knowing construction was compatible with his historic home and felt that predictability in the design process bred monotony.
Council Member Henney voiced concern about changing new construction compatibility from “neighborhood” to “district areas.” He also mentioned that new buildings should complement instead of mimic older homes and some modern construction styles accomplished that.

Council Member Gerber stated the definition of “compatible” was subjective and could be interpreted as either blending or complementing existing structures. She expounded that the Historical District told a story and she hoped a contemporary build would continue that story. Council Member Gerber also asked why the word “must” was replaced by the word “shall” in some areas of the document. Tyler replied it was an effort to remain consistent and “shall” means “must” in the guidelines.

Council Member Worel recalled her time on the Planning Commission where projects were considered based on the streetscape instead of district-wide. Council Member Joyce agreed. Council Member Joyce stated the City should be guiding new construction towards a specific standard, but it would be challenging to make a blanketed “shall” statement. Council Member Worel questioned what would happen if the Planning Department did not like a design. Council Member Joyce answered consistency was required and predictability would assist. Council Member Henney recalled Stephen’s point that predictability was boring. Council Member Joyce remarked that consistency could exist alongside flexibility.

Council Member Ware Peek stated she was concerned that builders would want to abandon their projects rather than contend with so many “shalls.” Council Member Worel asked about the process that occured when the Planning Department disagreed with someone building new construction based on the guidelines. Tyler answered it was rare that an application was denied. If staff denied an application, the builder could appeal that action which would be reviewed by the Board of Adjustment or Council. Stephens added that before an application was denied, a larger process occurred between the builder and the Planning Department where they looked at existing constraints and formed creative solutions. Unfortunately, this could make it a lengthier process. Council Member Worel asked if there were plans to streamline the process. Tyler responded that in the last few years, Council and HPB added additional steps to the process such as noticing requirements. Council Member Worel noted the length of the process was the largest complaint she received. Stephens responded the Planning staff should be trusted and not every project needed to go through the public process.

Council Member Gerber commented about the importance of considering the Historic District from different perspectives, not just the front of buildings. Mayor Beerman spoke about his current frustrations in renovating a property in Old Town, and felt the process was difficult to navigate even after having completed prior commercial and residential projects. He acknowledged the Planning Department's work on the guidelines but had concerns on the portion of the document related to new construction. Project size and scale were also a concern. Mayor Beerman commented that switching district versus neighborhood in the compatibility portion of the document was vague. He mentioned the code limited any variation to new structures. He was comfortable approving the first section of the guidelines, but recommended additional work on the section regarding new construction.

Council Member Joyce indicated he would rather approve the guidelines tonight and have a future work session to discuss what was philosophically reasonable for infill. Council Member Ware Peek asked Mayor Beerman if his frustrations were regarding specific materials required for construction. Mayor Beerman replied with specific examples from the guidelines. Council Member Ware Peek asked what was the best way to formulate changes. Mayor Beerman replied members of the public would have a lot of insight.

Council Member Gerber suggested Council approve the first half of the guidelines and make an effort to schedule time to review what changes needed to be made on the new construction portion. Council Member Worel did not have an issue with approving the guidelines as it pertained to old construction, but she was hesitant to approve the document in its entirety as it would be challenging to revisit the conversation.

Council Member Joyce voiced he was hearing conflicting messages from Council: that the process was too difficult to wade through as well as the City was too constraining for new construction. Council Member Worel responded she had received feedback from community members who were attempting to renovate their non-historic homes in the Historic District that the process was long and unpredictable.

Mayor Beerman stated portions of the guidelines had improved, but there were key issues in the new construction section that made him hesitant to approve. Council Member Gerber stated she needed a break before revisiting the document. Council Member Henney agreed staff had come a long way with the guidelines, but was in favor of forming a task force or commission to review. Bruce Erickson, Planning Director, responded Tyler would like to reprise three outreaches to the architects who reviewed the document. Tyler added they had contacted multiple architects for feedback, but had not received any substantial responses, and asked Council for direction. Mayor Beerman suggested the taskforce should be comprised of community members from multiple backgrounds and experiences.

Stephens stated the projects consisting of historic home additions seemed to get through the process smoother, but the issues lay with infill and remodeling projects. Anne Laurent, Community Development Director remarked she was empathetic to how stressful the process could be and stated some of the concerns could possibly be addressed from a customer engagement perspective with increased customer support and education. She added the results of the guidelines were reactive from years of work and experience. Laurent suggested Council identify the specific issues they would like staff to improve in the guidelines, but it would be difficult to come back on this item. Mayor Beerman responded the lack of clarity was the major issue and gave the term "compatibility" as an example. Tyler responded "compatibility" was a defined term in the Land Management Code, but offered to revisit the definition. Mayor Beerman countered that information regarding compatibility was not in the guidelines. Tyler was happy to include defined terms in the Design Guidelines. Erickson stated it was impossible to outguess market and materials and therefore, impossible to write perfect guidelines.

Diane Foster, City Manager, offered Council could approve what they were comfortable with, which included Sections 15-13-2 and 15-13-3 and give direction on the sections that still needed work. Council Member Ware Peek added she knew a community member who was ready to walk away from a historic renovation project due to the process and lack of clarity.

Council took a five minute break. Mayor Beerman then opened the meeting for public hearing.

Tom Peek completed 17 projects in Old Town and voiced support for a taskforce. He had potential projects that he was about to walk away from due to the length and effort of the process. He offered to volunteer for the taskforce.

Mayor Beerman closed the public hearing.

Laurent stated staff thought what was presented tonight was an improvement to what was on the books and anything that was not adopted would result in continuing the previous guidelines which caused frustration in the community.

Council Member Henney asked for clarification and Council Member Joyce requested additional discussion before placing a vote. Council Member Joyce suggested the taskforce be more general as there were numerous issues to work through.

Erickson suggested adding a taskforce mandate to look at process improvements in Historic Districts for infill and reconstruction, including clarifying the code.

Mayor Beerman asked Council if they would like to propose an amendment for the change of neighborhood compatibility to district compatibility. Council Member Joyce asked why that change was made. Tyler responded the change allowed increased flexibility and clarity and that character area tours were underway. Mayor Beerman stated he did not see how drawing from district wide designs would assist with the compatibility of streetscapes. Erickson added the change did not relate to size and mass, but more to detail of structure. Erickson listed the four rules the Planning Department considered when looking at a project: Did it hurt the neighborhood, did it hurt the house, a more contemporary form needed to use historic materials, and a more historic form could use more contemporary design. Council Member Joyce noted the change in the code could be either more oppressive or more flexible and it was not clear which direction it would take. Tyler stated a change to the code could be included in a motion. Council Member Worel stated she was comfortable with streetscape instead of district-wide. Council Member Joyce replied “character areas” made more sense than considering project on a district-wide scale.

Council Member Joyce moved to approve Ordinance 2019-06, an ordinance approving Land Management Code amendments regarding Section 15-13 Design Guidelines for Historic Districts and Historic Sites and 15-15 Definitions with two amendments: 1. change district-wide compatibility to streetscape compatibility and character areas; 2. form a taskforce to identify issues in getting through the design review and building process in the Historic District and make recommendations on how to improve whether in code or process. Council Member Worel seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Gerber, Henney, Joyce, Ware Peek, Worel

3. Consideration to Implement a 2.0% Service Fee on Non-Utility Credit Card Transactions Equal to or Greater than $5,000.00, Effective July 1, 2019:

Rebecca Gillis, Finance Director, presented this item. Staff requested approval on implementing a 2% fee on non-utility credit card payments equal to or greater than $5,000, effective July 1, 2019. Currently, Park City accepted credit cards for public utilities, recreation/library fees, parking fees, fines, and permits, bus advertising, business licenses, special event permits, miscellaneous transactions, and BPE permits under $1,500. With the new BPE software, customers would be able to pay online, which would allow for a higher level of service. However, the fees for the credit card transactions would also increase if we allowed payments over $1,500. The fee was comparable to other cities and counties in the state. The City currently paid 2.75% processing fee on each credit card transaction.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Henney mentioned there might be a different threshold to consider before charging the fee at $5,000. Gillis responded that when researching the possibility of lowering the threshold, Day Camp posed a problem. Council Member Ware Peek questioned if staff looked at building the fee into the transaction amount instead of adding it as a separate fee. Gillis confirmed they looked into that option, but stated the fee would then be built into transactions that were paid with check or cash.

Mayor Beerman asked how many transactions were made with credit cards. Gillis responded the rate was 90%.

Council Member Worel moved to approve the implementation of a 2.0% service fee on non-utility credit card transactions equal to or greater than $5,000.00, effective July 1, 2019. Council Member Ware Peek seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Gerber, Henney, Joyce, Ware Peek, Worel

4. Consideration to Approve Ordinance 2019-27, an Ordinance Approving the Stag Lodge Phase IV Third Amended Plat, Amending Unit 46 Located at 8200 Royal Street #46, Park City, Utah:

Francisco Astorga, Planning Department, presented this item. This ordinance would convert 1,500 square feet of unexcavated common ownership area to private ownership area belonging to Unit 46 to build a basement.

Council Member Worel asked how a basement would be built into the space. Erickson replied builders would punch a hole in the outside wall and complete with hand excavation.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Gerber moved to approve Ordinance 2019-27, an ordinance approving the Stag Lodge Phase IV Third Amended Plat, amending Unit 46 located at 8200 Royal Street #46, Park City, Utah. Council Member Worel seconded the motion.

RESULT:	**APPROVED**

AYES:	Council Members Gerber, Henney, Joyce, Ware Peek, Worel

5. Consideration to Approve Ordinance No. 2019-28, an Ordinance Approving the Double H Plat Amendment, an Amendment of Lots 5, 6, 7, and 8 and the South One-Half (1/2) of Lot 9, Block 56, Snyder's Addition to the Park City Survey, Located at 1120, 1124, and 1128 Park Avenue:
Francisco Astorga, Planning Department, presented this item. This ordinance aimed to reconfigure four and a half Old Town lots into three lots of record by removing three interior site lot lines and adding one interior lot side lot line. Council Member Worel asked if changes in gravel would affect these driveways. Astorga affirmed they would be affected, but must move forward with the current code. Council Member Joyce asked why someone with a landmark house would be required to get rid of their historic driveway. Astorga answered the driveway had not been deemed as a significant component of the house that would warrant historic designation.
Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Gerber asked for clarification on the dirt pathway behind the property. Astorga stated it was City owned property.

Council Member Ware Peek moved to approve Ordinance No. 2019-28, an ordinance approving the Double H Plat Amendment, an amendment of Lots 5, 6, 7, and 8 and the south one-half of Lot 9, Block 56, Snyder's Addition to the Park City Survey, located at 1120, 1124, and 1128 Park Avenue. Council Member Gerber seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Gerber, Henney, Joyce, Ware Peek, Worel

6. Consideration to Continue an Ordinance Approving Municipal Code Amendments regarding Gravel and Landscaping in Title 11 Chapter 15-3 Acceptable Cover, Title 14 Chapter 2-7 Park Strips; Land Management Code Title 15 Chapter 3-3 General Parking and Driveway Standards; Title 15 Chapters 5-1 Policy and Purpose and 5-5(N) Landscaping; and Title 15 Chapter 15-15 Definitions:
Bruce Erickson, Planning Director, presented this item on behalf of Elizabeth Jackson of the Planning Department. Erickson stated he would not bring the section regarding parking and RVs forward as it needed additional work.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Worel moved to continue an ordinance approving Municipal Code amendments regarding Gravel and Landscaping in Title 11 Chapter 15-3 Acceptable Cover, Title 14 Chapter 2-7 Park Strips; Land Management Code Title 15 Chapter 3-3 General Parking and Driveway Standards; Title 15 Chapters 5-1 Policy and Purpose and 5-5(N) Landscaping; and Title 15 Chapter 15-15 Definitions to May 30, 2019. Council Member Gerber seconded the motion.

RESULT:	**CONTINUED TO MAY 30, 2019**
AYES:	Council Members Gerber, Henney, Joyce, Ware Peek, Worel

7. Consideration to Continue Twisted Branch Subdivision within the Flagstaff Mountain Development Area, Located South of Pod B2 and the Montage Resort and North of Pod D and the Red Cloud Subdivision

Bruce Erickson requested to continue the item to June 20, 2019.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Ware Peek moved to continue Twisted Branch Subdivision within the Flagstaff Mountain Development Area, located south of Pod B2 and the Montage Resort and north of Pod D and the Red Cloud Subdivision to June 20, 2019. Council Member Henney seconded the motion.

RESULT:	**APPROVED**
AYES:	Council Members Gerber, Henney, Joyce, Ware Peek, Worel

VII. ADJOURNMENT

With no further business, the meeting was adjourned.

Leah Langan, Deputy City Recorder