PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MAY 15, 2008

Present: **Mayor Pro Tem Roger Harlan; Council members Candace Erickson; Jim Hier; Joe Kernan; and Liza Simpson**

Tom Bakaly, City Manager; Polly McLean, Assistant City Attorney; Bret Howser, Budget Analyst; Jed Briggs, Budget Analyst; Matt Twombly, Project Manager; Brooke Moss, HR Analyst; Sharon Bauman, Analyst II; Hugh Daniels, Emergency Management Coordinator; Gary Hill, Budget Manager; Lloyd Evans, Chief of Police; Ken Fisher, Recreation Manager; Craig Sanchez, Director of Golf; Stacey Noonan, Sports Complex Manager; Jon Pistey, Sports Complex Operations Manager; Phyllis Robinson, Public Affairs Manager; Kent Cashel, Deputy Public Works Director; Kathy Lundborg, Water Manager; Pace Erickson, Public Works Operations Manager; Mike Lennon, Building Maintenance Manager; Troy Daley, Streets Manager; Clint Dayley, Parks/Golf Manager; Lori Collet, Finance Manager and Jon Wiedenhamer, Project Manager

David Wiener, Iron Canyon Court resident

Absent: **Council member Mayor Dana Williams**

1. Council questions/comments. Joe Kernan asked if there is interest among members to broadcast meetings, acknowledging that there may be a cost. Discussion ensued on publishing digital recordings of meetings on the website as an option. Liza Simpson expressed a desire to explore podcasts but supported making audio available to the public. Mayor Pro Tem Roger Harlan noted that 21 years ago, Council meetings were televised with no real positive response from the citizenry. Joe Kernan continued that a resident asked him about parking at the trolley turn-around on upper Main Street. Liza Simpson explained that the plan for the neighborhood park will tie into this parcel where it is contemplated to install bike racks there and retain some parking. He commented on the number of parents driving their kids to school and the noticeable improvement of the flow on SR248 when school is not in session. Rather than rebuilding the road, addressing the problem by encouraging using the bus may be worth pursuing. Candace Erickson commented that the completion of the walkability projects may make parents feel that school routes are safer. Jim Hier stated that he agrees, but it is very difficult to change human behavior; one option would be to prohibit left hand turns into the school campuses. There was discussion about the School District's role and Mr. Kernan believed that managing traffic is extremely important to residents and busing is a logical solution. Liza Simpson thanked the budget staff for organizing individual meetings with Council members which she found very helpful. Roger Harlan spoke about his recent trip to Beijing working with high school students. Discussion followed on the great sales tax numbers from the winter quarter and how snow conditions affect this revenue. Candace Erickson reported on Recreation Advisory Board business, projects and events. She spoke about the open house which was well attended by users held at the Racquet Club last night on the remodel. She relayed a comment from a citizen about avoiding current fads of the day and supporting lasting programs and sports. Providing a viewing area for tennis was another request. Jim Hier spoke about the special event grant process conducted by the Chamber, the council of governments meeting, and business of the Uniform Building Code Committee. Tom Bakaly introduced Matt Cassell, the newly hired City Engineer.

2. Iron Canyon Court parking plan. Matt Twombly reported that the CUP for the dog park was approved by the Planning Commission.

He stated that complaints about parking on Iron Canyon Court date back to 2001 and in 2002, staff and the Mayor met with residents. No parking signs were posted in portions of the area and four perpendicular parking spaces were designated in the cul-de-sac. In about 2006, the neighbors expressed concerns about emergency access and snow removal and the signs were changed to prohibit parking in the circle from November 1 to April 30. Last year, the Iron Canyon Court residents contacted the Fire Marshall for a determination on emergency access. The Fire Marshall concluded that the current plan adequately accommodates emergency access but in April 2008, the neighborhood then made a request to the City that no parking be continued throughout the summer. Mr. Twombly pointed out that staff outlined options in the staff report and staff's recommendation supports no parking or only allowing parallel parking in the circle on a year-round basis. In response to a question from Joe Kernan, Mr. Twombly explained that the Iron Canyon Trail is accessed from private property and is not designated on the Mountain Trails Map. The easement along a private driveway was pointed out which provides access to the water tank but the trail is located on private land outside the City boundaries.

David Wiener, Iron Canyon Court resident, felt that allowing parallel parking in the cul-de-sac doesn't make much sense based on the history of the problems. He emphasized that most of the neighbors have supported the hikers. Most people access the trail through private property which is acceptable to current owners but the parking has been out of control particularly with the heavy snow last year. The neighborhood requests prohibiting parking in the circle but allowing people to park on the street below which only adds about 100 extra yards to the trail head. He disagreed with the Fire Marshall's determination and emphasized that the hikers will not be negatively impacted.

Jim Hier stated that he is in favor of no parking in the cul-de-sac on a year-round basis. Candace Erickson relayed that she can support no parking in the cul-de-sac provided the neighborhood does not return with a following request for no parking on Iron Canyon

Drive. Liza Simpson expressed a concern about inconsistency and preferred trying the parallel parking in the circle first and possibly striping the spaces. Mr. Wiener interjected that the spaces were initially painted and looked ridiculous and he didn't feel their proposal is inconsistent; he understood that the actual trailhead is located at Rotary Park. Ms. Simpson felt that the inconsistency is that people can't park in the cul-de-sac but can park 100 feet away and referred to the Fire Marshall's positive determination with regard to the safety of the cul-de-sac. Joe Kernan believed that there are impacts with all amenities, including negatives and the benefit of the marked spaces in the cul-de-sac is that it works like a trailhead; he feared that no parking signs in the circle may discourage people from using the trail. In response to a concern raised by Liza Simpson, Mr. Hier relayed that there are many streets that have no parking on portions of the street. Roger Harlan pointed out the need for consistent enforcement if parking is prohibited in the cul-de-sac. There was a majority consensus to support no parking in the cul-de-sac on a year-round basis as requested by the neighborhood.

2. Budget review. Jed Briggs reviewed the budget calendar and relayed that today staff will be presenting expenditures and department options. He explained that department managers select options, meet with their teams to prioritize them, and meet as a team with the City Manager who decides which options to recommend. The recommended adjusted 2008 budget is $903,000 and for 2009 is $1,080,527. Jim Hier pointed out that department overruns are often adjusted the next budget year and asked how $900,000 out of $1.2 million could represent options. Tom Bakaly explained that these represent same level adjustments and Bret Howser added that some requests could be handled under existing capital funding. Mr. Hier pointed out that these expenses are operating not capital budget items.

Bret Howser explained a zero sum budget option in the Budget Department for an adjustment in positions. Brooke Moss noted that $10,000 is requested in HR to cover hosting the current number of employees at City events. Mr. Howser commented that the $25,000 option requested by Finance has been retracted. Sharon Bauman relayed that the move of the Senior City Recorder from the Legal Department to the City Manager's Office is a zero sum personnel option but any associated costs will be shared between the City Manager and Risk Management Budgets. Jim Hier believed that this is not a zero sum transaction because the position is not eliminated from the Legal Department because of the request for another legal assistant.

Hugh Daniels discussed funding the Comprehensive Emergency Management Plan which is included under the City Manager Budget. Tom Bakaly referred to the reorganization of the Executive Department by moving the Senior City Recorder, who covers elections and risk management, to his department. The Legal Department requires an additional legal assistant for prosecutions and other activities, which are duties that were not performed by the Senior City Recorder. Although this is an off budget year, it is recommended that the Attorney V compensation be increased one grade to reflect compensation paid by other cities. Joe Kernan commented that risk management by nature seems to be more legally based than an executive function and Polly McClean stated that the Legal Department may render legal advice in some cases. Mr. Bakaly again explained that the Legal Department is seeking to hire a paralegal.

Gary Hill explained that the Planning Director and associated expenses will be removed from the Sustainability Budget and return to the Planning Department Budget. Chief Lloyd Evans discussed software and radio costs in the amount of $15,000 and a $75,000 one-time contract for his assistance with the transition of the new Police Chief. Ken Fisher explained the $10,300 cost associated with providing one more week of programming this summer for kids based on the school calendar. A .5 FTE tennis pro position is proposed because of demand; it is budgeted at $31,000 with $49,000 estimated in associated revenues. Craig Sanchez noted that the Golf Fund will fund $10,000 of the $20,000 that was reallocated to maintenance personnel. Stacey Noonan stated that management support is needed at the ice facility which is open seven days a week and an average of 10 hours a day. She added that Jon Pistey's position is developing into a management role which will help develop a succession plan. Administrative duties will be added but he will retain his maintenance responsibilities. Mr. Pistey explained that $44,000 is requested to promote the use of the sports complex and upgrade the marketing events coordinator position which has been a great addition to staffing. Jim Hier expressed concerns about duplicating services since the City has an economic development manager, funds a special events position at the Chamber, and has a marketing position at the ice arena, but this can be discussed at a later date. Candace Erickson interjected that she shared the same concern until she learned about the number of events calendared at the rink. Jon Pistey spoke about the installation of a gas line and the conversion from propane to natural gas in early fall. The propane budget rose from $85,000 to $110,000 last season and is still growing; natural gas prices are about half to 2/3rds of the price of propane. Jim Hier commented on operating and capital budget distinctions. The installation cost of the gas line is a capital expense and operating expenses will decrease with the use of natural gas in the long term. Jon Pistey explained the zero sum option eliminating contracted cleaning services with an in-house maintenance position for the facility.

Phyllis Robinson addressed the $75,000 request for contract services in the Sustainability Budget. Joe Kernan hoped this funding is not just for public relations efforts but true outreach and she confirmed the plan to implement outreach and/or community programs. Matt Twombly discussed the Trails Coordinator position which will be funded in 2010 and will be further defined with the development of the WALC projects. This position is intended to be funded with money from the CIP Budget for trails. Candace Erickson expressed that it would be helpful for her to know the number of trail miles within the City's network. Joe Kernan pointed out the higher level of staffing for trail projects at the County level and Mr. Twombly agreed and explained that the trails in the Basin are not categorized as urban or back-county while the City's Trails Master Plan only deals with back-county trails. Mr. Kernan stated that he is supportive of devoting more staff to trails which has been a reoccurring request of trail advocates. Tom Bakaly spoke about conducting an inventory of trails and defining a service level before the position is created in 2010.

Kent Cashel commented on transit options including $141,000 for expanded County service, $168,000 for the park and ride, and $89,000 associated with reorganizing the department. Expanded service will be offset by reimbursement by the County and he addressed park and ride maintenance and staffing expenses. Mr. Cashel discussed better coordinating teams in Public Works and a new position created specifically for transportation management. Jim Hier spoke about the County's share in funding the position and the City Manager explained that this proposal was based on discussions at the Visioning Session regarding managing local traffic issues and implementing short term solutions. Mr. Kernan believed this additional position is very important.

Kathy Lundborg discussed a new position in the Water Department charged with implementing the conservation plan and program, installing the metering technology, and overseeing billing operations. The engineering position is intended to help with on-going infrastructure projects and Ms. Lundborg explained one-time expenses. She discussed formulating an asset management plan which is very much needed. Joe Kernan believed the tasks of the Public Works and Public Safety Departments are major municipal functions and responsibilities. He observed that over the years, managers have been hired but at some point the City needs to add more people doing the work, especially in the Public Works Department. Over the past years, there has been growth and more infrastructure added and there needs to be more workers. In response to a question from Candace Erickson about planning for upgrades, Kathy Lundborg stated that it is the City Engineer's responsibility to inspect infrastructure constructed by developers.

Pace Erickson introduced his operations team, including streets, golf/parks and building maintenance. Mike Lennon referred to the request for a vehicle for building maintenance and Troy Daley stated that streets maintenance is requesting $400,000 to offset last winter's snow events which were extremely challenging. The Department hauled about 100,000 cubic yards of snow out of town compared to 30,000 cubic yards during the last big snowfall winter in 2005. Capital requests total $125,000 including the purchase of a motor-mount snow blower which condenses snow and will reduce the amount hauled in the future. Blades are 20 years old and replacement blades will make snow removal more efficient and reduce down time. An upgrade of all two-wheel drive trucks with all-wheel drive vehicles is contemplated and there is a request for a v-blade, snow bucket, and loader in the amount of $35,000. Roger Harlan felt that the effort devoted to plowing his cul-de-sac was over the top. Pace Erickson explained that staff examines trends and believes that if the snow is not removed in a timely way, there's a possibility that a large storm would paralyze those streets and removing snow opens up storage. Troy Dayley stated that golf maintenance requests a one-time $20,000 expenditure to purchase a vehicle rather than reimbursing mileage. An increase in service level for Real Salt Lake is reflected as well as an upgrade of the Main Street incandescent holiday lights to LED. Mr. Hier felt that the purchase of a vehicle is a capital item since it is a one-time expense and Pace Erickson explained that it is being funded from an enterprise fund so the CIP Budget is not used. Bret Howser explained that new vehicles are purchased from the operating fund and then become part of the replacement schedule. The vehicle replacement fund in the CIP is funded with General Fund monies and not allocated to enterprise fund vehicles. Capital assets defined in accounting principles are different than capital spent from the General Fund or CIP. Discussion ensued regarding policy and accounting principles and Lori Collett reiterated the distinction with enterprise funds.

Jed Briggs explained that the Non-departmental Budget represents an adjustment to the 2008 budget of $250,000 to cover risk management claims and $40,000 for the Main Street Business Improvement District. Mr. Howser discussed the process and criteria applied to capital projects and after prioritizing new requests, projects are filtered into one of six alternatives. There was discussion on the park-and-ride project and potential grant monies which will be matched with land. He explained that the CIP includes increased funding for the remainder of Phase 1 of the OTIS projects. Anticipated funding for future phases will come from revenue from sales tax bonds with a General Fund surplus payment allocated to the debt service on the sales tax bonds. Staff will take a hard look at a strategy for OTIS projects before next year's budget.

Jim Hier continued to express concerns about designating the Trails Coordinator in the CIP. Bret Howser explained that the position will be contracted and establishing a new position in an operating budget will occur in 2010. Project managers are often paid from the project fund and the Trails Master Plan is anticipated to fund projects and contractors working on those projects. Jon Weidenhamer added that staff would like to provide a higher level of service in the interim. Lori Collett explained that expenses can be tied to a capital project and not every expense becomes capitalized as a capital asset. Jim Hier asked about capital credits and Mr. Howser explained that they represent carry-forward amounts.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 15, 2008

I ROLL CALL

Mayor Pro Tem Roger Harlan called the regular meeting of the City Council to order at approximately 6 p.m. at the Park City Library and Education Center on Thursday, May 15, 2008. Mayor Dana Williams was absent and excused. Members in attendance were Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Brooks Robinson, Planner; Jason Glidden, Marketing Coordinator; Stacey Noonan, Sports Complex Manager; and Franciso Astoga, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

1. Snow removal improvements – Tom Hurd, Thaynes Canyon resident, referred to his email sent earlier to Council members. The snowplowing isn't his issue, but collateral damage which was worse this year, including destroying mail boxes, sod and sprinkler heads. He suggested better training for slow plow operators and budgeting more for equipment.

2. Racquet Club open house on remodel – John Halsey, Parks and Recreation Advisory Board member, commented that a couple of hundred people attended the open house. The number one choice was expansion of the weight room and more tennis courts were requested. Patrons feel strongly about providing a restaurant, viewing areas, larger aerobic room and an indoor jogging track. One comment dealt with maintaining the atmosphere of Racquet Club as a community center and not a country club. He discussed the needs assessment and detailed survey results. The consultant hired a year ago was clear with regard to the popularity of the fitness and cardio programs. The expansion of the area was recommended at 4,000 to 6,000 square feet. He hoped that intentions remain to meet the needs of residents and to plan for future demands. In response to a question from Joe Kernan, he relayed that unmet needs for all recreation programs included rock climbing, golf, and an indoor walking and jogging track. Candace Erickson expressed that it would be helpful for Council to see comments from the open house and added that there was a request for flooring for marital arts classes.

Stanton Jones, resident and owner of Prospector Square fitness center, felt that a traffic study should be conducted with regard to the expansion. Maybe it should just be a tennis facility. As a small business owner he is forced to compete with a tax-exempt municipal facility noting that five private health clubs that have gone out of business during the past five years and there are only two left. He supports recreation in the City but feels that competing with small businesses in a tax exempt way is not appropriate. Amenities requested by the public like the wave pool, jogging track and additional tennis courts are not in the $8 million budget, but in future phases. These following phases come with a price of millions of dollars. The project proposes to destroy the new locker rooms which is fiscally irresponsible. The proposed square footage for the weight room will require a lot of capital to fill with the room with equipment and this is over the top. He urged the Council to be careful in spending the $8 million and reiterated the five private club bankruptcies. The Racquet Club costs taxpayers about $500,000 in operating losses each year and patrons should be charged enough so that private businesses are not as impacted.

Rob Lee, Recreation Advisory Board, voiced his support for the remodel project. (His comments were rendered after Item 3, but appear here for reference purposes.)

3. <u>156 Sandridge Avenue demolition</u> – Wendy Van Reyper, resident 154 Sandridge Avenue, stated that she attended the Planning Commission meeting last night looking for answers on the reasons for the approval of a demolition of 156 Sandridge, slated for Monday, which is part of the Hughes Subdivision. Mike Hughes has never been a resident on the street and replacing an old house with a maximum-sized unit is for the purpose to obtain increased rental income. Sandridge is the last historic street in Old Town where no demolition or new building has been approved and it is highly visible. If this project is approved, more owners may do the same thing. She wrote an appeal letter to the Planning Department and it seems that as long as the LMC and Historic District Guidelines are followed, applications are approved. She was shocked to learn about the existence of the Historic District inventory where 156 Sandridge is not listed as a significant building and she questioned the demolition process and wants to know who is responsible. She feels like she's been on a wild goose chase and she still doesn't have the answers she's looking for and is frustrated. Notice was not sent to adjacent owners; she's the only one who was noticed. Her meeting with staff was canceled and she asked if Sandridge Avenue is a dedicated street. The proposed design of the house is totally inappropriate for Old Town. She begged the Council to take this under consideration and delay the demolition. In response to a question from Joe Kernan, Brooks Robinson explained applying the Historic District Guidelines and the inventory list to applications. With regard to being a dedicated street, he acknowledged that he didn't know for sure but that Sandridge is not within the platted right-of-way but is a prescriptive right-of-way because of use. In this case, the City requested a dedication of right-of-way which is part of the Hughes Subdivision's approval. Tom Bakaly emphasized that 156 Sandridge is not listed on the inventory and qualifies for demolition through the CAD process. Mr. Robinson pointed out that the house may have been there a long time but remodels and additions made over the

years removed any meaningful historic elements. He added that the determination process no longer includes an alternate list for homes with these types of additions.

Beth Fratkin, resident, referred to a letter she sent Council members and commented on the lack of notice given to the neighborhood which is not acceptable. An appeal was submitted on May 1 but the staff issued a demolition permit which is an administrative decision that can't be appealed which is contrary with the LMC. No one was able to review the inventory before it was approved and based on federal regulations which should not apply here; this is Park City and people are getting fed up. This house represents the failure of planning. The determination of buildings by the consultant was not scientific and many buildings not listed in the inventory could be placed on a list. Destroying these small houses hurts affordable housing options and Park City should not be accommodating owners from out of state. Allowing a 5,000 square foot house to be built is not sustainable and the planning process in Old Town is not working. She complained about not being contacted by members after sending her letter and the Mayor Pro Tem pointed out that there was no contact information listed.

IV WORK SESSION NOTES AND MINUTES OF MEETINGS OF APRIL 24 , 2008

Liza Simpson made a minor correction. Joe Kernan, "I move we approve the work session notes and minutes of April 24, as corrected". Candace Erickson seconded. Motion unanimously carried.

V CONSENT AGENDA (*Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon under "Additional Discussion – Agenda Items")*

1. Consideration of approving a lease agreement with Michael Collins of Coach Collins LLC for the food and beverage concession at the Park City Racquet Club, in a form approved by the City Attorney – Candace Erickson, "I move we approve a lease agreement with Michael Collins of Coach Collins LLC for the food and beverage concession at the Park City Racquet Club, in a form approved by the City Attorney". Liza Simpson seconded. Motion unanimously approved.

2. Consideration of approving a Resolution setting forth a strategic plan for field use at the Quinns Junction Sports Complex – Joe Kernan expressed a desire for stronger language supporting local programs as our first priority followed by special events. Jason Glidden explained applying a rating system favoring local play and Stacey Noonan expressed the need for flexibility in the resolution and urged keeping the language broad. Liza Simpson recommended a change to the wording in 2F in the resolution to better clarify the intent to balance activities. The method for reviewing and

approving MFLs at the sports complex was discussed; specifically the pre-application process and Jim Hier added that special events were always contemplated for the facility. Ms. Noonan emphasized that only one special event a month can be held at the ice facility. Amending the wording in Item 4 was discussed, but only 2F was modified to change the word "work" to "balance". Liza Simpson, "<u>I move we approve a Resolution setting forth a strategic plan for field use at the Quinns Junction Sports Complex with the word change</u>". Joe Kernan seconded. <u>Motion carried unanimously</u>.

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

1. <u>Consideration of an Ordinance approving a plat amendment for 154 McHenry Avenue, Park City, Utah</u> – This item was recommended to be continued but the Mayor opened the public hearing where there was no comment from the audience. Joe Kernan, "<u>I move we continue to a date uncertain</u>". Candace Erickson seconded. <u>Motion unanimously carried</u>.

2. <u>Consideration of an Ordinance approving the 313 Daly Avenue Subdivision Plat, an amendment to Parcels 1 and 2, located at 313 Daly Avenue, Park City, Utah</u> – Planner Francisco Astoga explained that the application requests changing the metes and bounds parcels into lots of record. They are in a tandem configuration with an historic home located on the front parcel. The applicant has submitted an application for Historic District design review with a preservation plan to move the historic home on to Lot A indicated on the plat. Parcel 2 may not be developed because there is no access; it would require a steep slope CUP. The Planning Commission reviewed this on item on March 26 and April 23, 2008 and also reviewed an analysis prepared by staff of lot sizes, maximum allowable footprints, and house square footages on Daly Avenue. He relayed that staff finds good cause for the plat amendment although the Commission was somewhat concerned with the house size and requested that a note be added to the plat that the gross floor area be limited to 150% of the average maximum footprint allowed. He read an amended Condition #5 reflecting this directive. The preservation plan must be approved prior to recording the plat. Candace Erickson expressed her reluctance to create another lot on Daly Avenue acknowledging that a duplex could be built on the property.

Russ Henry, owner, stated that he and his wife have lived on Daly Avenue for 13 years and they want to preserve the character of the neighborhood. It is his intention to restore the historic structure and use the vacant lot as a yard for their kids.

The Mayor opened the public hearing and with no comments, closed the hearing. Candace Erickson, "<u>I move we approve an Ordinance approving the 313 Daly Avenue Subdivision Plat based on the findings of fact, conclusions of law, and conditions of</u>

approval in the staff report, as amended". Liza Simpson seconded. Motion unanimously carried.

3. Consideration of a Resolution adopting a tentative revised budget for fiscal year 2007 and the budget for fiscal year 2008 for Park City Municipal Corporation and its related agencies - Bret Howser referred to the work session discussion and upcoming topics on the budget calendar. Joe Kernan pointed out the difficulty in prioritizing capital improvement projects based on the criteria in the staff report. He found that the cost benefit analysis seems to be the best tool in the criteria and asked how staff objectively ranks projects. Mr. Howser explained that a new process was used this year where there was more participation from the project manager submitting the requests, acknowledging that prioritizing is still difficult. As an exercise, Candace Erickson walked through the park-and-ride project through each criteria and although it appears to qualify, it is not on the project list. The ranking process is really designed for new projects. Mr. Kernan believed the system should be more objective but the cost analysis element may add some consistency to the process. The Mayor Pro Tem opened the public hearing but with no input, the hearing was closed. Jim Hier, "I move we continue the budget discussion to May 22". Roger Harlan seconded. Motion unanimously carried.

4. Consideration of a Master Festival License for the HMBA Sunday sidewalk sales, amplified music and use of City property to be held June 15 – September 28 each Sunday from 10 a.m. to 6 p.m. except August 3 for the Park City Arts Festival – Jon Weidenhamer explained that this item should have appeared on the work session not the regular agenda since no action is being requested tonight. Staff is requesting direction on waiving the 90 day application requirement, whether there is a conflict with issuing a MFL to the HMBA when a MFL already exists for the Park Silly Sunday Market; and whether the Municipal Code should be amended to allowed licensed business more sidewalk sales a year. The initial application from the HMBA included use of the Brew Pub lot which was later removed from the request. He asked if Council feels comfortable with allowing sidewalk sales for 15 consecutive Sundays; the Municipal Code allows only five sidewalk sales a year for five consecutive days. Another element of the application is programming pocket parks and public spaces for low-key entertainment. He emphasized that staff is not supportive of issuing a MFL for sidewalk sales and referred to the Municipal Code with regard to potential conflicts with issuing two MFLs at the same time.

Sandy Geldof, Executive Director of the HMBA, stated that they have no money to spend for this event. She explained that some members complained about a loss of business during the PSSM event and there was an effort to get pedestrian traffic from the event up the street. This included routing the trolley on a continuous loop, installing directional signs for parking at China Bridge and limiting Park Avenue parking for vendors. The HMBA would like to pursue programming another entertainment group at the top of Main Street through Mountain Town Stages and she discussed art demonstrations on the sidewalk in front of galleries. The HMBA is not funded to the extent to create a street festival and that is not its intention. This proposal is to help mitigate any negative impacts of the PSSM.

Kim Kuehn, PSSM, stated that they are working closely with the HMBA and feels it is important to brand the street. She is concerned about the precedent of issuing a tandem MFL to the HMBA and competing for the same sponsorships. The PSSM would like to grow but it takes time. Sandy Geldof stated that the Chamber is assisting Main Street in hiring a third party research firm to create some focus groups on the street and to measure the economics in a quantitative manner. Mike Sweeney clarified that the HMBA did not come up with the idea of submitting a MFL but wanted the ability to conduct sidewalk sales. He didn't feel businesses will be competing with PSSM and stated that although the Council decided to limit PSSM hours to 4 p.m., there was discussion to let it go a little longer with sidewalk sales. The Mayor Pro Tem opened the public hearing.

Puggy Holmgren, resident and employee on Main Street, expressed her support of the proposal to expand the number of sidewalk sales for businesses on Main Street.

Sara Pearce, Sundance, stated that she supports the proposal but urged Council not to approve two concurrent MFLs.

Margaret Nathan, sponsor of PSSM and owner of the Shops at the Village on Main, stated that if Council approves expanded sidewalk sales that the Shops at the Village on Main be included. She emphasized that the PSSM is the only thing going on lower Main Street which really benefits restaurants but not necessarily retail tenants.

There was discussion on whether holding a sidewalk sale in an MFL area is allowed. Sandy Geldof explained that with the formation of the Main Street BID, membership is now mandatory and has grown from 115 merchants to over 216 businesses. The focus is to unite the street. Jim Hier asked how music would be permitted but suggested that the ordinance relating to outdoor sales be amended. In response to a question from Candace Erickson, it was pointed out that the HMBA can apply for sidewalk sales as the agent for the group. Liza Simpson agreed with staff not to pursue a MFL and although she has no strong feelings on the number of sidewalk sales, hoped staff would return with an ordinance amendment outlining options for members. Polly McLean interjected that there should be research on whether expanding the number of sidewalk sales should be extended on a City-wide basis. There was discussion about the low number of businesses taking advantage of sidewalk sales. Joe Kernan complimented the parties for working together. The City Manager suggested that a draft ordinance return in two weeks with options that members can select from so that the process is expedited. Jon Weidenhamer explained that music can be approved administratively.

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

VIII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2 p.m. Members in attendance were Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Mayor Dana Williams was excused. Staff present was Tom Bakaly, City Manager; Phyllis Robinson, Public Affairs Manager; Jon Weidenhamer, Project Manager; Hugh Daniels, Emergency Management Manager; Kathy Lundborg, Water Manager; Polly Samuels McLean, Assistant City Attorney; Lloyd Evans, Chief of Police; and Mark Harrington, City Attorney. Jim Hier, "I move to close the meeting to discuss security and property ". Candace Erickson seconded. Motion carried unanimously. The meeting opened at approximately 3:30 p.m. Candace Erickson, "I move to open the meeting". Jim Hier seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott

Janet M. Scott, City Recorder