PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 9, 2002

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, May 9, 2002.

AGENDA

Closed Session

1:45 p.m. Personnel and property acquisition

Work Session

4:15 p.m. Council questions/comments
4:45 p.m. Joint planning with Summit County - Quinns Junction
4:55 p.m. Budget review
5:45 p.m. Review of regular meeting

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF MEETING OF APRIL 18, 2002

V CONSENT AGENDA PUBLIC HEARINGS

1. Continuation of hearing - Amendments to Land Management Code - Phase 2: Comprehensive and substantive rewrite of Chapter 4, Historic Preservation; Chapter 6, Zoning Administration and Enforcement; Chapter 8, Supplementary Regulations; Chapter 10, Master Planned Developments; Chapter 11, Master Planned Moderate Income Housing Developments; and Chapter 14, Child Care Regulations; additional provisions; to Chapter 1, General Provisions; and Chapter 15, Definitions **(motion to continue to a date uncertain)**

2. Ordinance amending Ordinance No. 01-26, Park City Municipal Code, Section 15-3-5, Ethics Code; providing for disqualification of a candidate for failure to file required reports

3. Ordinance approving a lot line adjustment for Bald Eagle Condominiums, located at 7965 Red Tail Court, Park City, Utah

VI CONSENT AGENDA

1. Ordinance amending Ordinance No. 01-26, Park City Municipal Code, Section 15-3-5, Ethics Code; providing for disqualification of a candidate for failure to file required reports

2. Ordinance approving a lot line adjustment for Bald Eagle Condominiums, located at 7965 Red Tail Court, Park City, Utah

3. Award of contract for lobbying consulting services to Lee & Smith in the amount of $72,000

4. Resolution proclaiming May 11, 2002 as Arbor Day in Park City, Utah

5. Resolution proclaiming May 19 - 25, 2002 as National Public Works Week in Park City, Utah

VII NEW BUSINESS

1. Award of contract to Mountain States Fence company for cemetery fence and gates in an amount not to exceed $120,450

2. Authorize staff to award a contract for construction of interconnect water line between the Jordanelle Special Service District and the Park City Water System

VIII ADJOURNMENT

PARK CITY COUNCIL WORK SHOP
SUMMIT COUNTY, UTAH
MAY 14 - 16, 2002

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will not be holding its regular meeting on May 16, 2002. The City Council will be convening in a work shop to be held on May 14 - 15, 2002. No formal action will be taken at the work shop.

Posted: 05/06/02
Revised: 05/07/02
See parkcity2002.org

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MAY 9, 2002

Present: **Mayor Dana Williams; Council members Peg Bodell, Kay Calvert, Candace Erickson Jim Hier, and Fred Jones**

Toby Ross, City Manager; Mark Harrington, City Attorney; Tom Bakaly, Assistant City Manager; Troy Daley, Golf Course and Parks Manager; Alison Butz, Special Events Coordinator; Rick Lewis, Community Development Director; Mark Christensen, Budget and Grants Manager; Bob Johnston, Leisure Services Director

Liza Simpson and Shelley Weiss, City Park Hosts; and Cindy Matsumoto, President of the Park City Historical Society

1. **Council questions/comments.** Fred Jones stated that he would like some closure on the dog issue and requested some clarification on our request to Summit County for a more equitable allocation of services to Park City and exploring dog parks. Every week, there seems to be an article in the *Park Record*, insinuating that the City isn't addressing these issues. Jim Hier understood that this will be a topic of discussion for the citizen forum at the upcoming work shop but felt that after the session, this should be added to a work session for discussion. The Mayor interjected that the City received property tax information and it appears that we contribute 50% to the animal control effort. He discussed the current Police Department/Summit County Animal Control program of handing out free leashes to owners at the park and the potential of having an officer housed in Park City. Peg Bodell felt there are three segments to this including outreach, enforcement, and the new plan, which should take on citizen ownership. The Mayor referred to the fenced playground project and Troy Daley displayed a fence sample proposed to be installed at the cemetery, which could be installed there.

Council member Jones continued that he supports the Farmers Market at the flag pole lot, but expressed concern about successfully clearing the by noon. Alison Butz explained that the lot will be signed on Monday mornings indicating no parking after noon on a trial basis. If that doesn't work, the parking will be restricted all day. The Mayor introduced Liza Simpson and Shelley Weiss, who are park hosts. Ms. Simpson explained that the program is requesting a *semi-emergency* phone system in City Park. This would not be a 911 call, but would directly contact Dispatch; the range of costs are from anywhere from $300 to $3,500 depending on the system and asked for Council direction. If there is support, she will present the plan to the Parks and Recreation Board. In response to a question from Kay Calvert about vandalism, Ms. Simpson explained that the phone is a box with a speaker and there are no hand-held parts. Chief Lloyd Evans expressed that this is worth pursuing. Shelley Weiss added that the group would like to continue a crime control plan through environmental designs for the park. All park hosts will be equipped with cell phones.

With regard to the legal battles on Sunset Court, Mayor Williams stated that he feels confident that the matter is properly before and appropriately being handled by both the County Attorney's Office, the City Attorney's Office, and the Police Department. The citizens need to avail themselves to those processes and their pending civil actions to achieve a reasonable and just resolution to the unfortunate escalation of circumstances on Sunset Court. He continued that any attempts to draw the Mayor and Council members into this matter at this time is improper and will only further escalate conflicts and possibly jeopardize pending legal investigations, if they haven't already.

2. Joint planning with Summit County- Quinns Junction - Rick Lewis explained that the Park City Planning Commission and Snyderville Basin Planning Commission have jointly signed a letter of intent for planning of the Quinns Junction area. The Summit County Commission has allocated $50,000 to study the area. The boundaries have not been finalized, but a two mile radius is suggested involving Wasatch County. He asked if Council agrees with this direction and committing City staff and resources to the project study. Candace Erickson felt this is good money spent and Fred Jones stated that he fully supports it. Mr. Lewis added that an inter-local agreement will follow and a work program which will be developed jointly.

3. Budget review. Mark Christensen discussed the schedule for review and adoption. This year a minimal amount of options are presented and he pointed out the technical adjustments to this year's budget, typically reflecting costs of providing *same level service*. Budget reductions amount to approximately $500,000 and on June 6 there will be more adjustments as a part of the reconciliation. He discussed the extra pay period and the removal of funding a trash option. The regional transit option is more significant and has been added as well as potential grant funds for transportation. In January, the City informally instituted the recession policy and since that time, departments have been holding expenditures back and there were 5% cuts across the board for all departments.

Habitat for Humanity's request was denied by the grants subcommittee who also felt that funding for the People's Health Center and the Children's Justice Center would be better processed through the Youth Advisory Committee. Mr. Christensen commented that the Historical Society submitted a request to fund the part-time Director's position to full-time and the subcommittee was unable to arrive at a recommendation for Council. The Citizens Technical Advisory Committee advises that these types of requests should be considered in the first year of the budget process, consistent with budget policy. However, a decision is entirely at Council's discretion. Jim Hier expressed his preference to wait until the first year budget review next year for FY2003-04. Cindy Matsumoto, President of the Historical Society, thanked Council for supporting history and heritage by providing the Museum a significant historic building on Main Street and funding them each year. Their budget in 1984 was about $18,000 and now totals $80,000. She emphasized the importance of seizing opportunities to save history; there are many projects they would like to pursue with a full-time Director and endorse hiring part-time Director Sandra Morrison. She discussed the Director's current responsibilities and recent accomplishments and reiterated that the Historical Society is committed to expanding its role and hoped the City would consider expanding its role. There was discussion about Ms. Morrison's contract with Summit County and Ms. Matsumoto clarified that the Board would like her to commit all of her time to Park City. Mark Christensen explained that the budget for the Historical Society proposes the same amount of approximately $26,000 for salary and operating costs and an additional $17,700 as a rent contribution. Fred Jones stated that this topic should be revisited when Council sets priorities. He is very supportive of the Historical Society but this request should be considered with all others. Ms. Erickson stated that she supports the funding for the Director. Mark Christensen stated that he will bring this budget option back to the City Council, probably on May 23.

Mr. Christensen stated that the Transportation and Golf Funds are stable and the loan will be repaid to the parks fund in full this year. The staff report outlines changes to the Recreation Fund, including transfers, loss of revenue, and a cut in expenditures for operating costs. Unlike a private business, Kathy Kelly explained that the Racquet Club shop does not account for inventory as cost of goods sold at the time of sale, but accounts for it when it is purchased. She added that an inventory is conducted internally in the pro shop where more traditional accounting methods are employed. There is also a separate accounting for staff time devoted to the store. Ms. Calvert asked why costs remain fixed when the Racquet Club is losing three youth sports. Ms. Kelly clarified that the set contribution from the Basin Recreation District was for fixed costs including the building, front desk staff, office equipment, utilities, etc. which the City still needs to covers.

Bob Johnston explained that staff is seeking Council direction with respect to the replacement or renovation of the pool and have presented four options which should reflect the philosophy of the community. A full scale leisure pool would attract more patrons to the facility and offer more to the community, but it may be more appropriate to renovate the existing pool. Installing a new pump at a cost of $5,000 is anticipated in any event so the pool is operational this summer. The roof continues to leak and is causing the ceiling to collapse above the tennis courts; replacing the roof is estimated at $200,000 and the ceiling at $50,000. Mr. Johnston explained that patching the original roof is not effective; the Racquet Club was built in the early 1970s. In response to a question from Peg Bodell about programming the pool, Bob Johnston indicated that the Club has strong and growing water aerobics and lesson programs and the pool, which has a deep end, is inadequate for these activities as well as for open swimming. A new pool would have the steps necessary for lessons and a larger shallow area for water aerobics and it would be very difficult to make modifications to the existing pool. Peg Bodell suggested repairing this pool and building another as demands will continue to grow. Council member Erickson pointed out that the existing pool is obsolete and Mr. Johnston added that there isn't enough space to accommodate two pools on the property. He discussed the time frame for tearing out the old pool which would occur in the fall and building a separate seasonal check-in and changing area for swimmers.

Fred Jones asked if the entire building needs to be replaced at some point in the future. Bob Johnston explained that the time to have razed the building would have been ten years ago when the City purchased it. Although there are mechanical and plumbing problems the building functions quite well and is a good investment and value for the town. The main problem is circulation but replacing the building would cost about $8 to $10 million and with all things considered, improvements haven't really cost the City that much money over the years. There was an initial investment and the bond for $1.4 million. Mr. Jones continued to express concern about the long-term life of the building and being burdened with regular costly repairs. Bob Johnston felt that the City attempted to address those costs in the bond issue which may not have been articulated to the public very well. There was discussion about the old plumbing system. Ms. Bodell felt it important that the community be proud of the facility and believes that we need we need two pools. Kay Calvert asked what the City has spent in capital improvements for the Racquet Club over the last ten years. The City Manager responded less than $2 million, including the $1.4 million bond revenues and added that it is inconceivable that the City could build a new facility at $10 million. He felt $1 million over time would address the major problems. Mr. Hier stated that he supports fixing the roof immediately but to wait after the visioning session on a decision on pool amenities. He agreed with Ms. Bodell in that one pool may not be enough, but he needs more information, and fixing the ceiling could be budgeted next year. In response to a question from Mayor Williams, Bob Johnston explained that there would be no cost savings in repairing the ceiling when in tandem with roof repairs. It is anticipated that the new pool would be double the size of the existing pool. Jim Hier expressed his dismay that the pool is leaking 3,000 gallons a day. The Mayor felt the pool should be an alternative to residents from joining a private spa, and it should be economical and affordable. He added that the roof should be replaced and the building continued to be repaired.

Mark Christensen asked for clearer direction to prepare a budget. Fred Jones stated that the repairs should be made but a funding source needs to be identified; this could be a three or four year program and he requested more information on May 23 about funding sources and input from the community. The City Manager clarified for the benefit of Mr. Christensen that Council is hesitant to commit to the pool, but there is a consensus to replace the roof. Fred Jones indicated that he would like a proposal on the feasability of building the pool now and the accessory building as a second phase.

Mr. Christensen reported that the City received a $300,000 reimbursement relating to Olympic transportation and about $58,000 from UOPSIC relating to police costs. In response to a comment from Council member Erickson about inflation increasing 374% to provide the same level, Mr. Christensen explained that there have been increased service costs and natural gas increases which are out of our control and budgets have been adjusted to actual expenditures.

3. Review of regular meeting. There were no questions or comments on items scheduled on the regular agenda. See regular meeting minutes.

Prepared by Janet M. Scott

2. Ordinance approving a lot line adjustment for Bald Eagle Condominiums, located at 7965 Red Tail Court, Park City, Utah - See staff report and public hearing.

3. Award of contract for lobbying consulting services to Lee & Smith in the amount of $72,000 - See staff report and discussion above.

4. Resolution proclaiming May 11, 2002 as Arbor Day in Park City, Utah - See resolution; staff recommends approval.

5. Resolution proclaiming May 19 - 25, 2002 as National Public Works Week in Park City, Utah - See resolution; staff recommends approval.

VII NEW BUSINESS

1. Award of contract to Mountain States Fence company for cemetery fence and gates in an amount not to exceed $120,450 - See staff report. Troy Daley explained that the iron cemetery fence is corroded and deteriorated and needs to be replaced. Fred Jones questioned the need to fence the back property line of the cemetery as it is not fenced now. Mr. Daley explained that there is a barbed wire fence and the proposed section represents $37,000, which is described as an option in the staff report. Council member Jones recommended that the existing portions be replaced, excluding the back and Jim Hier agreed. Fred Jones, "I move to approve a contract with Mountain States Fence Company for replacing the cemetery fence and gate, excluding the back piece (Alternative C at $82,967.16). Jim Hier seconded. Motion carried.

Peg Bodell	Aye
Kay Calvert	Nay
Candace Erickson	Aye
Jim Hier	Aye
Fred Jones	Aye

Jim Hier suggested incorporating the fence for the tot lot at City Park into this contract as it may represent a savings. Troy Daley felt the contract could be amended to include this addition and pointed out that the panels would be interchangeable. The Mayor discussed the perimeter of the fence at the playground and Peg Bodell stressed the importance of having a bench in the fenced tot area. Mr. Daley felt that placing a bench there could easily be accommodated.

2. Authorize staff to award a contract for construction of interconnect water line between the Jordanelle Special Service District and the Park City Water System - See staff report. Jerry Gibbs explained that the City received and publicly opened bids on Tuesday and the lowest qualified bidder was Counterpoint Construction at $219,573.25. Both he and the City Engineer have worked with this company who has performed well. The

completion date is July 1 and the City will be working with Deer Valley on a snow making water line. Fred Jones, "I move to authorize staff to award a contract to Counterpoint Construction for $219,573.25 to construct a 10" interconnect water line between Jordanelle Special Service District and the Park City Water System". Candace Erickson seconded. Motion carried unanimously.

VIII ADJOURNMENT

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

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MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 1:45 p.m. Members in attendance were Mayor Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Tom Bakaly, Assistant City Manager; Jerry Gibbs, Public Works Director; and Tom Daley, Assistant City Attorney. Fred Jones, "I move to close the meeting to discuss personnel and property acquisition". Peg Bodell seconded. Motion carried unanimously.

The meeting opened at approximately 4:15 p.m.

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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

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Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 9, 2002

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 9, 2002. Members in attendance were Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Michelle Bridge, Intern; Troy Daley, Golf Course, Parks, and Cemetery Manager; and Jerry Gibbs, Public Works Director.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business, not scheduled on the agenda. Hearing none, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF APRIL 18, 2002

Hearing no omissions or corrections, Jim Hier, "I move we adopt the minutes of April 18". Kay Calvert seconded. Kay Calvert and Peg Bodell were absent from the meeting. Motion carried.

Peg Bodell	Abstention
Kay Calvert	Abstention
Candace Erickson	Aye
Jim Hier	Aye
Fred Jones	Aye

V CONSENT AGENDA PUBLIC HEARINGS

1. Continuation of hearing - Amendments to Land Management Code - Phase 2: Comprehensive and substantive rewrite of Chapter 4, Historic Preservation; Chapter 6, Zoning Administration and Enforcement; Chapter 8, Supplementary Regulations; Chapter 10, Master Planned Developments; Chapter 11, Master Planned Moderate Income Housing Developments; and Chapter 14, Child Care Regulations; additional provisions; to Chapter 1, General Provisions; and Chapter 15, Definitions **(motion to continue to a date uncertain)** - Peg Bodell, "I move that we continue Item 1 on the Consent to an uncertain date". Jim Hier seconded. Motion unanimously carried.

2. Ordinance amending Ordinance No. 01-26, Park City Municipal Code, Section 15-3-5, Ethics Code; providing for disqualification of a candidate for failure to file required reports - City Attorney Mark Harrington explained that approval will bring Park City into compliance with state law amendments enacted this last session. Required reporting has not changed, but a penalty has been added eliminating a candidate or removing a person from office if campaign reports are not properly filed. The Mayor invited the public to comment. Hearing none, the public hearing was closed.

3. Ordinance approving a lot line adjustment for Bald Eagle Condominiums, located at 7965 Red Tail Court, Park City, Utah - Planner Ray Milliner explained that the applicant acquired approximately 9,300 square feet of property adjacent to his lot in Bald Eagle. The property is located in Wasatch County while his lot is in Summit County. He would like to landscape the acquired property; no structures will be built there. A reciprocal agreement between the City and Wasatch County is being formalized outlining where permits will be issued. The Planning Commission forwarded a positive recommendation and staff recommends approval based on the conditions and findings outlined in the staff report. In response to a question from Peg Bodell about property taxes, Mr. Milliner stated that he understood that taxes would be prorated between jurisdictions. The City Attorney interjected that the agreement will address this issue. Mayor Williams asked if any building on the 30 foot strip will be allowed in the future. Attorney for the applicant, Dave Johnson, explained that this area is a backyard, and the applicant would have to abide by the covenants of the condominium association and the strip is too small to accommodate a unit. Hearing no further comments, the public hearing was closed.

VI CONSENT AGENDA

Michelle Bridge explained the process involved for the award of contract for lobbying consulting services to Lee & Smith, including the rating system used to evaluate the three bids submitted. Kay Calvert asked that the City be notified if Lee & Smith exceeds 30 hours per week, prompting additional charge; a provision should be included in the contract. In response to a question from Peg Bodell, Ms. Bridge explained that Lee & Smith does not have conflicts of interest by representing Park City. The City Attorney interjected that there are strict guidelines about reporting potential conflicts. The Mayor stated that he felt Jim Barker of Lee & Smith was extremely helpful when he met him this year in Washington, D. C.

Fred Jones, "I move to approve Items 1 through 5 on the Consent Agenda". Jim Hier seconded. Motion carried unanimously.

1. Ordinance amending Ordinance No. 01-26, Park City Municipal Code, Section 15-3-5, Ethics Code; providing for disqualification of a candidate for failure to file required reports - See staff report and public hearing.