CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MAY 8, 2003

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Kent Cashel, Acting Assistant Public Works Director, Eric Nesset, Transportation Division; Brian Andersen, Parking Services; Colin Hilton, Special Projects Manager; Mark Christensen, Budget and Grants Manager; Jonathon Weidenhamer, Planner; Jerry Gibbs, Public Works Director

Karen Wikstrom, Wikstrom & Associates; Rick Anderson and Monty Coates, HMBA; Andy Beerman, Mike Sweeney, Ruth Minsma, Peter Marth, and Thea Leonard, speakers on paid parking management; Rick Giardina, Giardina & Associates

1. **Council questions/comments.** Candy Erickson reported that Recycle Utah will offer hazmat collection, at $.50 per pound, for small businesses and homes on May 30, 2003 from 9:00am to12:00pm.

2. **Parking Management.** Kent Cashel explained they were requesting a decision on Parking Management Program for the Main Street core: Zone 1 - Main Street and Brew Pub lot; Zone 2 - Gateway Garage, Flagpole lot, Swede Alley, China Bridge levels 1-3; Zone 3 - North & South Marsac lots, China Bridge level 4 and Sandridge lots. In February, Council and Mayor indicated a preference to implement a free Zone 2 concept, and directed Staff to seek ideas from the HMBA, and to develop an implementation plan for that concept.

Mr. Cashel reviewed the five components of Staff's recommendation:

1) year around free parking in Zone 2, remove meters, reduce time limits from 4 hours to 3 hours;
2) move Zone 2 meters onto Main Street, remove all current meters, replace all meters on curbside pedestals for better visibility (cost not to exceed $58,000);
3) review employee permitting program: 80% of daytime parking in China Bridge during daytime hours is employee permits;
4) graduated fee structure: increase fines and shorten time limits;
5) develop a marketing program: review signing in Main Street core, entry corridors and lots and improve way-finding.

He stated there was a need for enforcement and related costs and the recommendation addressed those issues. He asked Council to seriously consider and approve their recommendations.

The Mayor asked if they had any cost analysis about income the city would have received from unpaid tickets over the past two years. Because it involved behavior that was hard to track, Kent Cashel felt they had to take a leap of faith, noting it might generate less money through better compliance, but he didn't view the potential to be significant. Council members decided to address fines and late fees later.

Mark Christensen reported that Karen Wikstrom of Wikstrom Economic and Planning was hired to assist Staff' with an update of the sales tax trends analysis on Main Street. They would address specific contentions that paid parking had hurt sales on Main Street, but while there may be some relationship, they don't feel that is the primary factor.

Karen Wikstrom identified a variety of issues that impact sales: construction impacts, in-migration, decreases in discretionary income, numbers of full-time households, increases/decreases in visitor numbers, lengths of a stay, and capacity for growth. She reported they had compared regional trends, resort community trends, and ski industry trends. From 1997 to 2001, Utah retail sales grew at an annual rate of 5%, yet Park City grew at 1% and outperformed Colorado ski areas who had annual declines from 1998 to 2002. They looked at Moab, Utah which has seen a 1/2% increase in sales over the same time frame. In comparison to Utah, Park City over performed in some areas and underperformed in other areas.

Ms. Wikstrom stated the Main Street Parking Program was initiated in January, 1998. In fiscal year 1997-98, Main Street had 9% gain in sales, Prospector had 3% losses, Deer Valley had 10% losses, Mountain Resort had 9% losses, with no overall difference from 1997 to 1998. Main Street numbers show a 1% increase in 1999, 2% in 2000, 6% in 2001, and 19% in 2002. In comparing all areas of town, the only place that held constant, with no negative, was Main Street. That argues that Main Street was holding its own fairly well.

Mark Christensen reaffirmed that the City thinks there are legitimate concerns from the Main Street merchants, and they are truly an issue for Council. They hope to get a much better picture City-wide as opposed to one specific area, but they did want to address that concern because it had been a lively part of this discussion.

Kay Calvert asked if they found any relationship between ski resorts having difficulty and the aging baby-boomers that are perhaps going to warm places on vacation. Karen Wikstrom stated the ski numbers show that impact is there, however, there were real negative reactions post-911; the market was losing and there was a drop in discretionary spending.

In response to Kay Calvert's question about how the 1% growth over five years was broken down, Karen Wikstrom explained it was 0% in 1997, 9% in '98-99, 2%

in '99-00, 4% in '00-01, and 8% in '01-02

Mayor Williams stated it was difficult to say that sales definitely took a drop on Main Street because of the meters, but we can't tell what the potential was for sales to have been even higher if the meters weren't there. Karen Wikstrom said it would be very hard to ascribe to these numbers unrealized potential.

Rick Anderson, President HMBA, introduced board members Mike Sweeney and Andy Beerman. Mr. Anderson and Mr. Sweeney participated in recent ad hoc parking committee discussions and were present to answer questions and to have some dialogue with Council. Mr. Anderson stated he was one of the people who testified against a paid parking program at the time it was implemented, and he was on the ad hoc task force who reviewed employee parking management in Park City. He argued that the efficacy of the paid parking program had never come up for review prior to this time.

Jim Hier asked his definition of efficacy. Mr. Anderson defined it as: whether or not the paid parking program is a benefit to the city, whether or not it is working to accomplish our goals, and whether or not it has been open for public discussion amongst the merchants and the public.

Mr .Anderson explained that during the Business Improvement District (BID) discussions and public hearings, substantial opposition to the parking program was voiced. The HMBA consequently conducted a survey of business license holders on Main Street and received a 20% response rate, 66% of whom wanted the meters removed. The Mayor clarified that 20% was approximately 40 businesses out of 200 total businesses.

Mr. Anderson said the HMBA ad hoc committee's findings, from personal testimony of business still in business since the implementation of paid parking, were that paid parking has had a negative impact on business. In addition, the Museum reported that visitation rates were down 15% the first two years and down an additional 7% the third year. Businesses also reported that people are confused and frustrated by the meters and the system works against our tourist based economy.

He noted time limits must be enforced in order to keep employees off Main Street, but the HMBA does not want Council to rush into a decision to remove meters from Swede Alley <u>at this time</u>. This is a chance to take a reasoned approach to implementing a system that removes the meters altogether. They don't want to remove them from Swede Alley, place them on Main Street and then remove them in the future.

Kent Cashel explained for the Mayor that annual revenues from tickets was $179,000, or 24%.

Andy Beerman stated the problem revolved around enforcement of time limits and removing meters from Swede Alley did not provide an effective solution. The HMBA submitted a "stance letter" from 152 business or property owners on Main Street, asking Council to broaden the scope of the solution. Ideally, Council should work with merchants to develop a more comprehensive solution.

Mike Sweeney explained he had most recently participated in the Economic Development Committee. Basically, the friendlier we make Main Street, the more people will come. He affirmed that it is a tough world, as reported by the consultant, and stated his revenues were much more than negative 10%. He pledged to support Council in its efforts to make Park City user friendly. The Mayor asked about the underground parking lots on Lower Main Street. Mr. Sweeney said they made money from event parking, and monthly parking, but for the most part they were vacant.

Fred Jones asked what the business owner's role would be in managing employee parking. Rick Anderson stated he would be willing to publish a written policy for his employees that it would be grounds for dismissal if they were found to be chronic violators of parking on Main Street. Mike Sweeney stated business owners and managers must also be held accountable and the merchants association must convince its membership to go along with the program. He and Andy Beerman felt peer pressure and education were major components, along with consequences for chronic abusers.

Jim Hier asked if the $75 employee parking pass fee was a barrier for business owners as far as making it favorable to get employees into designated areas. Rick Anderson said that most business owners are picking up that cost for key employees and others employees are parking on 4th level of China Bridge and the Sandridge lots. He suggested discounts for purchasers of multiple passes, but found it worthwhile to purchase passes so his employees were ensured of a parking place.

Kent Cashel explained for the Mayor that they generate $37,000 from the $75 employee permit program. He noted Zone 3 lots are underutilized and the logic behind the permit program was to make a free option attractive to employees.

Ruth Minsma, Old Town resident, presented her viewpoint, as a non-driver and non-business owner. She felt traffic, parking and pedestrian move in Old Town suffered from a lack of efficiencies, in general, and she offered to help solve them.

- Time and motion studies had not been addressed
- Signing was mis-informative, uninformative or didn't exist
- Inform public through improved mapping
- Transit Center needs better signing and connection to Main Street
- Swede Alley needs to be cleaned up
- Upper lots provide best views, photo ops

- Main Street Trolley underutilized and needs better informed drivers
- Diagonal parking on Main would provide free-flow lane

Peter Marth, Old Town Resident, advised the Council to be careful when listening to statements that the reasons sales tax revenues are going down on Main Street is because of paid parking. He has been involved with the lodging industry for five years and has seen a general downturn in lodging and sales tax over the past three years.

Jim Hier suggested a compromise for this year: monitor free parking in Swede Alley, move meters to Main Street, improve signage and provide better information. He felt revenues from meters on Main Street would cover the cost of moving them, as opposed to eliminating revenue in its entirety on Main Street. Coincident with that, they should meet with Main Street business merchants to define what we are trying to achieve in a way that is acceptable to both City and Main Street merchants.

Candy Erickson also wanted to stay with this program for a year. She also suggested a publicity campaign to invite locals back to Main Street. She emphasized this was a first step in a long-term goal to eliminate paid parking altogether.

Fred Jones stated it was a positive step to improve the parking situation and accessibility to Main Street by our guests. Parking must be managed in some way, or there will not be adequate parking for customers. He asked for a commitment from the merchants to develop programs to move employees and owners to the less convenient parking areas.

Peg Bodell agreed it was a good idea to make Swede Alley parking free. She was concerned about the price tag and asked for broader review of that by the Staff. She appreciated that the merchants were willing to commit to participation, but she expected them to come back to Council with assertive ideas to actually manage the parking plan.

Dana Williams agreed with the phasing plan, with the commitment that he would continue discussions about paid parking. He commented that the City had used solid economic figures, but the merchants had twisted them and it had caused more consternation than the issue. He noted they had already spent a lot of time meeting with the business district. In June and July, Council would be hosting community meetings and they planned to find out what the rest of town thinks about it.

Jim Hier explained the $58,000 not only covered removing meters from Swede Alley, but relocating the existing meters on Main Street to visible pedestals. Kent Cashel explained that specialized hardware costs created a majority of the expense.

Kent Cashel summarized that Council's direction was to implement the move of Swede Alley meters to Main Street, but return to Council with a plan for installation that would include a signage and communication, a way-finding component, and a marketing campaign.

Rick Anderson expressed caution about changing time limits from four hours to three hours. Staff was willing to see how that would work, but the impact will be felt during winter months in the evening shifts. They also discussed starting at 12:00 p.m. and ending at 9:00 p.m.

City Manager Bakaly clarified there was a consensus of opinion to move meters to Main Street, but Council would like Staff to review the costs, and suggested that Fred or Jim work with Staff regarding the costs of that. Prior to winter, Staff can return to talk about time limits, hours of operation, signs, etc, or they could work with the liaision. Jim Hier recommended they actively work with the business association to study those issues so they have a plan for the winter.

Thea Leonard, TMI, questioned why Council was willing to spend $58,000 to move additional meters to Main Street when their stated objective was to get rid of the meters in the long term. She felt that was a commitment to keep the program, even though there was a groundswell of objection.

3. **Capital Improvement Budget.** Mark Christensen recapped the budget reviews in May: 1st, pay plan; 8th, CIP; 22nd, special service contracts and operating budgets; 29th, departmental meetings.

Colin Hilton referred to Attachment B of the Executive Summary Report which contained CIP alternatives 1 through 6. The CIP Committee considered input from the Old Town Improvement Study which resulted in well over $40 million in proposed projects, including undergrounding utilities and creating pedestrian-friendly enhancements. Direction from Council in December related to parking and transportation issues. Approximately 25 parking spaces were added at very low cost throughout Old Town and Council directed staff to look at the concept of a parking structure, and consider including an additional 10,000 square foot structure for a liquor store or public safety facility. Council also wanted details on cost and funding strategies for all other projects identified in OTIS. In January, Council moved into discussions of funding strategies; reviewed idea of Special Improvement Districts, and discussed additional details of street reconstruction projects that incorporated utility relocation.

Colin continued that Council directed Staff to move ahead with steps necessary to design and construct a 250 car net gain parking structure and to return with information. There are environmental concerns and geo-technical impacts that would affect structural integrity in this location; however, Staff decided to wait until a decision on the project was made because of the costs which would be in excess of $50,000.

The CIP Review Committee, based on input from Council on what factors weighted in the ranking and prioritization of the CIP projects to include parking structures and streets projects, created Alternatives 1 through 6. Alternative 6 contains unfunded projects. The Finance team is working on solutions to fund somewhere between Alternatives 4 & 5 in this proposed budget. Colin and Mark requested recommendations or modifications to the proposed budget and would like direction prior to June 5 so the tentative budget will reflect Council's direction.

Mark Christensen explained that Executive Summary Attachments A & B contained the short analysis and detailed proposed changes to the plan. Staff was seeking direction on undergrounding utilities, clarification on the parking structure, and any other details the Council would like to address.

Dana Williams stressed that filtration systems in Spiro and Judge were very important and ensured they were included in the CIP Budget.

Peg Bodell requested clarification of whether monies have been appropriated for the projects listed in the ranking sheets. Mark Christensen explained that funds were committed when Council adopted of the budget. Jim Hier noted the money in the alternatives were not related to specific funds, they were the costs of the projects. They were looking at projects totaling $72 million with funding coming from many different sources.

City Manager Tom Bakaly clarified that Alternative 5 included relocated utilities which did not receive high ranking in the prioritization process. However, it is the City's Manager's Budget and he recommended it be funded, as well as the library improvements, based upon public input and prior Council direction.

Peg Bodell asked if item #37, Hillside Avenue design and widening was included because money had been appropriated in the past. Colin explained the history of that particular project and the need to make sure there was money in the event the road started to have problems.

Kay Calvert noted Alternative 4 included a line item for the new parking structure, but Alternative 2 had a line item for a public safety facility and asked if the line item for the parking structure was just the cost of the building. Colin responded it was the stand- alone cost of a parking structure. The public safety facility in Alternative 2 represents collected impact fee money, whether it is in Swede Alley or another location. Manager Bakaly clarified they are separate, but married and the $4.8 million represented the cost of a joint project.

Mayor Williams commented there could be potential changes depending on Council's decisions. If they recommended a public safety facility elsewhere, there may be an opportunity for public/private partnerships for the parking structure.

Jim Hier wanted to clarify some issues pertaining to the OTIS project, specifically the undergrounding of utilities. Manager Bakaly confirmed that the $4.8 million reflected the requirement to form a Special Improvement District and it represented only half the cost. The project was contingent of formation of the SID.

After a lengthy discussion, Council decided they needed further discussion, at a future time, to decide whether or not to include both residential and commercial properties in the Business Improvement District and whether or not to include both residential and commercial properties. Council members concurred they were ready to support the general concept and wanted to explore the next step of setting up a Business Improvement District

Fred Jones questioned why the cost of repairs for the Racquet Club roof was less than they had been told in the past. Manager Bakaly explained there was $250,000 in the budget and Staff recommended an additional $250,000. The project was going out for bid next week and they would have solid figures.

Fred Jones noted Council had discussed various scenarios to help off-set the cost of the parking structure and he wondered how to explore those before making a decision to commit, or not commit, $5 million to a parking structure. Manager Bakaly explained they had $800,000 in 2004 and $4 million in 2005, so the first decision was whether or not they wanted to proceed with the structure. If they wanted to, they could approve a portion and direct Staff to return with a plan before funding the whole amount. They would need to identify a method of repayment to the CIP, either through putting development on the ground floor, using a portion of sales tax, special event parking. etc.

Manager Bakaly stated he recommended the whole project, but as far as appropriating funds, $800,000 in 2004 was all that was being appropriated.

Council members concurred they were not prepared to commit funds now. They wanted to place the project in the 5 year CIP and explore funding sources and options of public/private partnership, other enhancements in Old Town, improvements to China Bridge, They confirmed they could appropriate funds at a later date if they placed it in the 5 Year CIP.

Jm Hier saw continued analysis and exploration of partnerships, etc., as part of an ongoing operating budget function. He asked if money could be spent and capitalized at a later point in time. Manager Bakaly recommended that they budget it and if they wanted to bond for it in the future, they could do a reimbursement resolution to recover costs. Colin Hilton asked if Council wished to move ahead with geo-technical and environmental reviews, which would cost approximately $75,000.

Mayor Williams commented they had heard from the Main Street business owners, but had not heard from the rest of the town. Jim Hier confirmed that during OTIS meetings, the parking structure was discussed and a large number of residents were not excited about that particular project. Colin Hilton concurred that the majority of residents who attended were less interested in a parking structure than they were with street projects and pedestrian friendly enhancements, etc.

Council conducted a lengthy discussion and determined that funds for the parking structure should be placed in the 5 Year CIP; they should retain money in the 2004 budget to conduct studies and work on a traffic management plan that includes the resorts and transit center, Main Street enhancements, consider ways to offset costs of a parking structure, identify target audiences of Main Street area. They concurred that Main Street was a drawing card for resorts, lodging, and everything the City did. Their studies needed to encompass a broad perspective and they needed to be diligent in addressing the issues and findings solutions. They wanted to arrive at a direction over the next few months.

The Mayor expressed concern about finding a suitable solution for the public safety department and he wanted to consider alternatives for other uses in a parking structure. Council members encouraged the Police Chief to identify his 10-20 year needs and to consider stand alone locations.

Manager Bakaly recapped Council's direction: pull $4 million from 2005 plan for the parking structure and place it in the 5 Year CIP Budget; have Staff prepare recommendation for future Main Street projects; have staff identify costs for preliminary soils and environmental studies in Swede Alley; have Staff recommend an appropriate budget to be placed in the 2004 budget for a parking structure; leave public safety building as budgeted, but proceed with a needs assessment study. Council suggested two line items, one regarding the parking structure, and one addressing long-range planning for Main Street revitalization projects that encompass more than traffic mangement.

Council adjourned for a short break at 4:30 P.M.

This portion of work session notes prepared by Sharon Bauman.

Water rates. Consistent with Council direction to return to Council with a revenue report on the Water Fund after winter billings concluded, Jerry Gibbs explained that the information is based on debt service and other obligations based on last year's water use. Rick Giardina stated that the model is a five year financial plan projecting future cash flows to operate the Water Enterprise Fund. One primary threshold is a legal requirement based on outstanding debt at a ratio of $1.25:$1. For planning purposes, the consultant recommended planning rates to achieve a $1.4 debt service coverage ratio creating a cushion in the event expenditures are higher or revenues are lower than projected. Secondly, there is an operating reserve of 20% which is a measurement of working capital in considering whether a water fee increase is warranted. He discussed water user fees and water impact fees which are restricted to the funding of growth related capital improvements and growth related debt service. Impact fees cannot be used for operating costs or non-growth improvements and these two funding sources are tracked separately. The study doesn't analyze impact fees, but Mr. Giardina indicated that the impact fees appear to be adequate to fund associated debt service, and the focus is on the operation side. On the water user side, he explained the increase and block restructuring adopted by Council last year to generate an additional 5% in revenues. This was not achieved, however, due to a decrease in water use coupled with an increase in expenditures. He recommended an 8% increase this year, followed by another 8% increase, and increases of 5%, 6% and 7% in the next three years, which is a cumulative increase of about 39% over the five year study period. This recommendation is based on more accurate information relating to debt service for payments on JSSD water and Weber Basin water importation. There is also an option for less frequent but higher rate increases every other year; 11%, 11%, and 13%. Mr. Giardina stated that this is presented to Council as an informational matter for its budget considerations.

The Mayor commented on the irony that when people are being responsible and conserving water, they are charged more for usage. Jerry Gibbs agreed and noted that there was a 9% decrease in water consumption last July. There was discussion about recent purchases bringing water into our system. With regard to the Mayor's comment, Mr. Giardina explained that the long term intent of a conservation program is to defer shopping for the next increment of expensive water. The proposed 8% increase could be across-the-board or could target large users in the inverted block system. Peg Bodell suggested that rather describing the 8% as a *minimum* to describe it as a *maximum* so it is clearer to citizens. Council member Jim Hier pointed out that if water user fee revenues were down 5% last year, and if conservation is maintained at the same rate, there is only a 3% increase in realized revenues. Candace Erickson added that six months out of the year, consumers are paying the base rate and Rick Giardina clarified that the same amount of water used last year will cost 8% more this season. Ms. Erickson stated that she can support an 8% increase and even higher, if necessary. Fred Jones agreed and felt that the impacts of conservation should be assumed. Mr. Giardina indicated that if reductions go beyond that, there is a small cushion in the debt service coverage to cover shortfalls.

5. **Vending regulations.** Planner Jonathon Weidenhamer referred to the recent franchise agreement granted to Dad's Ice Cream allowing vending from residential streets in Park Meadows and Prospector. Staff looked at expanding the areas to the Historic District and the RCO Zone by Park City Mountain Resort. There was discussion among Council members to include City Park but exclude service when there are potential conflicts with special events. Fred Jones cautioned against competing with businesses at PCMR and felt there should be demonstrated merchant support. Candace Erickson asked that the Aerie Home Owners Association be contacted about the ice cream truck, and Mr. Weidenhamer stated he would follow-up.

Peg Bodell pointed out that vending on City streets is a policy issue, and the City Attorney agreed that these decisions should be made consciously with the broader implications in mind. Over the past ten years, Park City has implemented some of most restrictive regulations on vending which has enabled us to address legal concerns equitably. Loosening these regulations could prompt challenges on door-to-door solicitations, and prohibition of street hawking, time share sales, etc. Additionally, First Amendment rights are not always black and white. Fred Jones asked if there is a way to limit the number of vendors. Mark Harrington felt that a franchise agreement may better accomplishes this rather than by business license. Areas of operation can also be designated to outside the Main Street commercial core and primarily in residential neighborhoods to provide some protections.

Jonathon Weidenhamer explained the HMBA's proposal for outdoor dining during the summer season which contemplates barricades and ramping to meet ADA regulations in the City's right-of-way. However, this program results in foregone parking revenue. The HMBA would bear the cost of equipment and furniture and he pointed out the challenges with narrow sidewalks and possible conflicts with special events. Alison Butz added that the Kimball Art Center is nervous about the program during Arts Festival and staff is still working with them on a site plan. Although the booths are in the middle of the street, there needs to be enough room for patrons to move about and enough area for fire lanes. In response to a comment made by Fred Jones about limiting the MFL during Arts Festival, Ms. Butz explained that the associated outdoor dining structures will be significant and will have to be installed on the street. Monty Coates of the HMBA stated that the investment has not been calculated and it is anticipated that about ten businesses would participate. Jonathon Weidenhamer explained that a Municipal Code provision would allow outdoor dining on City sidewalks in the HCB Zone on Main Street conditioned on criteria to obtain a conditional use permit. Jim Hier asked about interest in sidewalk sales, and Mr. Weidenhamer recognized that there will be a push from retailers. Ms. Butz pointed out that sidewalk sales are covered in the Code and an MFL probably would not be required. Mr. Hier expressed concern about not setting a limit on the number of participants and losing control on mitigating the impacts to Main Street. The City Manager explained that the approach could be a franchise agreement, a Code amendment , or MFL. Council member Hier suggested selecting participants by way of lottery. The City Manager suggested returning with an analysis on alternatives. Jim Hier felt this should be pursued, and there are many details that need to be worked out with equipment and boardwalk designs. Monty Coates expressed that each location has individual constraints and Jim Hier stressed the importance of arriving at a set number of tables. Mr. Coates discussed participation last year. Ms. Erickson stated her concern of amending an ordinance in the event it is unsuccessful and the precedence it may set. Mr. Weidenhamer proposed just setting up tables against the buildings and if that works, then expanding the program next summer. Staff expressed that the duration is beyond the MFL process and it is an extended use. The City Attorney explained that if the amendment is made, each business must obtain a conditional use permit from the Planning Commission not just one for the outdoor dining program. He warned that after the CUP is obtained, it is more difficult to amend and there may be a way to format a modified MFL. Fred Jones supported that tact as some of these ideas need to be tried before proceeding with amendments which take time. He suggested expanding the program from last year and analyze the ramifications. Kay Calvert agreed. Peg Bodell stated that some businesses weren't committed to the appearance of their outdoor dining areas which made the rest of the street look bad. She would like to see the plan improved and consistent. Potential lost parking revenues could total $24,000 and she asked for a commitment on the part of merchants to subsidize this. Jim Hier stated that adding seats should increase volume and incremental tax revenues. Rick Anderson stated that he realized about a 10% increase last year and Jim Hier asked if he could provide hard numbers. Mr. Anderson continued that the program requires an investment on behalf of the City and merchants. He proposed curb cuts; the Council indicated that is not realistic.

Monty Coates explained that sidewalk sales could be done as an MFL in tandem with outdoor sales on a limited basis to evaluate their compatibility. Tom Bakaly concluded that there appears to be a consensus to return on May 22 with a modified MFL process for outdoor dining or CUP process allowing tables the entire width of the sidewalk and some boardwalk structure to enhance pedestrian flow. This is consistent with Scenario 2 in the staff report and staff will return with site criteria and number of participants. There could also be information on the calculation of fees relating to added square footage. Peg Bodell didn't feel that value is relevant at this point. Jim Hier didn't feel that City would lose revenue in light of increased sales tax which can't be assessed at this point. Ms. Calvert felt that businesses will naturally be eliminated if there isn't a profit. Mark Harrington pointed out that if this becomes a more permanent use, there may be equal protection concerns raised by holders of outdoor dining licenses with permanent deck areas. Jim Hier agreed that the expanded area should be calculated. Tom Bakaly understood that there will not be a cost recovery component provided on the 22nd.

6. **Review of regular meeting.** There as insufficient time to review the regular agenda items.

This portion of work session notes prepared by Janet M. Scott

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 8, 2003

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 8, 2003. Members in attendance were Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier and Fred Jones. Staff present were Tom Bakaly, City Manager; Mark Harrington, City Attorney; Lloyd Evans, Chief of Police; Matt Twombly, Project Manager; and Derek Satchell, Preservation Planner.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda.

Street musicians - Resident Kari Walzer pointed out that street musicians must be licensed and the process is cumbersome and not practical. Additionally, licenses are only valid for ten days. She asked Council to reconsider the ordinance as it is too strict; street performances could add to the atmosphere in town. She called Salt Lake and other resort communities. Salt Lake actually passed an ordinance to encourage street performances on City sidewalks and parks. Regulations could be crafted to prohibit panhandling and designate hours for performances, but now street musicians are discouraged. Most communities allowing street musicians, prohibit amplified music and begging.

Thank-you - Resident Ed Brophy thanked the streets department, specifically Pace Erickson, for his quick response to his request to install signs at the round-about.

Garbage cans on the street - Peg Bodell read a suggestion from resident Rich Miller to encourage people to remove garbage bins from the street without passing an ordinance and imposing fines. He suggests putting a sticker on BFI cans, "*Beautify our neighborhoods. Your pick-up day is ___; bins should be out no earlier than 7 p.m. the night before and removed and off the road by 7 p.m. Thank you for your cooperation. If you need different sized bins call BFI at 615-8311*".

Hearing no further comments, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

Envision Utah award - Mayor Williams announced that Park City is receiving an Envision Utah award for trail-head development and congratulated Matt Twombly.

Swearing-in of Police Officers Merrick Pack and Mark Schaerrer - Mayor Williams swore in the new officers.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF APRIL 24, 2003

Hearing no omissions or corrections, the Mayor requested a motion to approve. Peg Bodell, "I move approval of the work session notes and minutes of the meeting of April 24, 2003". Candace Erickson seconded. Motion unanimously carried.

V CONSENT AGENDA

Fred Jones, "I move to approve the Consent Agenda, Items 1 through 6". Jim Hier seconded. Motion unanimously carried.

1. Resolution declaring May 9, 2003 as Child Care Provider Recognition Day in Park City, Utah - See staff report.

2. Resolution declaring May 18, 2003 as Arbor Day in Park City, Utah - Staff recommends approval.

3. Resolution amending Section 8 of the Leisure Service and Facility Rental Fees of the Resolution No. 03-03 and replacing it in its entirety - See staff report.

4. Resolution waiving certain fees associated with the remodel of the Deer Valley Fire District Station located at 7805 Royal Street East for the Park City Fire District - See staff report.

5. Authorization to staff to enter into a professional services contract, in a form approved by the City Attorney, with LSC Transportation Consultants, Inc. for the development of a short-range transit development plan - See staff report.

6. Acceptance of the 2003 Pavement Management bids and authorize staff to enter into an agreement with Staker & Parsons Company for overlays in the amount of $183,129; Asphalt Guard Inc. for slurry seals in the amount of $57,334; M&M Asphalt for crack seal in the amount of $51,506; and Rivas Construction for utility adjustments in the amount of $39,950 - See staff report.

VI PUBLIC HEARING

Amendment Title 4, Licensing - Chapter 4-8A, Public Outdoor Music Plazas and Title 4-5-3C, Special Event Temporary Beer Licenses of the Park City Municipal Code - Alison Butz explained that the amendment contemplates amending public outdoor music plazas and is addressed every year to allow for amplified music in certain areas. One stage is at the north end of the Summit Watch Plaza and the second location is Miners Park on Main Street. Times and decibel levels remain the same as last year. The second code amendment is for the special event temporary beer licenses. The Mountain Town Stages' program is considered a large scale event and staff is recommending that the 30 day beer license not be required to be consecutive. The applicant must be a MFL holder and the Special Events and Facilities Office will monitor this type of license and communicate with the Police Department. With regard to discussion about amending the code specifically for one entity, Ms. Butz explained that this would apply for any MFL which can be conditioned. Mark Harrington interjected that legislation can not be adopted for the benefit of one particular person but regulates the activity. In response to a comment made by Peg Bodell about allowing pre-recorded music, Ms. Butz suggested that it be allowed during breaks. Ms. Erickson supported breaks, but not for an entire session in the event a performer doesn't show. She continued that business names should not be referred to in the ordinance but rather locations. With no further questions or comments, the Mayor opened the public hearing.

Mike Sweeney, Town Lift Plaza business owner, asked if the intent of the ordinance is to limit music programming services to Mountain Town Stages; because precluding competition is of concern to him. The City Attorney explained that any one has the ability to apply and Ms. Butz added that special events can be held concurrently. Mark Harrington explained that the Mountain Town Stages program was a test program which fell outside the scope of an MFL. The City was and continues to face litigation on amplified music and the ordinance provision was the mechanism used to support an on-going event that could be reviewed annually. It would not preclude another applicant with a separate event and staff has the ability to monitor conflicts. Kay Calvert suggested that this message be included in the ordinance and Mark Harrington recommended that it be added to the recitals.

He clarified that the prior administrative conditional use process prompted many difficulties and problems. Business owners, together with the Arts Council and Mountain Town Stages arrived at a comprehensive plan that ensured a greater degree of accountability. Decibel levels were tested and designs for stages specified as a part of this partnership. Peg Bodell stated that she still has a problem with *Mountain Town Stages* identified in the ordinance, and the City Attorney believed it could be replaced with *non-profit promoter*. Mike Sweeney brought up designating a limit of 250 people which is difficult to monitor especially on Main Street. Mark Harrington explained that the limit is viewed seriously because the premises are licensed for beer and it is the responsibility of the promoter to be responsible. There was discussion about the significant amount of public input rendered when Mountain Stages first proposed its program and the resulting regulations addressing expressed concerns.

With no further public input, Mayor Williams closed the public hearing.

VII NEW BUSINESS

1. <u>Award of construction contract to DRD Paving in the amount of $300,452 for the 1220 Park Avenue traffic calming and parking lot design project</u> - Matt Twombly explained that discussion on improvements to Park Avenue have been on-going for ten years. In October 2002, the Council supported the concept for the Mawhinney parking lot and pedestrian crossing presented at work session. Stantec provided engineering services and the project was bid; DVD was the lowest bidder for the entire scope of the project. Peg Bodell commented on the staff report showing funding from a number of sources which is somewhat misleading. Tom Bakaly explained that there are funds available for this project and future Park Avenue projects which are included in the budget. The staff report simply lists possible sources, and the City Manager concurred that it is confusing. Matt Twombly pointed out the transit stops on both sides of Park Avenue which will require a lot of work and traffic control. The plan reflects the approval of the Planning Commission CUP at 48 parking spaces. Candace Erickson stated she didn't recall the Planning Commission discussion on reducing the parking by 30 spaces and feared it would encourage people to park in the neighborhoods. Jim Hier emphasized that the lot was never intended to be support parking for the park and the Planning Commission was concerned that the whole area would be paved for parking which is not consistent with a neighborhood concept. This included a pedestrian plan from the Library to City Park. There was discussion about required parking for the Library and Tom Bakaly explained that counting these spaces and the skate park parking, the City is in compliance with the CUP. Ms. Erickson understood the Planning Commission's concerns but the facility's programs are growing. The parking lot already has 80 spaces and the parking lot hasn't been a detriment to the neighborhood; she suggested more landscaping and a buffer. Jim Hier explained the importance of adhering to the master plan for City Park. Tom Bakaly explained that paving the area after the demolition of the buildings was an efficient way to address environmental issues. However, this raised concerns by the Planning Commission who granted a temporary CUP which also relates to the skate park. If Council desires to change the number of parking spaces, a revised CUP application would have to be approved by the Planning Commission. Ms. Erickson apologized for bringing this up at this late date but is unsure if this is a wise plan. Fred Jones agreed and also didn't realize that so many spaces were to be omitted and that it was a conscious decision of Council. If the Planning Commission reduced the number of spaces and Council was not made aware of this decision, then communications need to be examined. Council member Hier asked why additional parking needs to be across the street when the Education Center could easily accommodate parking at the north end. Ms. Erickson agreed with his point but again emphasized that she is reluctant to reduce parking. There was discussion about considering adding parking to the Library and Education Center once a plan is designed and the reasons for the location of the bus pull-outs. Council preferred pavers to stamped concrete.

In response to a comment made by Peg Bodell about ordering from catalogs, Mr. Twombly explained that the lights will be the same as others installed by the Park

Station development to create a consistent look. She explained that there needs to be a commitment to look at items individually as it's an opportunity for creative solutions. Mr. Twombly explained that repairs are also an important consideration and standardizing features makes maintenance more efficient. Peg Bodell insisted that artists should be involved in projects and unique elements define the town. Tom Bakaly explained that only the lights are included in this phase and other features, like benches, can be reviewed further. Ms. Bodell reiterated the importance of original art work and not compromising with a standard look.

Fred Jones, "I move to award the construction contract to DVD Paving in the amount of $300,452". Jim Hier seconded. Motion unanimously carried.

2. Amendment Title 4, Licensing - Chapter 4-8A, Public Outdoor Music Plazas and Title 4-5-3C, Special Event Temporary Beer Licenses of the Park City Municipal Code - See staff report and public hearing comments. Alison Butz explained that pre-recorded amplified music will be allowed during breaks at Summit Watch and Miners Park. She referred to minor typographical errors and corrections. Fred Jones, "I move to approve as amended". Candace Erickson seconded. Motion carried unanimously.

3. Appeal of denial of the Historic District Commission for Historic District grant funding for property located at 263 Park Avenue - appellant Robyn Farrant - Derek Satchell introduced Robyn Farrant who is the owner of 263 Park Avenue. On April 7, she applied for an Historic District grant in the total amount of $11,324 to rebuild the existing retaining wall and to repaint a portion of the exterior of her house. At that meeting, the HDC denied the request on the basis that the merit of the application did not demonstrate that the type of work was warranted. It was decided that given the number of applications received totaling 47, others appeared to have a greater need. Staff determined that both items qualified as outlined in the brochure and the recommendation to the HDC was for a partial award. He continued that Ms. Farrant believes the HDC erred in its determination and is requesting reconsideration of her application.

Robyn Farrant stated that she would like the opportunity to participate in the grant program at whatever level the City deems appropriate. Mr. Satchel reiterated that the staff and HDC differed on the determination and referred to a confidential rating sheet prepared for each application. The partial grant award recommended by staff was based on limited funding. In response to a question from Kay Calvert, Mr. Satchell responded that 47 applications were received and only half received some sort of grant funding. Of the half receiving funding, only a small percentage received the entire amount. The majority of requests located in the lower RDA received more dollars because there is more funding associated with this RDA and he clarified that staff doesn't recommend specific amounts. There was $100,000 available from the Main Street RDA this year and almost all was spent. The next grant period doesn't open until February 2004, however, it has been the City's experience that many grants are not executed by July 1 resulting in associated funding becoming available to others. In response to a question from Kay Calvert about favoring first time applicants, Derek Satchell explained that the HDC has been inconsistent over the years. This property received about $20,000 when it was under different ownership.

Candace Erickson expressed the difficulty in hearing this appeal without fully participating in the process. Tom Bakaly pointed out that the Council should examine the merits of the appeal rather than funding. The Main Street RDA will be funded again on July 1 as a part of the adoption of the budget. Mark Harrington expressed that this is the first time Council has seen this type of appeal because legal staff wanted to make sure that people are apprized of their right to appeal. He continued that there are competing applications for a limited amount of resources and awards were not based on eligibility but rather a criteria-based ranking system. He agreed that hearing this appeal is difficult without going through the entire process, but if there is a finding of an error in applying criteria outlined in the staff report, there is probably funding available to grant the award as described by the City Manager. Jim Hier stated that he didn't find misconduct or discrimination by the HDC and encouraged the appellant to continue to pursue funding. Kay Calvert felt that this proceeding opens *Pandora's Box* which will encourage more appeals in the future. Mark Harrington explained that the grant process occurred at an awkward time because of the transition of the HDC this year. Fred Jones stated that he did not feel it reasonable to tackle review of all of the grants and intends to uphold the decision of the HDC.

Robyn Farrant understood she can check back in July 1 for potential funds and Mr. Hier asked if she felt discriminated against. She indicated that she did not feel discriminated against but hoped the denial wasn't because the property has already received funding. Mayor Williams explained that the HDC determined there were properties with higher needs. The Mayor requested a motion and Mark Harrington suggested referring to the findings in the staff report and perhaps adding an emphasis that Ms. Farrant be encouraged to apply for funds on July 1. Jim Hier, "<u>I move that we uphold the HDC's evaluation of the grant awards and deny the appeal, with notification to the appellant that she pursue application in July and/or the annual application process</u>." Candace Erickson seconded. <u>Motion unanimously carried</u>.

4. <u>Appeal of the Historic District Commission decision regarding the denial of a modification to a grant award for additional funds and flexibility for types of improvements for property located at 946 Norfolk Avenue - appellant Paul Butkovich</u> - Derek Satchell explained that Mr. Butkovich submitted a grant application on March 19 and requested a total matching grant in the amount of $14,857 to make several necessary repairs on his dwelling. Among those items, he requested assistance in covering excavation, exterior door replacement, deck improvements, window trim replacement, insulation, siding repairs and painting. All of those tasks were deemed eligible by staff and his application was forwarded to the HDC with a recommendation for partial funding. The HDC decided after

lengthy discussion to award $6,500 to be used toward specific work items. Mr. Butkovich responded by appeal citing that the specific limited areas of funding were not as pressing as other projects and he also questioned the amount. In response to a question from Fred Jones, Mr. Satchell indicated that this situation arises frequently and staff has administratively re-worked projects with applicants, provided the tasks are eligible under the program. Fred Jones asked why Council is asked to look at the application. Mr. Satchell acknowledged that the appeal process has been confusing but Mr. Butkovich is also requesting additional funding.

Candace Erickson stated that she has no problem with changing the funded tasks, but has difficulty second-guessing the HDC's determination for funding. There was discussion about the carry-over of funds in the Lower Park Avenue RDA and its level of funding compared to diminished funding in the Main Street RDA. Even though the Lower Park Avenue RDA has adequate funding, the HDC was directed to award a maximum of $100,000 a year for the area. Mark Harrington explained that the carry-over issue has been heavily debated over the years generating the Landmark Grant idea which could be examined by the newly formed board. Paul Butkovich felt that since the Lower Park Avenue RDA has the funding, asking for more money to address critical problems like drainage and a sinking section of his house is appropriate.. He is unsure of the scope of water damage but it appears to be extensive and he urged Council to reconsider the award amount to accommodate structural repairs. He recognized that he could reapply in July but would hate to lose two months of the construction season. Mark Harrington referred to the Butkovich application which focused on exterior painting and cosmetic features; it appeared as if the $6,500 would go along way for structural improvements. Mr. Butkovich explained that he now anticipates some $30,000 in repairs.

Candace Erickson referred to the drafted findings. She indicated she cannot find a finding of prejudice although she is unsure how the amount was determined by the HDC. There are many households in town that need work, and Old Town residents have an incredible opportunity to obtain financial assistance for improvements. Ms. Erickson believed that Mr. Butkovich should reapply in July and Council should direct the HDC to release more funding from the lower Park Avenue RDA. Mr. Butkovich expressed his frustration when there are funds available now and Mr. Satchell explained the practice of the HDC to limit awards in each RDA to $100,000. Recipients must sign grant agreements and pull building permits by July 1, but there is a process for extensions in certain circumstances meeting the HDC's approval. Jim Hier stated that if the foundation work is substantial but not included in the initial application, Mr. Butkovich should apply next year and be able to carry the $6,500 forward. This would provide more flexibility and Mr. Butkovich believed that once the water damage problems are examined, that there will be unanticipated costs.

Jim Hier felt confident that the Council will not increase the grant amount at this point in time, because of all of the reasons noted above. With that said, he suggested that the next step is to determine the required scope of the work and reapply for funding based on that estimate. He stated that he also cannot find a demonstration of prejudice or discrimination on behalf of the HDC. Candace Erickson advised Mr. Butkovich to work with staff on an addendum on his application and submit it in July. Council also needs to communicate with the HDC regarding rolling over his funding.

Paul Butkovich again asked about the status of the Lower Park Avenue funds and why this proceeding is occurring if applicants can't request additional funding. Mark Harrington clarified that the HDC spent all $100,000 for the Lower Park Avenue RDA this year, but there is money in a carry-over account from prior years. However, this requires Council direction before it becomes available to applicants. Mr. Butkovich then asked why some applicants are funded at 100% and others are not. Dana Williams explained that the HDC makes those decisions and Council is interested in whether applicants were treated fairly in the process. He responded that he understood that the appeal hearing would address his requests. Derek Satchell assured Council that he will guide him through the July process. Mr. Butkovich reiterated his concerns about losing two months of time.

Derek Satchell suggested that the 2003 Historic District grant award for 946 Norfolk Avenue be referred to staff to prioritize qualified projects and that the applicant reapply for additional funding in July. Council also decided to extend the July 1 date to August 1. With that modification to Alternate #1 outlined in the staff report, Jim Hier made a motion, "<u>I move as stated by staff</u>". Candace Erickson seconded. <u>Motion carried unanimously.</u>

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 noon. Members in attendance were Mayor Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Tom Bakaly, City Manager; and Mark Harrington, City Attorney. Fred Jones, "<u>I move to close the meeting to discuss property and personnel</u>". Candace Erickson seconded. <u>Motion carried unanimously</u>.

The meeting opened at approximately 1 p.m.

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

Janet M. Scott, City Recorder

CORPORATE SEAL
PARK CITY SUMMIT COUNTY UTAH
MARCH 1, 1884

DATE: May 8th, 2003
DEPARTMENT: Public Works
AUTHOR: Kent Cashel, Acting Asst. Public Works Director
Eric Nesset, Transportation Division
Brian Andersen, Parking Services
TITLE: Parking Management Program
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATION: Direct staff to relocate meters from Zone 2 (Gateway Garage, Flagpole Lot, Swede Alley and China Bridge levels 1-3) to Zone 1. Implement year round 3 hour time limits in Zone 2. Approve the expenditure of an amount not to exceed $58,000 to relocate pay stations on Main Street. Review and provide Staff with input on a graduated fine structure.

A. Topic Changes to Main Street Parking Management Program

B. Background

There are three parking management zones in the Main Street core. Those zones are:

- Zone 1 — Main Street and Brew Pub lot.
- Zone 2 — Gateway Garage, Flagpole lot, Swede Alley, China Bridge levels 1-3.
- Zone 3 — North & South Marsac lots, China Bridge level 4 and Sandridge lots.

On February 26, 2003 the Mayor and City Council reviewed numerous parking management alternatives and were inclined to modify the current parking management program for the Main Street core. A summary of the alternatives reviewed can be found in attachment B. The modifications Council favored are:

- Year round Free Zone 2 (Time limits enforced)
- Movement of Pay stations from Swede Alley to Main Street
- Review of employee permit program
- Implementation of a graduated fine schedule

The above modifications expanded the number of year round, free parking spaces in the Main Street core from 234 to 761 or 76% of the public parking inventory. The remaining pay and display program covers only 271 or 24% of the public parking inventory (Main Street\Brew Pub Lot).

Council also directed Staff to seek input from the Historic Main Street Business Alliance (HMBA) prior to implementing the above changes. Staff has met with and provided support to an

HMBA parking committee as this group reviewed the modified program and developed its own set of recommendations (see attachment A).

C. Analysis

HMBA recommendations:
The HMBA provided its recommendations to the City Council and Mayor in an e-mail dated April 17th, 2003 (see attachment A). Those recommendations contained the following seven items:

1. Remove paid parking from Main Street.
2. The HMBA supports time limits and their enforcement.
3. Create employee parking spaces in Swede Alley.
4. HMBA is willing to participate in employee education and enforcement
5. Enforcement costs should not be borne by the HMBA.
6. The HMBA supports charging fees for parking during special events
7. The HMBA would like to see better signage and community education about available parking.

Where possible, HMBA input has been addressed in Staff's recommended implementation plan for the modified parking management program. Those items that contradicted Council direction given on February 26th, 2003 have not been addressed in Staff's recommended program (i.e., Remove pay stations from Main Street, enforce Time Limits on Main Street, and create employee parking throughout Swede Alley). It is important to note that the HMBA's recommended program of time limits would require an annual financial subsidy of $360,259.

A functional parking management program requires more than just enforcement personnel and involves several functional elements. Those elements are contained in the table below:

Functional Element	Purpose\Function
Enforcement and Collection	Handles enforcement and collection of fines. Including maintenance of Citation database.
Customer Service	Handles customer complaints and requests for information, administers employee permit programs, processing fine payments, sells tokens, hang clocks and other payment mechanisms.
Adjudication Program	Processes and administratively rules on appeals of tickets and fines.
Program Management & Administration	Includes day to day management of program and enforcement program and data gathering\analysis tasks (e.g. , budget monitoring and parking utilization counts).

Costs for each of these functional areas for Park City's parking management program may be found in attachment C.

The HMBA recommendations included a statement that they have provided quantitative evidence the current parking management program has adversely affected businesses on Main Street. This statement is based on the HMBA's interpretation of a graph contained in the Main Street Sales Tax Analysis prepared by Staff and presented to Council in November 2002 (See attached Figure 1). Staff has expanded this analysis to cover other specific business areas within Park City. This expanded analysis will clarify whether or not similar sales tax patterns exist outside of Main Street. On Thursday the economist assisting with the study will discuss sales tax trends and any correlation paid parking may have had on those trends.

Free year round parking in Zone 2 with time limits

On February 26th, 2003 City Council favored removing parking meters from all public lots in Zone 2 (Swede Alley, China Bridge levels 1-3, Flagpole lot and the Gateway Garage). Time limits would be enacted and enforced to ensure prime spaces are maintained for customers of Main Street businesses.

Current time limits in Zone 2 are 4-hours (some shorter term spaces are spread throughout Zone 2). Staff believes 4-hour time limits are excessive and enforcement experience has proven that it is very easy for employers or employees wishing to avoid the regulations to simply move their cars once during a work shift. Staff believes that 3 hour time limits are adequate to accomodate visitors needs, will make enforcement efforts more effective and have a higher degree of success in modifying employer\employee parking behavior. Staff recommends the implementation of year round 3-hour time limits for Zone 2.

Pay Stations relocated on Main Street.

There are 13 meters currently installed in Zone 2. Council has directed staff to develop a plan for moving these meters to Main Street. Once the 13 pay and display stations are relocated there will be a total of 31 pay stations in Zone 1 (29 on Main Street, 2 in Brew Pub lot). The goal of this relocation program is enhanced pay station visibility and convenience.

Existing pay stations on Main Street are painted black and mounted on light poles. This mounting approach causes several issues:

- The mounting makes pay stations difficult to see and recognize.
- Water laden with corrosive plant fertilizer drips on the stations from flower pots hanging on the poles above them causing corrosion.
- The poles are not located in the most convenient locations for pay station siting.

Staff has researched several alternative approaches for relocating the pay and display stations on Main Street. The approach that will maximize pay station visibility and enhance convenience for visitors will require relocation of all meters to curbside pedestals. This plan will reduce average distance between pay stations from 280' to 140'. After the relocation is complete a visitor to Main Street will never park further more than 4 cars away from a pay station (based on average parking space of 19'). Staff will work closely with Planning and Building to ensure the installation meets all existing codes and requirements.

Some details relating to electrical feeds and lighting of the meters still need to be refined. However, it is clear that the cost of relocating the pay and display stations will not exceed

$58,000. Funds for the relocation project have been previously appropriated and are available in CIP project 620 "Parking Fee Projects". This project will not require an additional budget appropriation.

The hardware required for this relocation is highly specialized and production and delivery lead times are long. Staff believes a minimum of 31/2 months will be required from the placement of hardware order until the meter relocation project is complete.

Staff recommends Council approve the expenditure of $58,000 in CIP funds for the relocation of pay stations on Main Street.

Review of Employee Permit Program

The current employee permit program allows Main Street employers and employees to purchase a permit ($75 full year, $50 from April 15 to December 15th). These permits allow users to ignore pay and display requirements and exceed 4 hour time limits in the Gateway garage and China Bridge levels 1-3.

The Gateway Garage and China Bridge levels 1-3 were chosen for the permit program due to very low utilization of these areas prior to the permit program. Employee permits make up roughly 80% of the cars utilizing China Bridge levels 1-3 during daytime hours (8:00 am to 5:00 pm). This program attracts over 400 participants per year and generates approximately $33,000 in revenue annually.

The HMBA has requested that permit parking be made available throughout Swede Alley. However, Staff believes the current permit program is successful in motivating employers\employees to park in the least utilized yet convenient parking in Zone 2 (China bridge 1-3). Those employers\employees not wishing to pay for a permit have the option to park for free in Zone 3 where 24-hour time limits exist. Staff is concerned that allowing employers\employees to park throughout Swede Alley will leave only the China Bridge structure and the lots of Zone 3 for visitors of Main Street. Staff does not recommend allowing employers\employee permits to park throughout Swede Alley.

The HMBA has committed to participate in employee education and enforcement. Parking Services will begin work with the HMBA to enhance their involvement in these areas.

Graduated Fine Schedule

In February, Council directed staff to explore a graduated fine schedule. The goal of this schedule is to place more of the financial burden created by the parking management program on those individuals that continually ignore regulations. Staff believes this type of approach will be necessary to effectively modify parking behavior once the pay and display management tool is removed from Zone 2.

The current fine program for Pay and Display violations is as follows:

1st Ticket	$ 3.00 if paid within 5 days (then reverts to base fine amount)
Base Fine Amount	$ 15.00
If unpaid after 30 days	$ 22.00
If unpaid after 60 days	$ 42.00
If unpaid after 90 days	$ 62.00

Staff recommends adoption of the fee schedule contained in the table below.

Fine & Late Fees	**1st Ticket** Per registered owner(s)	**2nd-5th Ticket** Per registered owner(s)	**5th Ticket On** Per registered owner(s)
Time Limit or Pay and Display Violation	$3.00	$20.00	$40.00
If Unpaid after 5 days (reverts to full fine)	$20.00	NA	NA
If Unpaid after 14 days from issue	$40.00	$40.00	$60.00
If Unpaid after 30 days from issue	$60.00	$60.00	$80.00
If Unpaid after 60 days from issue	$80.00	$80.00	$100

Vehicles would be eligible for immobilization (booting) after proper notice had been provided to a registered owner(s) that had accumulated five or more unpaid tickets or an unpaid balance of $300 or more.

Staff believes this graduated fine schedule will:

- Gently educate while growing more punitive for those that choose to ignore regulations.
- Motivate compliance with regulations and use of permit programs.
- Improve fine collections.
- Assist the new parking management program achieve break-even financial performance.

Staff will incorporate Council direction given on May 8th into a final graduated fine schedule. This schedule will then be included in the City's Fee Resolution that will be brought to Council for adoption as part of the budget process in early June. Should implementation of this graduated schedule require any additional amendment to the Parking Code Staff will bring those amendments to Council for approval in early June.

Staff recommends Council approval of a graduated fine schedule to begin July 1st, 2003.

Special Event Parking Fees
Parking Services believes there are approximately thirteen days a year that a special event parking fee could be charged in the Main Street core (Sundance Film Festival, 4th of July and the Park City Arts Festival). The HMBA has indicated they support such a program.

Discussions between Parking Services, Police and the Special Events Manager have indicated that this program would cause significant traffic and operational problems unless special event traffic could access parking via Marsac Avenue. This access would be available if a new parking structure were constructed in Swede Alley. Should Council approve the construction of a new parking structure Parking Services will develop and present a special event parking plan to Council for approval.

Marketing and Communications Program
Staff believes the success of the recommended parking management program will require a focused marketing-public education effort consistent with the City's Communications Plan. Parking Services will work closely with Myles Rademan to develop Press Releases, PSA's, Web site updates, direct mail and radio and television interviews to launch the new program. This marketing program will focus on the message that "There are over 750 free parking spaces waiting for you in Old Town".

Once the program is fully implemented Parking Services will continue to work with Myles Rademan and the HMBA to get the message out on how and where to park in Old Town.

Parking Services will review all parking signage within the Old Town core this summer. The results of this review will be used to coordinate any needed improvements with other City signage programs planned for the Main Street area.

D. <u>Department Review</u>
This staff report has been reviewed by the City Manager, City Attorney's office, Budget & Grants Planning, and Public Affairs.

<u>ALTERNATIVES</u>

A. **Approve The Recommendation** Direct staff to relocate meters from Zone 2 to Main Street and to implement year round 3-hour time limits in Zone 2. Approve the expenditure of an amount not to exceed $58,000 to relocate pay stations on Main Street. Review and provide Staff with input on a graduated fine structure.

B. **Amend The Recommendation** Council could amend Staff's recommendations and Direct Staff to implement the amended program

C. **Defer the item to a later date** Council could defer the item to a later date. If Council should not act before the end of August 2003 there would not be adequate time to order necessary equipment and relocate pay stations on Main Street in time for the 2003-04 winter season.

D. **Do Nothing** Council could do nothing on this item. Staff does not recommend this

SIGNIFICANT IMPACTS

Should Council choose to implement the HMBA recommendations as presented an annual financial commitment of $360,259 would be required to maintain this parking management approach. This would likely result in a reduction of current transit services unless Council is willing to subsidize these costs from other sources.

Removal of Paid Parking from Zone 1 (Main Street, Brew Pub lot) will significantly impact the ability to create turnover through enforcement as well as the ability to charge fees of any type in the current China Bridge or a future expanded parking structure. This impact will occur because visitors to Main Street will tend to seek out those areas that are free from fees, particularly if those areas are the most convenient parking.

Staff believes that the implementation of 3-hour time limits are adequate to accommodate visitors needs and will help ensure convenient parking is available for those visitors to Main Street. Council should be aware that some merchants have voiced their opinion that 3-hour time limits are too short in duration.

RECOMMENDATION

Direct staff to relocate meters from Zone 2 lots to Main Street and to implement year round 3-hour time limits in Zone 2. Approve the expenditure of an amount not to exceed $58,000 to relocate pay stations on Main Street. Review and provide Staff with input on a graduated fine structure.

Attachment A

Dear Mayor Williams & Council Members,

We thank you for your interest in Old Town and your willingness to address the paid parking problem. The HMBA and the old town merchants hope to be part of the solution. Our goal is to make Main Street and the surrounding areas as 'user friendly as possible.' We view paid parking as a barrier to doing business. We as a group, are petitioning for the following:

1. We are asking you to eliminate paid parking on Main Street.
2. We support time limits and for these limits to be enforced. We recommend designated employee parking be provided along Swede Alley.
3. We are willing to participate in the education and enforcement required to keep our employees from parking on Main Street.
4. We do not believe the cost of enforcement should be our financial burden. We believe that this singles us out when enforcement is a community wide issue.
5. We have no objection to the City charging for parking during special events such as Sundance and Arts Festival (assuming employee parking is made available).
6. We would like to see better signage and community education about available parking.

With this letter we are formally requesting the removal of paid parking on Main Street. We have provided quantitative evidence that it has adversely affected our businesses. We believe that its removal is critical to ensuring that Main Street will remain a viable and competitive place to do business. The current recommendation by the City Council does not solve the bad perceptions caused by paid parking. In our opinion, the removal of the meters from Swede Alley is a step in the right direction, but it is not what we asked for.

A...ment B
Summary of Pa...g Program Alternatives

Parking Program	Program Highlights	Strengths	Weaknesses	Financials
1. Current - Pay & Display in Zone 1&2	Implements a stated goal of creating turnover,	Revenu... ...re than cover program cost	Belief that system is too confusing	+ $94,168
	keeping employees from prime parking spots,	Pay & Display provides for simple enforcement	Perception that paid parking is always in effect	
	and covers the program and enforcement costs	Paid parking is the most effective tool for creating turnover	Some merchants believe that paid parking hurts their business	
		Motivates employees to park in Zone 3	Free lots difficult to locate	
2. Pay & Display in Zone "1" - & "3" (year round) Free Zone "2"	Provides free parking options closer to Main	Consistent - no changes during the year	Time limits more difficult and labor intensive to enforce	+ Breaks even -
	Promotes greater use of Zone 2 (adequate supply potentially reliant on new structure)	Simple message. Year-round "free" parking close to Main Street	Employee abuse in Zone 2 would occur	
	Greater use of employee permits	Achieves financial breakeven	No surplus revenues	
3. Free with Time Limits only Year Round	Addresses business and local patron parking concerns	Eliminates paid parking "negativity" completely	Requires substantial financial subsidy	- $360,259
	Leaves a big question on how to pay for enforcement costs	Addresses merchant concerns about locals staying away because of paid parking	Time limits more difficult and labor intensive to enforce	
	May not satisfy stated parking management goals	Tourist Friendly	Less effective in car space turnover. Employee abuse likely	
4. Four Month Zone1&2 (pd) - 8 Months Free w/ time limits	Targets peak period with more supply management	Free parking during off-peak months (everywhere)	May cause confusion with "on again - off again" approach	- $104,099
	Program adjusts with changing tourist season	Addresses merchant concerns about locals staying away because of paid parking	Time limits more difficult and labor intensive to enforce	
	Strategy Blend		Employees establish habit of parking on Main Street - Zone 1 during the off-season	
			Requires financial subsidy	
5. Single Space Meters Zone 1 -	Implements more traditional pay for parking system	Easy to use & more recognizable	Installation & Aesthetics challenges	- $116,184
	Sizable capital program to install single space meters	Simplified enforcement	Increased maintenance costs - hardware and cash handling difficulties	
		More visible to users. Easier to distinguish b/t free and paid areas	Snow removal challenges	
6. Single Space Meters-Zone 1 & 2	Same as above - extending into Zone 2	Extends more traditional style meter use	Increased capital cost for meter installations. Larger O&M costs due to servicing challenges	- $83,325
7. Gated Garage- Pay & Display in Zone 1&2	Most comprehensive parking space management alternative	Optimal revenue control. Optimal enforcement approach in high utilization areas	Continued public perception challenges	+ $114,945
		Addresses merchants concern for perception that clients are rushed	Difficult entrance / exit configuration of gated garage. Increased personnel costs	
8. Gated Garage- Pay & Display in Zone 1	same as above - without Zone 2 - Swede surface lots with time limits	Allows for free parking areas near Main	variety of parking options may be confusing	+ $69,940
9. Gated Garage with Time limits all other locations	Provides simplified parking options	Addresses concerns over paid parking on Main Street being a deterrent to business	Challenges of car space turnover on Main Street	- $305,411
	Addresses current concerns while raising others	Optimal revenue control in the garage.	Difficult entrance / exit configuration of gated garage. Increased personnel costs	
		User charged for only time used in garage.	Employee abuse of time limit areas	
		Addresses merchants concern for perception that clients are rushed	Time limits more difficult and labor intensive to enforce	

15

Paid Parking Revenues Expenses for Time Limits (with functional breakout)

Attachment C

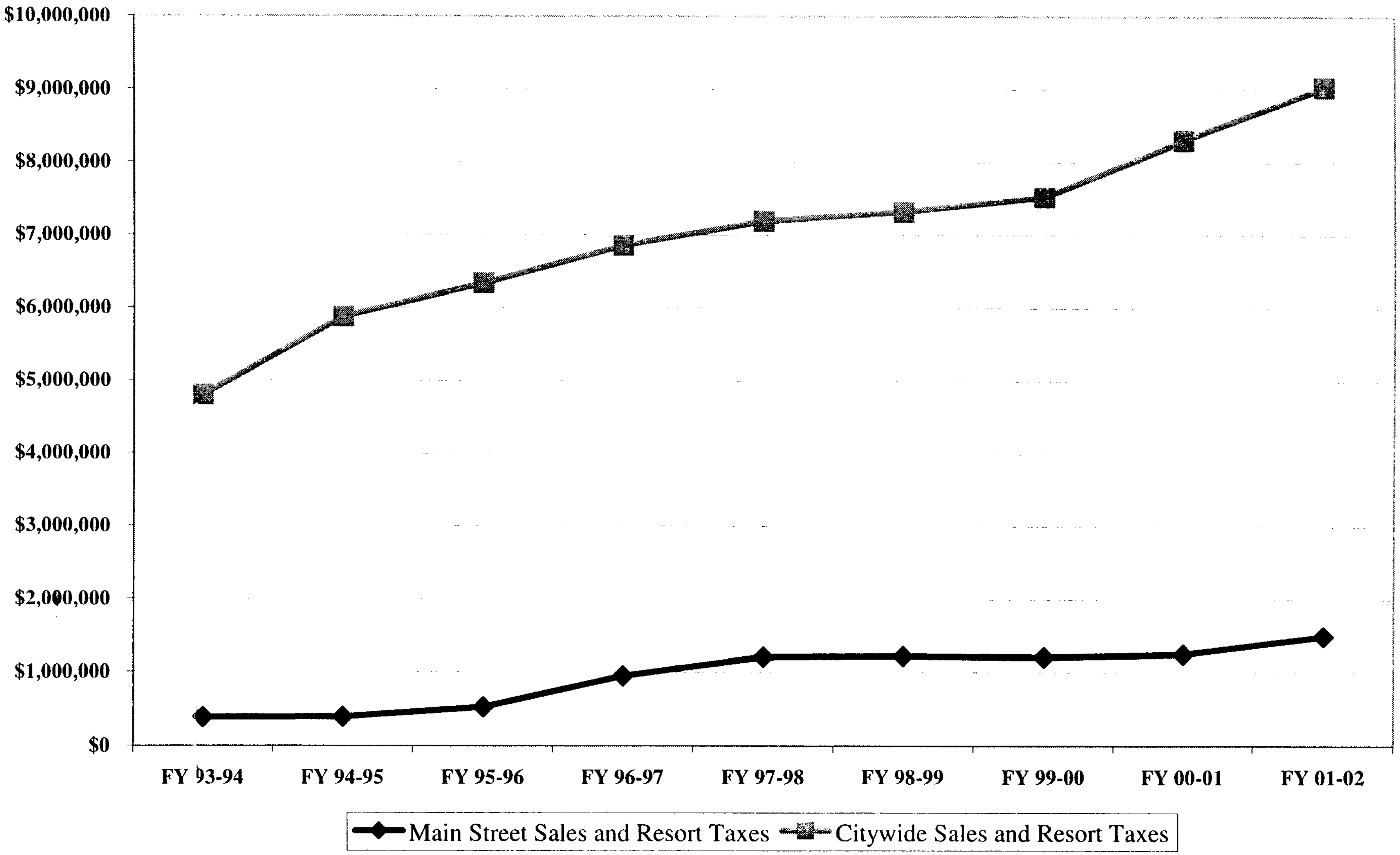
		FY 2002 Actuals Current Program	Free All Zones (Time Limits)	Functional Area: Enforcement & Collection	Functional Area: Customer Service	Functional Area: Adjudication Program	Functional Area: Program Management & Administration
	Revenues:						
	Type						
1	Parking Tickets	$179,266	$143,413				
2	Parking Permits	$37,476	$26,233				
3	Sale of In-Car Meters	$29,792	$0				
4	Sale of Quick Cards	$2,870	$0				
5	Sale of Tokens	$5,856	$0				
6	Parking Meter Revenue	$383,813	$0				
	Total Revenues	**$639,073**	**$169,646**				
	Expenses:						
	Type						
7	Personnel	$163,082	$163,082	$12,549	$98,657	$27,104	$24,774
8	Services and Supplies	$78,258	$63,258	$18,977	$29,021	$7,972.71	$7,287.32
9	Ampco Contract	$206,576	$206,576	$206,576	$0	$0	$0
10	General Fund and Insurance	$93,918	$93,918	$51,952	$27,504	$7,556	$6,906
11	Vehicle Maintenance & Fuel	$3,071	$3,071	$3,071	$0	$0	$0
12	Equipment Amortization	$0	$0	$0	$0	$0	$0
	Total Expenses	**$544,905**	**$529,905**	**$293,125**	**$155,181**	**$42,632**	**$38,967**

	FY 2002 Actuals Current Program	Free All Zones (Time Limits)	
Gain or Loss	**$94,168**	**($360,259)**	
Gain or Loss Attributable to Main Street Enforcement	**$104,390**	**($350,038)**	
Gain Or Loss Attributable to Prospector Square Enforcement	**($1,248)**	**($1,248)**	(Includes revenue from 81 tickets and proportionate share of all expenses based upon 66.5 annual hours of enforcement) Prospector Square limited to enforcement of 2 Hr spaces on Gold Dust Lane between Prospector Ave. and Sidewinder D
Gain Or Loss Attributable to Residential Enforcement	**($8,973)**	**($8,973)**	Includes 756.25 enforcement hours (6.6% of Ampco Contract) + 2.6% of Ticket Revenue

Assumptions

2002 Actuals	Revs and expenses drawn from FY 2002 General Ledger (Net of one-time Olympic revenues and expenses)
Enforcement Function	Includes Ampco contract, collections expenses (postage, printing, office supplies, bank fees and etc.) and (.25 FTE) parking supv
Customer Service Function	Includes (2 FTE) Secretary II, (.25 FTE) parking supv.
Adjudication Function	Includes (.25 FTE) adjudication officer (.25 FTE) parking supervisor
Program management & Administration	Includes (.25 FTE) Analyst II & (.25 FTE) parking supervisor
Prospector Square Enforcement	Utilizes 66.5 hours of enforcement time annually and generates 81 tickets. Ticket revenue offsets enforcement cost impact
Residential Enforcement	Utilizes 756.25 Hours of enforcement or 6.6 % of Ampco Contract, Residential Tickets make up 2.6% of total ticket revenue

Figure1: Sales and Resort Taxes



DATE: 5/8/2003
DEPARTMENT: OCMB
AUTHOR: Mark Christensen, Colin Hilton
TITLE: Budget Review: Capital Improvement Plan
TYPE OF ITEM: Informational

SUMMARY RECOMMENDATIONS: Council should review the changes to the CIP and provide direction on May 8th.

DESCRIPTION

Topic: Capital Budget Review

Background: There are two main areas of the budget document that discuss capital issues as they relate to the budget process. These sections should be reviewed as part of the overall Capital discussion for May 8th.

Executive Summary - Vol. I pg.10-11 Summary of Capital Issues
Attachment A - Capital Improvement Plan Changes
Attachment B - Alternative Ranking
Capital Improvement Program – Vol. II pg. 194-197
CIP 6 – 20 Year Projections pg. 197

Over the past several months Staff has identified projects through OTIS and has been before Council and the public on several occasions to discuss these projects in detail. At the visioning session in February, Council directed staff to return in May with a CIP prioritization that included OTIS and other city-wide capital projects with identified funding sources. In March, staff returned to Council with a ranking methodology that weighted various elements of the projects including Project Funding, Impact, Support, Investment, and Time Line. Council authorized staff to proceed using the identified methodology to prioritize the entire CIP incorporating the OTIS projects.

The prioritization process resulted in a project raking that is being recommended as part of the City Manager's recommended budget and appears in Attachments A and B in the Executive Budget Summary. If Council chooses to change this ranking they should provide direction to Staff on May 8th. The ranking that appears in the recommended budget reflects the direction given to staff at the visioning session and the rankings assigned by the CIP Review Committee.

C. Analysis: The City Manager Recommended CIP incorporates several projects and changes that have received considerable attention over the past several months. Most notable are the Old Town Parking Structure, Water Projects, Library Expansion, and Olympic Legacy projects. These are but a few of the many changes occurring in the CIP. Staff will be meeting with Council in pairs prior to May 8th to discuss the technical changes to the CIP and answer any technical questions associated with the prioritization, project funding, or the recommended CIP. At these meetings Staff would like to address the Technical issues surrounding the CIP prioritization so at work session on May 8th, the discussion can focus on the policy direction Council would like to provide. Prior to May 8th, Staff will provide an alternative funding matrix with sales tax analysis regarding the parking structure and public safety facility. The sales tax analysis projects city-wide sales and the associated sales tax potentially related to a new parking structure.

The tentative budget anticipates funding the Old Town Parking Structure with General Fund reserves. The forthcoming alternative funding matrix will address financing the Parking Structure and Public Safety Complex with a variety of funding sources that incorporate a payback component for General Fund Revenues, parking structure fees (special event and winter) commercial rental uses (in place of the Public Safety Complex), and other possible funding options for the parking structure.

D. Department Review: OCMB, City Manager

SIGNIFICANT IMPACTS: If Council wishes to change the prioritization, funding for specific projects, or provide additional direction to staff regarding project design or timing, these changes should be identified on May 8th. Tentative budget adoption will occur on June 5th and formal budget adoption will be on June 19th.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: No alternative direction will result in the recommended budget being adopted on June 19th.

RECOMMENDATION: No action will result in the adoption of the City Manager's recommended Budget including the CIP Committee prioritization.

DATE: May 8, 2003
DEPARTMENT: Public Works
AUTHOR: Jerry Gibbs, Kathy Gammell
TITLE: Water User Rates
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Direct staff to present a resolution to adopt an across the board increase to the current water rate structure to generate at least 8% more revenue in FY04 and 8% more revenue in FY05.

DESCRIPTION:

A. Topic. Water user fees.

B. Background. In 2001 Park City retained the services of Rick Giardina & Associates (RGA) to assist in reviewing and developing a water fee structure prior to last summer. Council adopted a 5% increase by adjusting the base rate (included 5000 gallons), the block rates and added a new rate of $3.20 for single family use in excess of 100,000 gallons per month.

In 2002 the base rate was lowered by the cost of 5000 gallons and four new water usage blocks were created $1.25, $2.00, $3.25, and $5.00 respectively. The new block rates anticipated a 5% net revenue increase generated by the higher water user. The largest increase in rates was for a single family account using over 80,000 gallons per month.

The current rate structure is:

TABLE 1 BASE RATES		
Class	**Meter size**	**Current**
Residential SF	3/4 1 1 ½	$10.00 $13.50 $16.00
Residential Condo & Lodging	3/4 1 1 ½	$10.00 $13.50 $16.00

Irrigation & Commercial	3/4 1 1 ½ 2 3 4 6 8	$13.00 $22.00 $47.00 $98.00 $255.00 $463.00 $873.00 $1503.00
Construction Meter		$58.00

TABLE 2
CURRENT BLOCK RANGE

Type (May-Sept)	Block 1 $1.25/k-gal	Block 2 $2.00/k-gal	Block 3 $3.25/k-gal	Block 4 $5.00/k-gal
Single Family/Condo 3/4" to 1 1/2"	0-5K Gal	5- 30 K Gal	30 -80 K Gal	Over 80 K Gal
Multi-Family				
1 1/2"	0-30 K Gal	30-100 K Gal	100-200 K Gal	Over 200 K Gal
2"	0-48 K Gal	48-160 K Gal	160-320 K Gal	Over 320 K Gal
3"	0-96 K Gal	96-320 K Gal	320-640 K Gal	Over 640 K Gal
4"	0- 150 K Gal	150-500 K Gal	500-1000 K Gal	Over 1000 K Gal
6"	0-180 K Gal	180-600 K Gal	600-1200 K Gal	Over 1200 K Gal
Irrigation 3/4"		0-56 K Gal	Over 56 K Gal	
1"		0-90 K Gal	Over 90 K Gal	
1 ½"		0-185 K Gal	Over 185 K Gal	
2"		0-300 K Gal	Over 300 K Gal	
3"		0-600 K Gal	Over 600 K Gal	
4"		0-935K Gal	Over 935 K Gal	
6"		0-1865 K Gal	Over 1865 K Gal	
Winter Residential (Oct through April)	$1.75 per 1000 gallons all volumes			
Commercial (All Year)	$1.75 per 1000 gallons all volumes			
Construction Water	$2.30 per 1000 gallons all volumes			

In general the objectives of the user rate study and rate structure are to:

- Provide adequate revenues to pay for the operation of the water system;

- Discourage wasteful water use and encourage conservation;
- De. ne a rate structure that is easy to administer and simple for the customer to understand;
- Promote a rate structure that is equitable and minimizes public controversy;
- Comply with Utah law

The water user rate structure is divided into summer (May through September) and the remainder of the year. Each rate category has a flat rate based on meter size and a consumption rate per 1000 gallons. The structure incorporates increasing block rates during the summer for residential and irrigation usage to provide an incentive to conserve water. The City Council has supported a rate structure that discourages excessive summer water use.

C. Analysis- Last year was the fourth year of drought and one of the driest on record. Citizens all across the State were asked to reduce their water consumption during the summer. The Water Department asked our residents to reduce consumption by approximately 15%. Water use during July 02 was 9.4% less than July 01 and the annual water use for 02 was 6% less than 2001. The reduction could be partly attributed to the message to conserve and the higher water rate for high water users. The five percent net revenue gain was not realized from last year's increase.

A new bond issue and a refinancing were successfully completed in December 2002. Bond coverage was identified as a concern. Our bond council suggested a review of the adequacy of the rates would be important to keep current bond holders satisfied and maintain our good standing on future issuances. This year will be the fifth year of the drought. Water conservation will again be a strong message statewide. Rick Giardina and Associates (RGA) was again asked to review the revenue generated during FY 03 to determine if a rate increase will be needed to meet the proposed FY 04 and FY 05 budget expenditures and comply with bond coverages for the next five years.

This years budget includes new costs associated with providing quality water and assuring Park City has water for the future. The JSSD lease of $750,000 per year includes $150,000 per year of operating costs that are user rate supported. The balance of $600,000 is paid by water impact fees. The new agreement with Weber Basin will require a reservation fee of $200,000 per year until the Rockport project is completed. The reservation fee should be able to be recaptured in future years as a cost of Rockport water. Until such time, the cost must be paid from user rates. Other new costs are the anticipated operating expense for the Spiro and Judge Treatment Plants.

RGA's report suggests a 34% increase will be needed over the next five. The increases could be relatively uniform (8,8, 5, 6, & 7) for each year or staggered every other year (11, 0, 11, 0, 13). The rate increases would be adequate to fund annual operating expenses, repay debt service (new and existing debt) achieve at least the 1.25 legal debt service coverage and maintain a fund reserve equal to 20% of the annual cash operation and maintenance expense.

The advantage of a rate increase each year allows adjustments for budget impacts. An example would be delaying a capital project incorporated in the five year plan would allow a smaller or no increase to minimize fund surplus. Sound rate-making and financial management would dictate that the City should not over fund its needs or maintain excessive revenues.

The increase could be across the board to the base rate and block categories of all user types and meter sizes. Another alternative would be apply all fixed costs to the base rate and variable costs to the block rates. The current rate structure has some fixed cost included in the block rates.

Department Review. The user fee report has been reviewed by the City Manager, OCMB, and Public Works.

ALTERNATIVES:

A. **Request staff to return with a resolution to adopt an across the board increase to the existing base rate and block structure.** Staff recommended.

B. **Request staff to return with a resolution to adopt an across the board increase to only the base rate.**

C. **Request staff to return with a resolution to adopt an across the board increase to only the block structures.**

D. **Request staff to return with a resolution to adopt the recommended rate structure that is based on a partial allocation to the base rate and block structures.**

E. **Do Nothing.**

SIGNIFICANT IMPACTS: Revenues need to be increased by approximately 7% per year ($210,000) over the next five years to cover additional operating cost, debt service, debt coverage, the cost of some capital improvements and providing for an adequate reserve fund presented in this years budget requests.

Rate increases are needed to ensure the long term financial strength of Park City's Water Enterprise Fund.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: No increase or less than the recommended increase could delay capital projects, if the required debt coverage can not be met, bond holders could require higher than needed increases to be implemented the following year to meet bond requirements, our city bond rating could be affected, the additional treatment plant operational costs required by the Spiro upgrade are not included in the FY 03, and the $150,000 annual operating cost of the JSSD lease was not included in last years budget.

RECOMMENDATION:

Request staff to return with a resolution to adopt a minimum of an 8% across the board rate structure increase.

DATE: May 8, 2003
DEPARTMENT: Planning Department
AUTHOR: Jonathan Weidenhamer
TITLE: Vending in City Rights-of-Way

I. BACKGROUND:

Recently, the City has entertained two different proposals to allow commercial activity to occur on City-owned property. On April 24th, a franchise agreement was approved by the City Council to allow Dad's Ice Cream to conduct sales from allowed public rights-of-way. We have also received a proposal from the HMBA to allow dining on City sidewalks (Exhibit A). At this time Staff seeks direction from Council on the following:

Dad's Ice cream – In 1996, the City Council amended the Municipal Code 4-3-8(B) to allow vending from the public right-of-way with a franchise agreement. Locations allowed are generally limited to the residential areas of Prospector and Park Meadows.

- Should 4-3-8(B) of the Municipal code be amended to allow vending outside the SF District and greater Park Meadows? Areas to consider are the Historic Residential Districts (Old Town, not including Main Street or City Park) and the RC District (PCMR & lower Park Avenue). Please see Exhibit A.

Summer Dining on City Sidewalks – We have recently received a proposal from the HMBA to expand the "Dining on Main" MFL from last summer (Exhibit B). The HMBA would like to expand the duration and scope of the program, pushing it outside the parameters of the Special Events Department regulation. This would likely require amendments to both the Municipal and LMC.

In general, the concept would be for restaurants to install a row of tables immediately against the façade of their buildings and offer some type of cordon or barricade to isolate a dining experience. The opportunity to build small platforms to offer a flat dining surface is also requested (Exhibit C – Scenario A).

In some locations there isn't enough sidewalk to allow a dining area, while still accommodating ADA access (44"). In these locations, the HMBA seeks an allowance to install, at their cost, seasonal boardwalks that would be located in the existing parking area on Main Street(Exhibit C - scenario 2). The duration of the project would be from June through Labor Day.

Modifications could be made to the code to accommodate the activity and address concerns relating to consistent look and feel of the seating areas in an attempt to not compromise the integrity of the Historic District. However, the following issues are raised:

- Our Main St. sidewalks vary greatly in width. Legally, the City cannot compromise the 44" of clearance required by the ADA. Outdoor seating/ dining permits may be limited to business owner's w/sufficient sidewalk areas to meet ADA and other code requirements. A proposed solution to mitigate for this requirement is to allow seasonal boardwalks to be erected in existing parking areas. Does the Council support this concept? If considered: loss of parking revenue @ $12/day/space, safety, additional barricading/screening, and impacts on adjacent businesses (loss of parking), should all be considered.

- Initial review has resulted in concern of the compatibility of proposed public dining areas and space programmed for special events and existing MFL's, including the logistical compatibility of temporary boardwalks in the Street during Arts Festival.

Sidewalk Sales -There is a similar push from the HMBA to allow retail spaces to come onto the sidewalk. Under existing regulations, The Finance Department may grant a license to regularly licensed Park City Businesses to hold outdoor sales five times a year. A merchant's association in a specific area, or an association representing multiple tenants in a shopping center must promote (apply for) an Outdoor Sale.

II. ISSUES FOR DISCUSSION:

3. Should 4-3-8(B) of the Municipal code be amended to allow vending outside the SF District and greater Park Meadows?

4. Is there support to facilitate outdoor dining on public sidewalks?

- Does the Council support the concept of seasonal boardwalks to be erected in existing parking areas on Main Street?

- Is the Council comfortable with the existing allowances for outdoor (sidewalk) sales (municipal code 4-3-10), or should Staff expand allowances for retail uses on public property?

III. NEXTS STEPS

- Return in late May with ordinance changes; or

- Return with MFL similar to last year (four weekends of sidewalk dining) if Council does not want to pursue code changes for outdoor dining.

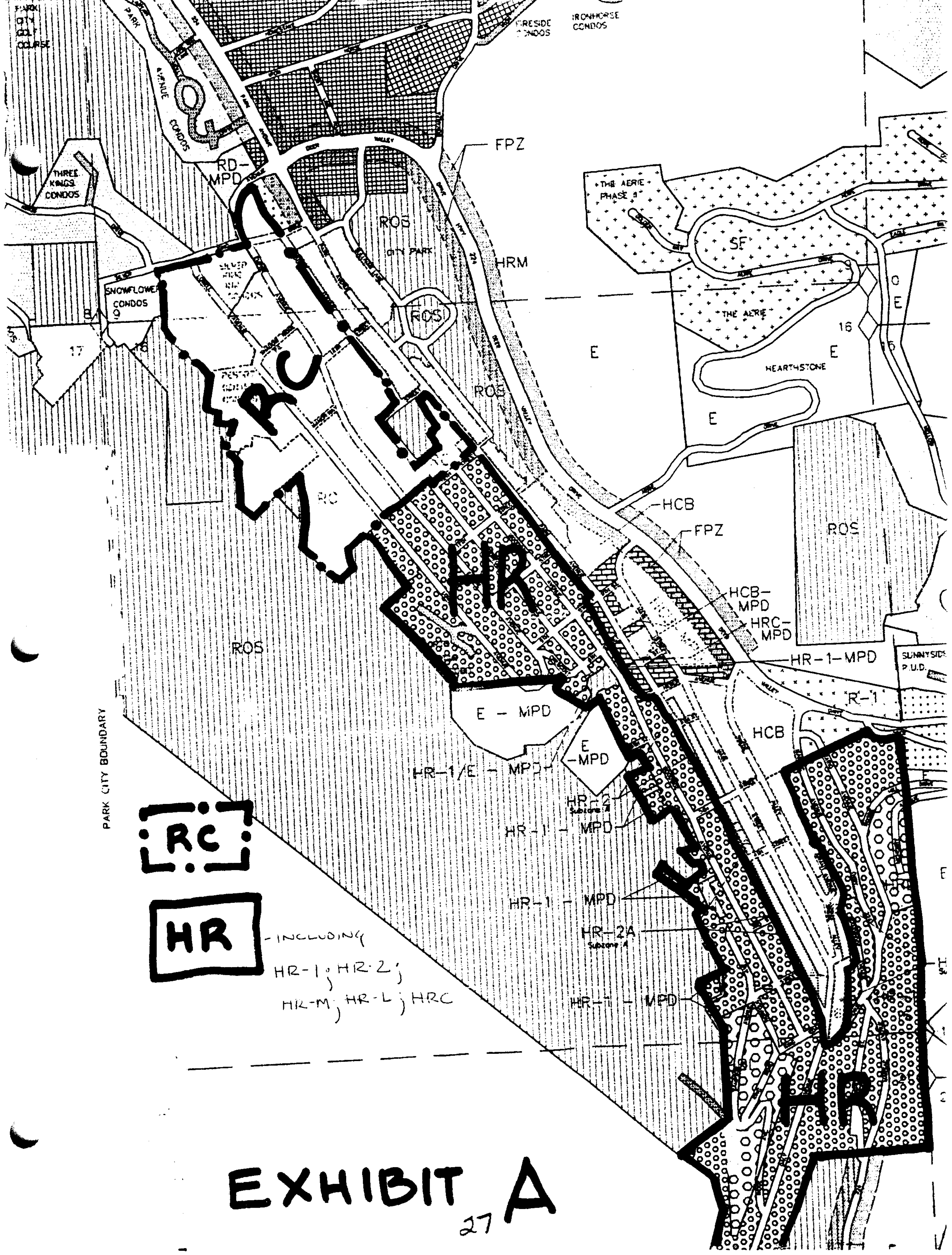

PARK CITY GOLF COURSE
IRONHORSE CONDOS
FIRESIDE CONDOS
PARK AVENUE CONDOS
THREE KINGS CONDOS
SNOWFLOWER CONDOS
RD-MPD
FPZ
ROS
CITY PARK
HRM
THE AERIE PHASE II
SF
THE AERIE
HEARTHSTONE
E
16
17
RC
HR
HCB
HCB-MPD
HRC-MPD
HR-1-MPD
SUNNYSIDE P.U.D.
R-1
E - MPD
E -MPD
HR-1/E - MPD
HR-2 Subzone B
HR-1 - MPD
HR-2A Subzone A
PARK CITY BOUNDARY
-INCLUDING
HR-1; HR-2;
HR-M; HR-L; HRC

EXHIBIT A

27

MAIN STREET BUSINESS ALLIANCE

April 18. 2003

Dear Mayor and Council Members:

The Main Street Business Alliance would like to bring back the energy and spirit of Summer Dining Alfresco that we experienced last summer. Having learned valuable lessons during last year's trial run, the HMBA is requesting that any interested restaurant that meets established guidelines be allowed to offer sidewalk dining. Last summer this program operated under a Master Festival License. This year we have been working with city staff to operate the outdoor dining as a Conditional Use Permit under the Land Management Code. This would establish a permanent process by which individual businesses would be able to apply for permission under defined guidelines.

We recognize that there were a few operational concerns that need to be addressed based on last year's experiment. Better means of ramping curbs, better walkways that do not push patrons into the street, a more consistent look to the layout and better signage are all needed improvements.

We have surveyed business license holders about sidewalk dining and discussed the program at a recent general meeting of the HMBA. The survey responses and discussion were overwhelming in favor of resuming the program this summer. There was also interest in incorporating a retail component into the program. This suggestion merits further discussion.

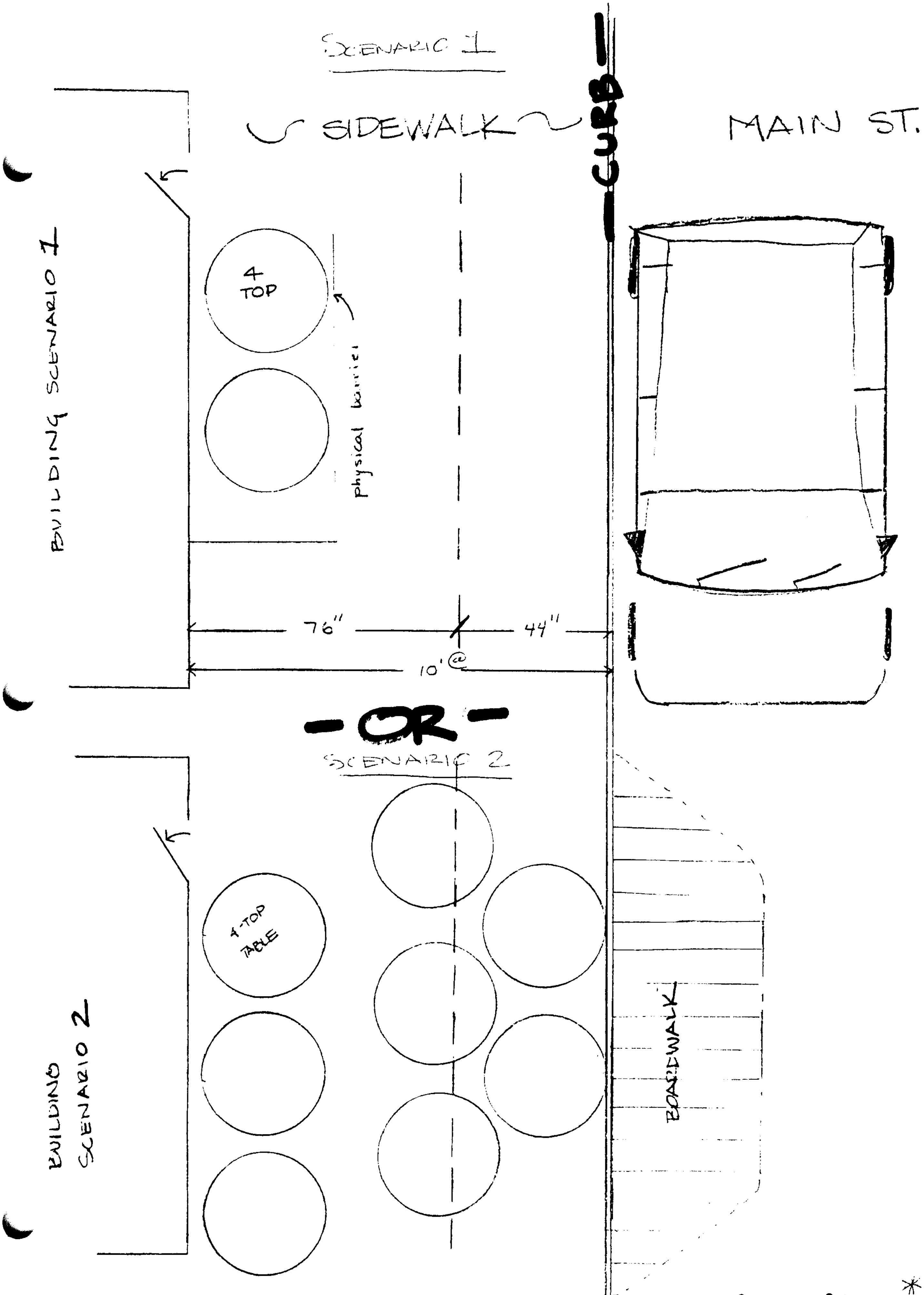
Sincerely,

Rick Anderson

Rick Anderson
President
Main Street Business Alliance

RECEIVED
APR 13 2003
PARK CITY
PLANNING DEPT.

EXHIBIT B



(NOT TO SCALE) · @ 10' UNOBSTRUCTED SIDEWALK · NOT TYPICAL

EXHIBIT C*

April 24, 2003

Park City Municipal Corporation,

On behalf of the State of Utah Office of Child Care, we are pleased to present you with a proclamation declaring May 9, 2003, as Child Care Provider Appreciation Day. The mission of the Office of Child Care is to help families be successful in the work force through "ensuring the availability of quality affordable child care".

As you well know, the economic vitality of your community depends on thriving businesses and industries. These industries in turn rely on the people whom they employ to meet their business plan goals. A large number of the workers in your community are juggling family and work concerns. Our goal is to recognize those providers who assist these families by providing licensed care and addressing the needs of the children of your community's employers.

It is estimated for every $1 spent on quality child care communities will reap at least $8 in future economic benefits in the form of children who grow into productive adults because of their participation in quality early childhood programs. Licensed child care providers work as partners with parents to meet the needs of the children and contribute invaluable professional services to your community.

Please take a moment to read this proclamation and the accompanying city statistical letter to become familiar with the issue of child care and it's importance to your community both financially and socially.

Sincerely,

Julia Mohr, Director
Child Care Resource and Referral, Mountainland
A Program of Utah Valley State College,
Funded by Office of Child Care and Department of Workforce Services

April 22, 2003

Honorable Mayor Williams,

"CARE ABOUT CHILD CARE"

This is a collaborative project between the Office of Child Care and the Utah Association of Child Care Resource and Referral Agencies (UACCRRA). This project is a multi-media public awareness campaign designed to increase the public's understanding of the benefit of quality child care and school-age care. It will also increase understanding that quality early education programs help prepare children for later school success and is a vital component of Utah's economic infrastructure. Look for the campaign to kickoff in May 2003.

FACTS ABOUT CHILD CARE STATEWIDE

The child care field is projected to be the 10^{th} largest producer of new jobs between 200-2005.

The Utah Department of Workforce Services projects the addition of 2, 590 new child care worker positions for the years 2000-2005.

FACTS ABOUT CHILD CARE IN PARK CITY

Currently there are 13 family child care providers and 6 child care centers with the licensed capacity to care for 443 children.

This enables 296 families to work knowing that their children are being cared for by a licensed/regulated provider who has the following qualifications: CPR/First Aid Training, Food Handlers, TB test, Background Criminal Investigation clearance, child development training, participation in The Child and Adult Care Food Program, and annual inspections by the Utah Department of Health Bureau of Child Care Licensing.

RESOLUTION DECLARING MAY 9, 2003 AS
CHILD CARE PROVIDER RECOGNITION DAY
IN PARK CITY, UTAH

WHEREAS, all children need and deserve quality care no matter where they are - at home with a parent, being cared for by a relative, or in a child care setting; and

WHEREAS, many parents find it necessary to work outside the home and often rely on regulated child care to assist with offering quality child care options for their children; and

WHEREAS, licensed child care providers provide quality child care which parents desire for their children; and

WHEREAS, there is a need to recognize the tireless efforts of providers; and

WHEREAS, licensed child care providers are unsung heroes and are noted as holding one of the most underpaid occupations in the country, working days, nights and weekends providing a critical service; and

WHEREAS, licensed child care providers provide a safe and nurturing environment where children are free to strengthen relationships, to learn new skills, and to develop self-esteem, interpersonal skills and assist in developing cognitive development; and

WHEREAS, licensed child care providers create a physical environment which is safe, inviting and interesting to children; and

WHEREAS, licensed child care providers spend countless hours and personal funds to certify and continue their own education so they can develop programs and activities to enrich the lives of the children in their care; and

WHEREAS, licensed child care provides a service central to the economic development and progress of businesses; and

WHEREAS, the profession of licensed child care providers is often overlooked and under appreciated for the effect which they have on the lives of children and on the economy;

NOW, THEREFORE BE IT RESOLVED, in recognition of the significance of the service, support, and positive impact which licensed child care providers have on children, on families and on the economy, the Mayor and City Council hereby proclaim May 9, 2003 as "Provider Recognition Day" in Park City, Utah

PASSED AND ADOPTED this 8th day of May, 2003.

Resolution No.

RESOLUTION PROCLAIMING MAY 18, 2003
ARBOR DAY IN PARK CITY, UTAH

WHEREAS, Park City is vitally interested in maintaining its natural tree resources and other significant flora ; and

WHEREAS, Park City is further interested in planting trees and other significant flora so that the present generation can leave an even more lush and healthy environment to future generations than presently exists; and

WHEREAS, Park City recognizes the importance of educating and involving our citizens in the care, planting and nurturing of our arbor resources; and

WHEREAS, Park City has been named a **Tree City USA** by The National Arbor Day Foundation in cooperation with the National Association of State Foresters and the USDA Forest Service;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of Park City, Utah proclaim May 18, 2002 as:

PARK CITY ARBOR DAY.

PASSED AND ADOPTED this 8th day of May, 2003.

PARK CITY MUNICIPAL CORPORATION

____
Mayor Dana Williams

Attest:

____
Janet M. Scott, City Recorder

DATE:	May 2, 2003
DEPARTMENT:	Recreation & Library Department
AUTHOR:	Ken Fisher, Interim Recreation Services Manager
TITLE:	Amend Fee Schedule for Racquet Club & Recreation
TYPE OF ITEM:	Work Session

SUMMARY RECOMMENDATIONS:

Approve the attached Fee Resolution which would allow residents within the boundaries of the Park City School District to use the Racquet Club and participate in city recreation programs without paying a fee differential from Park City residents. The Racquet Club would still have a "visitor rate" for those outside the school district boundaries. There would be no change to the current fee structure at the golf course or library as part of this recommendation.

DESCRIPTION:

A. Topic:

Amend the Fee Resolution which would expand current resident pricing for the Racquet Club and recreation to include the boundaries of the Park City School District.

B. Background:

The Park City Racquet Club and certain recreation programs have operated with a fee differential since the facility was purchased by the city in 1989. Park City residents, business owners and business license holders have been able to purchase a Recreation Card which gives them access to the facility and programs at the Recreation Card rate. People that live outside the city limits can "buy in" to the discounted rate for $250 per family per year or pay the Non Rec Card Rate.

In 2002, Park City and Basin Recreation did a long range facility planning study with Wickstrom Associates. The Wickstrom Report recommended doing away with fee differentials and jointly planning recreation facilities.

Many of Council's goals can be realized by implementing the recommended proposal to extend recreation card pricing to the Park City School District boundaries. These include increased regional collaboration and partnerships along with customer service.

C. Analysis:

- The current fee differential for Racquet Club use is in the 15 to 20 % range (see Table 1). Recreation programs vary from no fee differential to the 20% range depending on the program. The Racquet Club would still have a visitor drop in rate but the "non rec card rate" for all passes would be eliminated.

Table 1

Current Park City Racquet Club Rates							
	Drop in Facility	Drop in Class	10 Punch	1 month	3 month	6 month	12 month
Rec Card Rate	$5.50	$7	$55	$49	$132	$235	$410
Non Rec Card Rate	$7	$9	$65	$60	$165	$295	$510

Table 2

Proposed Park City Racquet Club Rates							
	Drop in Facility	Drop in Class	10 Punch	1 month	3 month	6 month	12 month
PCSD Rate	$5.50	$7	$55	$49	$132	$235	$410
Visitor Rate	$7	$9	n/a	n/a	n/a	n/a	n/a

- Basin Recreation has no dual fee on any of the programs they offer.

- Basin Recreation is planning to build a field house that will benefit Park City residents and they are planning on charging only one rate to residents within the PCSD boundaries.

- The joint Ice Rink is proposed to have a resident rate that would encompass the PCSD as well as a visitor or tourist rate. It is a good time to incorporate the same rate structure at the Racquet Club.

- By allowing Basin Residents to use the Racquet Club & participate in recreation programs at the same rate as city residents may discourage the Basin from building facilities that compete with existing city amenities. Example: Leisure Pool. This would also implement a recommendation that was made by the Wilkstom Report in 2002 that recommended doing away with fee differentials.

- Improve the relationship between the Basin Rec Board and the City which may lead to greater cooperation in future recreation facility development. This is another recommendation from the Wickstrom Report.

- The Racquet Club General Obligation Bond has expired. Park City tax payers are no longer directly paying for the Racquet Club on their property tax.

- Continue to promote greater regional collaboration and partnerships. The trend has been set with county bus service, joint planning of Quinn's Junction and the development of the ice rink along with the MOU for youth sports.

- The Racquet Club received over $200,000 from RAP Tax which will go towards pool & facility improvements. This was a county wide tax that is meant to benefit all area residents.

- Currently, the facility is under utilized by Basin residents. With only 39 active passes issued to non recreation card users, and 17 active $250 County Cards the change to a Park City School District resident rate & a visitor rate would not result in an unmanageable influx of county residents (see Table 3). However, it is likely that revenues would go up as County residents use the facility.

Table 3

Park City Racquet Club Active Passes as of 4/03		
Pass Type	**Number of Passes**	**Revenue**
10 Punch Card	851 (630 res/221 non res)	$45,397
Resident Passes	284	$52,795
Local Wellness	49	$5,793
Non Resident Passes	39	$8,218
Recreation Cards	2,369 @ $6.50	$14,879
County Cards	17 @ $250	$4,250

- Racquet Club & Recreation revenues would increase by having a visitor/tourist rate. At the current $7 drop in rate tourists consider the Racquet Club very inexpensive. The sharp increase in "Non Recreation Rate" revenue and users during the prime winter months reflects that the tourist is coming in and using the facility (see Table 3). Currently the city is not maximizing the revenue potential that a "visitor" rate would generate. Gymnasium and group fitness programs also experience an increase in non recreation users during the winter months.

Table 4

Monthly Drop in Revenues for the Fitness Center 2002/2003						
	Oct.	**Nov.**	**Dec.**	**Jan.**	**Feb.**	**March**
Recreation Rate Approximate # users	$1,287 257	$1,649 330	$1,187 237	$1,028 205	$857 171	$843 168

Monthly Drop in Revenues for the Fitness Center 2002/2003						
Non Recreation Rate Approximate # users	$401 57	$971 138	$2,338 334	$2,591 370	$1,639 234	$2,218 317

- The current dual rate structure is a barrier to providing excellent customer service. One of the first questions asked of patrons is "where do you live?" It causes patrons to become defensive and jump through hoops to prove where they reside. Many are confused because they have a Park City mailing address even though they live in the county.

- If approved a media and marketing campaign will be launched celebrating this major change in our fee structure for recreation and racquet club use. A press release announcing the change will be sent to all media outlets, a mailing to all city & county residents, interviews on KPCW and with the Park Record will also take place. Dates have been set to appear on the KPCW "Feedback Show" as well as appear before the Park City Board of Realtors.

D. Departmental Review:
This report as been reviewed by the City Manager, Legal Department and Recreation & Library Management Team.

ALTERNATIVES:
A. Recommendation: Council should adopt the attached Fee Resolution which would extend the current resident fee for Racquet Club and Recreation programs to Park City School District residents. This is staff's recommendation.

B. Continue on with the current rate structure for the Racquet Club and Recreation Programs.

C. Lower the cost of purchasing a County Card but not to the same level as a Recreation Card so that Basin residents can participate at the resident rate.

D. Develop a three tiered pricing system that would incorporate a "tourist rate".

E. Direct staff to further study the issue with direction from Council

SIGNIFICANT IMPACTS:

Adopting the recommended rate structure would likely cause more Basin residents to use the Racquet Club and thus increase revenue.

Continuing on with the current rate structure or lowering the cost of purchasing a $250 County Card would result in the Racquet Club not being able to capitalize on the influx of visitors during the winter months.

Lowering the cost of the current $250 County Card would not result in a large increase in county users as many are members at facilities closer to their workplace or home.

Developing a three tiered pricing system would create more confusion and questioning of patrons as to where they reside.

Consequences of Not Taking Recommended Action:
Delaying a decision would throw off the timing of announcing these changes in the launching of the new leisure pool as well as registration for summer recreation programs.

Resolution No.

A RESOLUTION AMENDING SECTION 8, LEISURE SERVICES AND FACILITY RENTAL FEES OF THE PARK CITY FEE SCHEDULE AND REPLACING RESOLUTION NO. 03-03 IN ITS ENTIRETY

WHEREAS it is necessary to update the fee resolution to reflect the changing costs of providing recreation programs; and

WHEREAS, it is a council goal to increase regional collaboration and partnerships; and

WHEREAS, enhanced cooperation with the Basin has been demonstrated through the Memorandum of Understanding for youth sports and the Letter of Intent for an ice facility; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Park City, Utah that the fees for use of City and Basin Recreation facilities participation in recreation programs at the Park City Racquet Club be set at the rate for residents residing within the Park City School District boundaries.

SECTION 1. FEE SCHEDULE AMENDMENTS. The Park City Fee Schedule is hereby adopted as outlined in Exhibit A.

SECTION 2. EFFECTIVE DATE. This resolution shall take effect upon adoption.

EXHIBIT A
PARK CITY FEE SCHEDULE
(REVISED May 8, 2003) (only affected section shown)

8.3.1 Resident Discount Those people whose primary residence is within the City limits; are currently paying property tax within Park City; or are holding a valid Park City business license and leasing or renting office space within Park City are entitled to obtain a recreation card. Those who reside outside the city limits but with the boundaries of the Park City School District may purchase a County Card that entitles the holder to use the Racquet Club and participate in city recreation programs at the same rate as recreation card holders.

8.4.2 Annual County Resident Recreation Card

$6.50 First card per family
6.50 Each ~~card thereafter~~
6.50 per card renewal fee

8.4.3 Racquet Club Fees

Resident & County passes	Single	Couple
1 month	$ 49	$88
3 month pass	132	235

6 month pass	235	425
12 month pass	410	730

Regular Rate pass fees have been deleted from The Fee Resolution since they no longer apply.

DATE:	**May 8, 2003**
DEPARTMENT:	**Special Events and Facilities**
AUTHOR:	**Michelle Barrus**
TITLE:	**Fire Station Fee Waiver**
TYPE OF ITEM:	**Administrative**

SUMMARY RECOMMENDATION: Staff recommends that City Council review and approve the Deer Valley Fire Station's request for a waiver of fees on their addition to the current fire station at 7805 Royal Street East.

DESCRIPTION

A. Topic

Deer Valley Fire Station building fee waiver for the remodel of the fire station located at 7805 Royal Street East.

B. Background

The Deer Valley Fire Station is adding a commercial addition to the Deer Valley Fire Station. The City fees accrued for this project are the following:

District Water Impact Fee	823.20
Impact-Public Safety	546.02
Impact- Streets	474.80
Plan Check	1,462.50
Building Permit	2,250.00
State Percentage	22.50
LOS Guarantee	1,479.00
TOTAL	7,058.02

C. Analysis

Per municipal code section11-12-15 the fees established in the building Title may be "amended, changed, adjusted or waived from time to time by motion of the City Council." The City Manager has the ability to waive up to $100 in fees and has done so for the footing and foundation fee. The remaining fees must be waived by the City Council. The City Council has waived fees in the past for other governmental agencies and non-profit organizations. Because the remodel of the Fire Station serves as a beneficial public service, staff recommends approval of their request for a fee waiver.

D. Department Review

Building Department, City Manager, Public Works, Legal and Facilities

ALTERNATIVES

A. The City Council may approved the waiver of fees for the remodel of the Deer Valley Fire Station, or

B. The City Council may deny the fee waiver for the remodel of the Deer Valley Fire Station, or

C. The City Council may continue the item.

RECOMMENDATION

Staff recommends that City Council review and the Deer Valley Fire Station's request for a fee waiver for an addition to the current fire station at 7805 Royal Street East and approve the subsequent resolution.

ATTACHMENTS:
A- Resolution

Resolution No. ____

A RESOLUTION WAIVING CERTAIN FEES ASSOCIATED WITH THE REMODEL OF THE DEER VALLEY FIRE STATION LOCATED AT 7805 ROYAL STREET EAST FOR THE PARK CITY FIRE DISTRICT

WHEREAS, the PARK CITY FIRE DISTRICT (District) is in the process of remodeling a fire station located on Royal Street in Deer Valley within the city limits of Park City, Utah, and;

WHEREAS, PARK CITY MUNICIPAL CORPORATION (City) supports the protection and safety of its citizens, and;

WHEREAS, the City has established fees to help mitigate the demands for public services and impacts on City facilities which, if applied to the remodel of the Fire Station would result in the following charges:

District Water Impact Fee	823.20
Impact-Public Safety	546.02
Impact- Streets	474.80
Plan Check	1,462.50
Building Permit	2,250.00
State Percentage	22.50
LOS Guarantee	1,479.00
TOTAL	7,058.02

and;

WHEREAS, the District has requested waiver of these fees and the City recognizes that these fees could significantly burden the District's construction program and capital budget, and;

WHEREAS, the City previously waived the fees associated with the original construction of the Fire Station, and;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF PARK CITY AS FOLLOWS:

Section 1. Fee Waivers. The City will waive the fees cited above.

Section 2. Effective Date. This Resolution shall become effective immediately.

PASSED AND ADOPTED this 8th day of May, 2003.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Dana Williams

DATE:	**May 8th, 2003**
DEPARTMENT:	**Public Works**
AUTHOR:	**Kent Cashel, Asst. Public Works Director**
TITLE:	**Professional Services Contract for Preparation of a Short Range Transit Development.**
TYPE OF ITEM:	Legislative

SUMMARY RECOMMENDATION:
Authorize Staff to execute a professional services contract, in a form approved by the City Attorney, with LSC Transportation Consultants, Inc. in an amount of $52,910 for the preparation of a 5 year Short Range Transit Development Plan.

DESCRIPTION

A. Topic Professional Services Contract for preparation of a short range transit development plan.

B. Background
A short range transit development plan is a five year planning document that the Federal Transit Administration (FTA) requires any entity receding FTA funds to prepare and maintain. This short range transit development plan gathers data and analyzes the following:

- Description of existing system.
- Current and future transit demand in agencies service area.
- Existing system performance.
- Existing system organizational structures.

Once this analysis is complete information is gathered from the general public, public officials, local business community, and transit staff and the following items are developed for the five year planning time frame:

- Transit goals and objectives.
- Service, capital, marketing, and management alternatives.
- Financial sources and uses statement.
- Alternatives feasability analysis.
- Service, capital, marketing and management recommendations.

The resulting document is a financial and operational plan that will be formally reviewed and adopted by Council and County Commissioners to guide the development and operation of transit services over the next five years.

The City is in the fourth year of its current short range transit development plan. Cooperative efforts on regional transit have dramatically changed transit's operating environment, these changes were not anticipated in the current plan. It is time to begin the update of the City's short range transit development plan.

Summit County has agreed to participate in developing a cooperative short range transit development plan that will more clearly reflect the environment of the joint transit effort. This joint effort will allow the two entities to more effectively pursue federal funding for regional transit projects.

Staff has secured an FTA grant that will provide funding for $42,328 (80%) of project cost. Summit County and Park City will each pay $5,291 to cover the FTA required local match of 20% of project cost. This project is included in the FY 2003 & FY 2004 budget that Council is currently reviewing.

Kent Cashel will serve as Project Manager for the study. A steering committee (including the Joint Transit Advisory Board, a City Council liaison and a Summit County Commission liaison) will guide the project to completion. Staff will continually update the Mayor and Council on project direction and progress so that their input can be incorporated throughout the process.

The study process will take approximately six months to complete. Staff will bring a final draft of the plan before Council in early October 2003. After Council has had the opportunity to review and comment on the plan Staff will return for formal adoption of the plan sometime late in October 2003.

C. <u>Analysis</u>
Staff has conducted a procurement process for a consultant to assist in the preparation of the short range transit development plan. This process was conducted in compliance with all Federal and local requirements.

Over 30 firms requested proposal packages, six firms submitted proposals. A selection committee consisting of representatives from Summit County Public Works, Park City Public Works and Park City Budget and Grants management reviewed and ranked the six proposals. This ranking followed a qualifications based approach that evaluated firm experience, staff qualifications and the firms study approach. The committee selected two firms as finalists. The cost proposals of these two firms were then opened and reviewed. Cost proposals of the firms not selected as finalists were returned to proposers unopened.

The firms selected as finalists are contained in the table below:

Firm Name	Cost of Proposal
LSC Transportation Consultants, Inc.	$ 52,910
KKO Associates, Inc.	$79,031

Both firms were invited to formally present their proposals to the selection Committee.

Following the formal presentation of proposals the selection committee chose LSC Transportation Consultants, Inc. as the successful proposer. This decision was based upon the firms experience, staff qualifications and the firms study approach and project cost.

D. Department Review

This report has been reviewed by Public Works, Budget and Grants, and City Managers office.

ALTERNATIVES

A. Approve The Recommendation. Authorize Staff to execute a professional services contract, in a form approved by the City Attorney, with LSC Transportation Consultants, Inc. in an amount of $52,910 for the preparation of a 5 year Short Range Transit Development Plan.

B. Deny The Recommendation. Council could deny the recommendation. This action would require staff to conduct another expensive and time consuming procurement process. Staff does not recommend this alternative.

C. Defer the item to a later date. Council could defer this item to a later date. This action would delay the start and finish of the planning project.

D. Do Nothing. Council could choose to do nothing. This action would have a similar impact as alternatives B & C.

SIGNIFICANT IMPACTS

Federal Transit Administration funding for transit projects is dependant on completion of an updated short range transit development plan. Any significant delay to the completion of this plan will put several grant opportunities at risk.

RECOMMENDATION

Authorize Staff to execute a professional services contract, in a form approved by the City Attorney, with LSC Transportation Consultants, Inc. in an amount of $52,910 for the preparation of a 5 year Short Range Transit Development Plan.

DATE:	May 8, 2003
DEPARTMENT:	Public Works
AUTHOR:	Pace Erickson, Streets Manager
TITLE:	2003 Pavement Management Program
TYPE OF ITEM:	Legislative

SUMMARY RECOMMENDATIONS: Accept the 2003 Pavement Management bids and authorize staff to enter into an agreement with Staker & Parsons Company for overlays in the amount of $183,129.40; Asphalt Guard Inc. for slurry seals in the amount of $57,334.00, M&M Asphalt for crack seal in the amount of $51,506.00 and Rivas Construction for utility adjustments in the amount of $39,950.00.

DESCRIPTION:

A. Topic. Pavement Management Program 2003

B. Background. Pavement management is a program that maximizes pavement life and minimizes pavement costs by identifying the time frame for carrying out appropriate maintenance or rehabilitation. The benefit of this practice is to extend pavement life and reduce the overall life cycle cost. Pavements typically deteriorate in a non-linear fashion. Twenty-five percent of the deterioration occurs during the first seventy-five percent of pavement life. The more cost-effective maintenance should occur when the pavement is still in fair condition. Pavement repairs can be done inexpensively using sealing and overlay techniques. Proper pavement management should minimize the need for costly pavement reconstruction.

The pavement management plan has been up-dated several times in the last ten years most recently in 2001. The review consisted of visually inspecting the surface of every city street, testing pavement and subgrade deflection, analyzing the data, and ranking streets and developing implementation plans based on different funding levels.

Pavement condition reports have identified the overall condition of Park City's pavement system. A 10 to 100 scale is used with 100 being pavement in the best possible condition. This includes the effect of surface, base, subgrade, load, environmental conditions and materials.

Pavement Condition	Warranted Maintenance/Rehabilitation Effort
90-100	Minimal - minor patching and crack sealing
80-89	Some - slurry seal coats or thin overlays and crack sealing
65-79	Routine - thin to thick overlays
55-64	Increasing - thicker overlays or possible reconstruction
40-54	High - surface or base reconstruction, possibly subgrade stabilization
10-39	Critical - Total reconstruction including subgrade

The average pavement condition of all Park City streets is 73 with a range from a low of 38 to a high of 94. A value of 73 means that a pavements in a routine maintenance category and will require a medium thickness overlay for repair. Most of them can be saved by overlays and or slurry seals. Delay would increase the cost of repair significantly for these pavements. In a sense, they are the optimal pavements for repair. All pavements which are determined to be rated at 40 or below are beyond restoration within the pavement management program. These pavements are patched as soundly as possible and are sent to the CIP budget for consideration for reconstruction.

The higher we can keep the pavement score the less expensive they will be to repair and maintain. Over the last several years, Park City has invested between $500,000 and $600,000 per year, four out of the last five years for crack seal, overlays, slurry seals and utility adjustments. Council could choose to increase this as funding becomes available.

The bid and RFP notification/process was advertised in the Park Record. All bid and RFP requirements were met.

C. Analysis.

Overlays

The following streets have been identified within the pavement management program as having a rating of 40 to 79 and are slated to receive a total of 4,216 tons of asphalt in the form of overlays as part of the overall pavement management strategy:

2003 ASPHALT OVERLAYS

Streets

Lucky John Drive 1,200 ft north to Little Kate
Ontario Avenue
Thaynes Canyon Drive from 224 to Three Kings
4th Street from Park to Main
Estates Circle
Mountain Ridge Court
Short Line
Queen Esther from Telemark to Deer Valley Drive
Monarch Drive
Woodbine Way
Snow Cloud Court

Bike Paths

Cemetery Path along SR 248
Cemetery Entries
Prospector Buffer Path

TOTAL	**$ 183,129.40**

Slurry Seal

The following streets have been identified within the pavement management program as having a rating of 80 to 89 and are slated to receive 74,100 square yards of slurry seal as part of the overall pavement management strategy. This year we combined efforts on our slurry sealing program with Summit County Public Works. By doing so we were able to take advantage of a larger scope of work and therefore receive a lower overall price. Anticipated cost savings by using this approach are estimated at approximately $2,250.00:

2003 SLURRY SEALS

Lupine Lane from Meadows to Lark Spur
Mellow Mountain from Deer Valley Drive to Aerie Drive
Prospector Ave. from Gold Dust to Bonanza
Centennial Drive
Comstock Drive from Sidewinder to SR248
Morning Star Court
Empire Ave. from Manor to curve
Lowell Ave. from Manor to curve
8th Street from Park Ave. to Empire
Woodside from 13th Street to Silver King Drive
Butch Cassidy
Samuel Colt
Park Ave from Heber to King Road

TOTAL	**$ 57,334.00**

Crack Seal

Crack seal is an excellent way to prolong pavement life by sealing the surface cracks to prohibit water penetration on pavements which are in relatively good condition. However, all pavements in various stages and condition benefit from crack sealing. 63 road sections have been identified as needing crack seal:

2003 CRACK SEAL	
63 road sections designated for crack seal	
TOTAL	**$ 51,506.00**

Utility Adjustments

Utility adjustments are required after an overlay to raise manholes, water valves and monument markers to the same grade as the pavement surface. Some require lowering prior to an overlay due to the milling process in advance of an overlay. 54 water valves and 55 manholes have been identified as needing to be adjusted prior to overlay application:

2003 UTILITY ADJUSTMENTS

Street Name	Water Valves	Manholes
Streets		
Lucky John Drive 1,200 ft north to Little Kate	0	5
Ontario Avenue	7	12
Thaynes Canyon Drive from 224 to Three Kings	0	0
4th Street from Park to Main	1	0
Estates Circle	1	1
Mountain Ridge Court	19	12
Short Line	0	1
Queen Esther from Telemark to Deer Valley Drive	22	12
Monarch Drive	2	4
Woodbine Way	1	2
Snow Cloud Court	1	2
Bike Paths		
Cemetery Path along SR 248	0	4
Cemetery Entries	0	0
Prospector Buffer Path	0	0
Totals	**54**	**55**
TOTAL		**$ 39,950.00**

Bid Results

There were three bids received for street overlays, two bids for slurry seals, two bids for crack sealing and one bid for utility adjustments:

Street Overlays **2003**

Staker Paving	**$183,129.40**	(Recommended)
Kilgore Paving	$188,238.55	
Granite Construction	$190,104.62	
***Slurry Seals* 2003**		
Asphalt Guard, Inc.	**$ 57,334.00**	(Recommended)
Intermountain Slurry Seal	$ 68,635.00	
***Crack Sealing* 2003**		
M&M Asphalt	**$ 51,506.00**	(Recommended)
Kilgore Paving	$ 68,650.00	
***Utility Adjustments* 2003**		
Rivas Construction	**$ 39,950.00**	(Recommended)

Last year, Council asked staff to look into using a smoother type of slurry seal because of concerns from in line skaters and skateboarders that the surface of type III slurry seal is very rough. We received fewer complaints about road texture following last years slurry sealing. Based on this analysis, staff is recommending using Type III slurry seal again this year.

D. Department Review. Bids were reviewed by the Public Works Department. Funds are designated in the CIP fund and are appropriated under line item 31-44018 in the amount of $467,505.89 for the year 2003. Any unspent funds prior to June 30,2003 will be "carried over" to next year as per City policy.

ALTERNATIVES:

A. Approve awarding and authorize staff to enter into an agreement with the low bid. Staker & Parsons Company (overlays) in the amount of $183,129.40, Asphalt Guard Inc. (slurry seals) in the amount of $ 57,334.00, M&M Asphalt for crack seal (crack seal) in the amount of $51,506.00 and Rivas Construction (utility adjustments) in the amount of $39,950.00 (Staff recommended).

B. Change scope and re-bid the 2003 pavement management program.
(Staff does not recommend this alternative).

C. Reject all bids.
(Staff does not recommend this alternative).

SIGNIFICANT IMPACTS:

The pavement management plan is designed to maintain and improve Park City pavement quality. Approval of less than the recommended program will cause a decline of pavement quality.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: Failure to maintain an adequate pavement management program will increase maintenance dollars in subsequent years and lower overall pavement quality.

RECOMMENDATION: Alternative A: Accept bids and authorize staff to enter into agreements with:

1. Staker & Parsons Company for asphalt overlays, in the amount of $183,129.40.
2. Asphalt Guard Inc. for slurry seals, in the amount of $57,334.00.
3. M&M Asphalt for crack seal for crack seal in the amount of $51,506.00.
4. Rivas Construction for utility adjustments in the amount of $39,950.00.

DATE:	**May 8, 2003**
DEPARTMENT:	**Special Events and Facilities**
AUTHOR:	**Alison Butz**
TITLE:	**Mountain Town Stages**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS: Staff requests the City Council conduct a public hearing and approve the ordinance amending Title 4, Chapter 8A of the Park City Municipal Code, regulating Public Outdoor Music Plazas within Park City and Title 4 Chapter 5-3C of the Park City Municipal Code, regulating Special Event Temporary Beer Licenses within Park City.

A. TOPIC

Review of the Ordinances regulating Outdoor Music Plazas and Temporary Beer Licenses within Park City.

B. BACKGROUND

Randy Barton with Mountain Town Stages has been programming outdoor music stages within Park City since 1999. As in the past, Randy Barton has submitted his request for stages within Park City for the summer of 2003. Approval of the stages will require a modification to Title 4, Chapter 8A of the Park City Municipal Code. The first request is the continuation of "Party on the Plaza" located at the North end of the Summit Watch Plaza. The second stage request is for Miners' Park, a City owned property.

Last year Mountain Town Stages approached the Council with changes to the decibel levels as well as two new locations. The Council approved two locations for summer stages during 2002. Those locations were at Summit Watch Plaza, and Miner's Plaza. Throughout the season Staff monitored compliance with the set regulations. At the conclusion of the season Staff received no negative input from the neighborhoods adjacent to the stages regarding their impacts.

Also requested by Mountain Town Stages is an amendment to Title 4 Chapter 5-3C of the Park City Municipal Code regarding Large Scale Special Event Temporary Beer License. The requested change is to modify the provision allowing for thirty non-consecutive days of sale when the event is an approved Master Festival License. Staff has brought this request to Council at a previous meeting. The comments gathered at that discussion focused around the ability to regulate the location and tracking of the dates of the event by Staff.

C. ANALYSIS

The current ordinance governing Outdoor Music operations needs to be amended to include the 2003 operation dates. No substantial changes have been proposed for the locations. However, since Dynamite Dom's and Picasso's have gone out of business, the stage at the Summit Watch will only be programmed if those spaces are leased to another restaurant.

Music on Main Street provides the community with a free live music venues and adds vitality to the area. This type of entertainment is consistent with Council goal to enhance the Historic District as well as to provide

Staff has included a summary of the applicant's request for each location below.

Party on the Plaza

Location:	North end of the Summit Watch
Duration:	June 17th through August 23rd
Operation Days:	Tuesdays, Fridays and Saturdays
Hours:	5:30pm until 8:30pm
Additional Exceptions:	Four additional nights from 5:30pm until 8:30pm
Type of Music:	Bands
Property Owner:	Summit Watch Commercial Condominium Association
Additional Licenses:	None requested.
Costs:	None to the City

Staff Analysis: In previous years the event operated smoothly in the location with little or no impacts to the neighbors while providing a great benefit to the merchants in the area. There are no modifications proposed to the decibel restrictions or ending time.

Music at Miners Park

Location:	Miners Park
Duration:	June 28th through August 24th excluding August 2nd and 3rd
Operation Days:	Saturdays and Sundays
Hours:	3:00pm until 6:00pm
Additional Exceptions:	Four additional days from noon until 6:00pm
Type of Music:	Solo and Duo Acoustic Acts
Owner:	Park City Municipal Corporation
Additional Licenses:	Mountain Town Stages has stated that they will be applying for a license to serve beer at this location. The permit is contingent upon receiving approval from the City and from the State of Utah.
Costs:	None to the City

The applicant proposes three hours on Saturday and Sunday afternoons. The second request is the consent of City Council to go forward with an application to the State of Utah to receive a license to sell beer in the park. All State and City regulations would need to be met by the applicant such as the monitoring of the ingress and egress.

The applicant has requested that the music at the venues be either live or prerecorded. The original intention of the stages was for live music. Staff therefore has not added the language allowing prerecorded music to the amendment.

Temporary Beer Licenses

Per Mountain Town Stages request, with input from the City Council, Staff proposes a change to the Municipal Code where licenses can be issued for thirty non-consecutive days, when such event is approved as a Master Festival License. By requiring the applicant to be a Master Festival License holder there is an additional layer of review and administration. Although the current code change meets the applicant's request the Legal Department is not comfortable with altering code for one specific event or business. The Police Department has additional concerns when laws governing alcohol are made less restrictive and the Department feels that a safety concern is raised with creating code to increase the number of times that beer licenses are obtained by a specific party. Staff raised these issues at a previous Council meeting and Council seemed receptive to pursuing an amendment where the restrictions are closely monitored by Staff such as in a Master Festival License.

ALTERNATIVES

1. Approve both ordinances amending Title 4, Chapter 8A, regulating Public Outdoor Music Plazas within Park City and Title 4 Chapter 5-3C, regulating Special Event Temporary Beer Licenses.
2. Approve Title 4, Chapter 8A, regulating Public Outdoor Music Plazas and Deny Title 4 Chapter 5-3C, regulating Special Event Temporary Beer Licenses.
3. Deny both ordinance amendments therefore preventing the Mountain Town Stages from having a summer music series.
4. The City Council may continue the discussion in order to receive additional information.

D. RECOMMENDATION:

Staff requests Council conduct a public hearing and approve the attached Ordinances amending Title 4, Chapter 8A of the Park City Municipal Code, regulating Public Outdoor Music Plazas within Park City and Title 4 Chapter 5-3C of the Park City Municipal Code, regulating Special Event Temporary Beer Licenses within Park City.

E. EXHIBITS

Exhibit A - Proposed Ordinance Changes
Exhibit B – Sound Level Information

ORDINANCE 03-___

AN ORDINANCE AMENDING TITLE 4, CHAPTER 8 OF THE MUNICIPAL CODE OF PARK CITY REGULATING MASTER FESTIVAL LICENSING; BY AMENDING SUB-CHAPTER 8A REGULATING PUBLIC OUTDOOR MUSIC PLAZAS

WHEREAS, Utah Code Annotated ("UCA") § 10-8-73 and 10-8-76 give the City the power to regulate and prohibit public demonstrations, processions and other street or otherwise public performances which may interfere with public order or otherwise create a noise nuisance; and

WHEREAS, UCA § 10-8-84 allows the City to pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by Chapter 8 of UCA Title 10 which are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort and convenience of the City and its inhabitants, and for the protection of property in the city; and

WHEREAS, UCA § 10-8-60 gives the City the right to declare what constitutes a public nuisance, and provide for the abatement of the same, and impose fines upon persons who may create, continue or suffer nuisances to exist; and

WHEREAS, the City Council received a petition supporting outdoor music, but also heard from several area residents who objected to amplified music; and

WHEREAS, the City Council received recommendations based upon the findings and experiences of a volunteer citizen committee, and a University of Utah class concerning the effects and regulation of noise and the construction of sound mitigating stages, to properly set forth reasonable regulations and time limits to substantially mitigate the effects of such music upon neighboring residents and businesses; and

WHEREAS, the Community Development Department recommended the restrictions herein based upon the Department's noise measurements around the neighborhood and other parts of the City; and

WHEREAS, in 2000 the City commissioned an independent noise study by Spectrum Acoustical Engineers along Park Avenue and the study concluded that music performed pursuant to the restrictions herein should be compatible with the existing background and traffic noise of the neighborhood; and

WHEREAS, the plaza authorized herein are within the Historic Commercial Business ("HCB") zoning district, where noisy commercial operations, businesses and public master festivals/parades are common; and

WHEREAS, licensing and zoning are legitimate and reasonable means of time, place and manner regulations to ensure that outdoor music performers comply with reasonable regulations and to ensure that performers do not knowingly allow their music to become a nuisance to nearby residences and businesses, nor create public disorder; and

WHEREAS, the City Council received convincing testimony that outdoor music performances, because of their very nature, have a positive effect on both the existing businesses around them and the community at large, causing enhanced resort atmosphere and business patronage; and

WHEREAS, as a result of these findings and testimony, the City Council finds that public outdoor music in the specified plazas is not a nuisance per se, but if performed consistently with the regulations contained herein, is reasonably within the standard of comfort prevailing in the areas of and adjacent to the plazas defined herein, promotes the arts and cultural enhancement in the community; and

WHEREAS, the City Council desires to minimize and control these adverse effects and thereby preserve the property and character of surrounding neighborhoods, deter unreasonably large pedestrian crowds, protect the citizens from increased noise, preserve the quality of life, and protect the health, safety and welfare of the citizenry; and

WHEREAS, the time, place and manner restrictions of this ordinance are required to protect legitimate and important governmental interests and are reasonably related to achieve the protection of those interests with the minimum interference necessary to rights protected by state and federal constitutional provisions; and

WHEREAS, the City Council has reviewed the 2002 season's compliance with the regulations set forth in § 4-8A-5 and have conducted a public hearing and found no neighborhood impacts; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH, AS FOLLOWS:

SECTION 1. FINDINGS. The recitals above are incorporated herein as findings by the City Council, the legislative body of Park City.

SECTION 2. AMENDMENT. The Municipal Code of Park City is hereby amended by adding the following Chapter 8a to Title 4:

CHAPTER 8A - PUBLIC OUTDOOR MUSIC PLAZAS

4-8A- 1. TITLE FOR CITATION.

This section shall be known and may be referred to as the Public Outdoor Music Plaza Ordinance.

4-8A- 2. PURPOSE: REASONABLE LICENSING PROCEDURES.

It is the purpose and object of this Chapter that the City establish reasonable and uniform regulations governing the licensing and manner of operations of Public Outdoor Music Plazas in Park City. This Chapter shall be construed to protect the legitimate and important governmental interests recognized by this Chapter in a manner consistent with constitutional protections provided by the United States and Utah Constitutions. The purpose of these regulations is to provide for the regulation and licensing of Public Outdoor Music Plazas within the City in a manner which will protect the property values of surrounding businesses and neighborhoods, and residents from the potential adverse secondary effects, while providing to those who desire to perform in and patronize Public Outdoor Music Plazas the opportunity to do so. The purpose of this Chapter is to prevent and control the adverse effects of Public Outdoor Music Plazas and thereby to protect the health, safety, and welfare of the citizens and guests of Park City, protect the citizens from increased noise, preserve the quality of life, preserve the property values and character of the surrounding neighborhoods.

4-8A- 3. APPLICATION OF PROVISIONS.

This Chapter imposes regulatory standards and license requirements on certain activities, which are characterized as "Public Outdoor Music Plazas." It is not the intent of this Chapter to suppress any speech activities protected by the First and Fourteenth Amendments to the United States Constitution and the Constitution of the State of Utah, but to impose content-neutral regulations which address the adverse secondary effects of Public Outdoor Music Plazas. This Chapter is intended to supersede any other related ordinances including, but not limited to, Title 6 Chapter 3, Noise, and Title 15, Land Management Code, of the Municipal Code.

4-8A- 4. DEFINITIONS.

For the purpose of this Chapter, the following words shall have the following meanings:

(A) **AMPLIFIED EVENT OR MUSIC**. An event or music utilizing an amplifier or other input of power so as to obtain an output of greater magnitude or volume through speakers or other electronic devices.

(B) **STAGES**. The raised and semi-enclosed platforms that are designed to attenuate sound, or as otherwise approved by Special Events staff.

4-8A- 5. MASTER FESTIVAL LICENSE, REVIEW PROCEDURE.

The City Council hereby grants Master Festival Licenses for each of the Public Outdoor Music Plazas in Section 6. The Licenses shall be subject to all regulations and conditions of this Chapter. The Licenses shall be valid as of June 15, 2003 ~~June 15, 2002~~ and shall expire August 25, 2003 ~~September 15, 2002~~, unless renewed by the City Council. The City Council may not renew said licenses until after a public hearing and receipt of a staff evaluation of the prior year's compliance with this Chapter. Renewal shall be granted in the sole judgment of the City Council based upon compliance with the regulations herein, community impacts, and so long as such decision is not arbitrary and capricious. No licensee nor performer shall accrue any vested rights under this revocable license.

4-8A- 6. PUBLIC OUTDOOR MUSIC PLAZAS.

The following locations, dates, and times may be programmed by Mountain Town Stages for public performances and outdoor music:

(A) **PARTY ON THE PLAZA**:

(1) **LOCATION.** On Summit Watch Plaza between Dynamite Dom's and Picasso's. Approved plans are on file with the Special Events Department.

(2) **OPERATION DAYS/HOURS/MONTHS.** This Stage may be programmed Tuesdays, Fridays, and Saturdays from 5:30 PM to 8:30 PM from June 17~~15~~th through August 24th~~September 15th~~. A timer device will be installed that shuts the power of the stage and sound system off at 8:30 PM.

(3) **TYPE OF MUSIC.** Amplified and acoustic. For amplified events or music on Summit Watch Plaza, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty five feet (25') in front of the stage.

(4) **SPECIAL EVENTS.** This Public Outdoor Music Plaza may also be programmed for ~~July 4th from 1:00 PM until 8:30 PM, August 3rd and 4th from 6:00 PM until 8:30 PM, August 10th from 1:00 PM until 8:30 PM, August 17th from 1:00 PM until 8:30 PM, and September 2nd from 1:00 PM until 6:00 PM.~~ This Public Outdoor Music Plaza may also be programmed for a maximum of four (4) additional week-nights during the summer for special events from 5:30 PM to 8:30 PM, provided these special events do not conflict with any City-sponsored or duly licensed Master Festival as approved by the Special Events Department.

(B) **MINERS PLAZA.**

(1) **LOCATION.** 415 Main Street.

(2) **OPERATION DAYS/HOURS/MONTHS.** This Stage may be programmed Saturdays and Sundays from 3:00 PM to 6:00 PM, from June 28th ~~July 4th~~ through August 24th~~September 9th~~, excluding August ~~3rd~~ 2nd and 3rd ~~4th and August 17th~~ due to other approved Master Festival Licenses.

(3) **TYPE OF MUSIC.** ~~Accoustic~~ Solo and Duo acts with microphones for vocal. For amplified events, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty five feet (25') in front of the stage.

(4) **SPECIAL EVENTS.** ~~This Public Outdoor Music Plaza may be programmed for July 4th from 1:00 PM until 6:00 PM, and September 2nd from 1:00 PM until 6:00 PM.~~ This Public Outdoor Music Plaza may ~~also~~ be programmed for a maximum of four (4)

additional week-nights during the summer for special events from Noon to 6:00 PM, provided these special events do not conflict with any City-sponsored or duly licensed Master Festival as approved by the Special Events Department.

(5) **CONCESSION SALES**. This approval grants the applicant to apply to the State of Utah for a permit to allow for the sale of beer. The City further grants this right provided that the following conditions are met.

(a) Dedicated personnel at the ingress and egress of the area to prevent any beer from leaving the designated area as well as at the water fountain area;

(b) Placement of three feet (3') or higher barricades along the edge of the park to designate the service area; and

(c) Placement of the concessions along the eastern edge of the park to help maintain the barrier between the park and the sidewalk. Concessions may only be sold to people within the park.

~~(6) **STAGE**. The applicant has been granted the ability to construct a temporary stage in the south end of Miners Park to accommodate the performers. Final stage design shall be reviewed by the Parks Department and must receive approval by the Building Department.~~

(C) **ADDITIONAL LOCATIONS; ADMINISTRATIVE REVIEW**. Additional Public Outdoor Music Plaza locations may be administratively approved by the Special Events Department for programming by Mountain Town Stages of public performances and outdoor music pursuant to the criteria set forth herein. No additional Public Outdoor Music Plaza location shall be administratively approved unless the proposal fully complies with all of the following criteria:

(1) No more than two (2) additional Public Outdoor Music Plaza locations may be administratively approved;

(2) No proposed location may occupy or otherwise compromise any public parking space(s), whether for use by performers, attendees, or other amenities directly connected to programming pursuant to this Chapter;

(3) The proposed location must include sufficient area to accommodate performers, MTS staff, and anticipated attendees without interfering with pedestrian or vehicular traffic or otherwise impairing any public right of way;

(4) No proposed location shall be approved unless located within the HRC, HCB, RC, RCO, GC, or LI Districts, and in no case shall a proposed location be approved within one hundred feet (100') of a residential neighborhood;

(5) No additional Public Outdoor Music Plaza location shall be programmed prior to June 1, nor after September 30, 2002;

(6) Additional Public Outdoor Music Plaza locations may be programmed no more than three (3) days or evenings per week; and

(7) No additional Public Outdoor Music Plaza location may be programmed for more than five (5) hours in any day, and in no event shall programming commence prior to 11:30 AM nor end later than 8:30 PM.

4-8A- 7. GENERAL REGULATIONS.

(A) The program manager, or his/her designee, shall provide on-site management for each event.

(B) A sound technician shall provide on-site monitoring for each event with music, amplified or otherwise, and any amplified event.

(C) Except as otherwise provided at Subsection 6(A) herein, for amplified events or music, the program manager shall be responsible to ensure that the sound system maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90 ~~95~~, as measured ~~thirty~~twenty-five feet ~~(35')~~ (25') in front of the stage. The data currently available to the City indicates that a maximum decibel level of 90 ~~95~~ satisfies the purpose of this ordinance. The City may amend this ordinance consistent with newly acquired data.

(D) All events shall be open to the public and free of charge.

(E) No event shall exceed 250 people at one time unless a separate Master Festival License is granted for that event.

(F) The Police Department or other proper City official shall have access at all times to all Public Outdoor Music Plazas under this Chapter, and may make periodic inspection of said premises whether the officer or official is in uniform or plain clothes.

(G) All events shall take place only on authorized Stages and shall have clean-up services directly following each event so as to leave the plazas in a clean and litter free manner.

4-8A- 8. ALCOHOL.

It is unlawful for the licensee or any person or business to allow the sale, storage, supply, or consumption of alcoholic beverages at the Public Outdoor Music Plazas, unless licensed pursuant to Chapters 4-6 of Title 4, as applicable.

4-8A- 9. LICENSE HOLDER, PROGRAM BOARD.

(A) Mountain Town Stages (MTS) will be the licensee of the events and will own the Stages. MTS will hire a program manager, approved by the City, said approval not to be unreasonably withheld. The program manager will be responsible for general management of each Public Outdoor Music Plaza and on-site oversight for each event. Agreements with the individual property owners will be provided to the City Special Events Department by the program manager.

(B) Mountain Town Stages shall schedule events in accordance with the regulations set forth in this Chapter. Nothing herein shall allow the City to regulate the content or otherwise censor plaza productions or speech. Mountain Town Stages shall at all times hold the City harmless and indemnify the City from all claims, actions and liability arising from Mountain Town Stage's use of the Public Outdoor Music Plazas. Mountain Town Stages shall maintain its own liability insurance, with the City listed as an additional insured in a form approved by the City Attorney.

(C) Nothing in this Chapter shall be interpreted to create a contract or implied-contract between the City and any performer, or Public Outdoor Music Plaza owner.

4-8A-10. ON-GOING COMPLIANCE EVALUATION.

(A) The Special Events Department will appoint an independent neighborhood review group of at least three (3) area residents which will be contacted weekly by the City Special Events staff and the program manager to receive comments and concerns. A phone number will also be available at each venue so that individuals may phone in comments. Based upon such comments, the Special Events staff may issue additional conditions consistent with the intent of this Chapter to the program manager. A summary of, and recommended response to comments will be forwarded to the City Council within seven (7) days of the end of each month of operation, or sooner if requested by the program manager to resolve any issue. At the end of the season, the Special Events staff will forward a final recommendation to the City Council, with proposed changes, if any, prior to renewal of the licenses granted herein.

(B) The Police Chief, or his/her designee, may suspend the licenses granted herein and schedule a revocation hearing before the City Council at the next regularly scheduled City Council meeting for any of the following causes:

(1) Any violation of this Chapter as evidenced by a citation issued by the Police Department.

(2) Any violation of law or City ordinance.

(3) Upon any other evidence that the program manager or entertainer constitutes a hazard or nuisance to the health, safety, or welfare of the community.

4-8A-11. TRANSFER LIMITATIONS.

The Master Festival Licenses granted under this Chapter are not transferable without the written consent of the Mayor. It is unlawful for an individual to transfer a Public Outdoor Music Plaza Master Festival License without City approval as provided herein. If any transfer of the controlling interest in a Public Outdoor Music Plaza license occurs without City approval, the license is immediately null and void and the Public Outdoor Music Plaza shall not operate until a separate new license has been properly issued by the City as herein provided. The City will not unreasonably withhold consent of transfer provided the proposed Licensee is a non-profit organization within Park City, meets all the criteria of this Chapter, and demonstrates experience managing special events.

4-8A-12. PLAZA LICENSES IN LIEU OF ADMINISTRATIVE PERMITS FOR OUTDOOR MUSIC AND OUTDOOR SPEAKERS.

The Master Festival Licenses granted under this Chapter are in lieu of any Administrative Conditional Use Permit (CUP) for outdoor music, including outdoor speakers, pursuant to Title 15 of the Municipal Code, Land Management Code. The Community Development Department shall not issue any outdoor music permits in the Historic Commercial Business (HCB) zoning district north of Heber Avenue. The City may still issue outdoor music permits in conjunction with an approved Master Festival License.

SECTION 3. SEVERABILITY. If any phrase, clause, sentence, paragraph, or section of this Ordinance is declared unlawful by a Court of competent jurisdiction, such decision shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective upon publication.

PASSED AND ADOPTED this ____ day of ____________, 2003.

Park City Municipal Corporation

____
Dana Williams, Mayor

Attestation by:

____
Jan Scott, City Recorder

Approved as to Form:

____
Mark D. Harrington, City Attorney

ORDINANCE 03-___

AN ORDINANCE AMENDING TITLE 4, CHAPTER 5 SECTION 3 OF THE MUNICIPAL CODE OF PARK CITY REGULATING TEMPORARY BEER LICENSES

WHEREAS, UCA § 10-8-84 allows the City to pass all ordinances and rules, and make all regulations, not repugnant to law, necessary for carrying into effect or discharging all powers and duties conferred by Chapter 8 of UCA Title 10 which are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort and convenience of the City and its inhabitants, and for the protection of property in the city; and

WHEREAS, the City hereby finds it necessary to amend the code to reflect changes in the state code and increase the flexibility to grant temporary licenses for special events;

SECTION 1. FINDINGS. The recitals above are incorporated herein as findings by the City Council, the legislative body of Park City.

SECTION 2. AMENDMENT. The Municipal Code of Park City is hereby amended by adding the following Chapter 5 Section 3 to Title 4:

8-5-3

(C) **SPECIAL EVENT TEMPORARY BEER LICENSE.** A special event temporary beer license shall carry the privileges of either an on-premise or off-premise license. A special event temporary beer license shall authorize the storage, sale, service and consumption of beer for a period not to exceed seventy-two (72) consecutive hours in conjunction with a convention, civic or community event. No person, individual or association shall be licensed for more than four (4) special event temporary beer licenses in any one calendar year. No person under the age of twenty-one (21) shall sell or serve beer under this license. Persons holding a special event license issued by Park City are not required to have a State on-premise beer license. No special event temporary beer license shall be issued unless and until Park City receives from the Utah Department of Alcoholic Beverage Control copies of an approved application and Utah state temporary special event beer permit consistent in all material terms with the special event temporary beer license application submitted to Park City.

(1) **SMALL-SCALE SPECIAL EVENT TEMPORARY BEER LICENSE.** A small-scale special event temporary beer license shall authorize the storage, sale, service and consumption of beer for a period not to exceed seventy-two (72) consecutive hours in conjunction with a Master Festival, Special Event, or other convention, civic or community event. No person, individual or association shall be licensed for more than

four (4) small-scale Special Event temporary beer licenses in any one calendar year, unless otherwise approved by the City Council.

(2) **LARGE-SCALE SPECIAL EVENT TEMPORARY BEER LICENSE**. A large-scale Special Event temporary beer license shall authorize the storage, sale, service and consumption of beer at a designated location for a period not to exceed thirty (30) ~~consecutive~~ days. Large-scale Special Event temporary beer licenses shall be issued only in conjunction with a duly licensed Master Festival having a ~~continuous~~ duration of four (4) days or greater, and shall be limited in duration to match the term of the Master Festival license. No person, individual, or association shall apply for and be licensed for more than one (1) large-scale special event temporary beer licenses in any one (1) calendar year. Dates and times for the event shall be specified in the MFL application.

SECTION 3. SEVERABILITY. If any phrase, clause, sentence, paragraph, or section of this Ordinance is declared unlawful by a Court of competent jurisdiction, such decision shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective upon publication.

PASSED AND ADOPTED this ____ day of ____________, 2003.

Park City Municipal Corporation

____
Dana Williams, Mayor

Attestation by:

____
Jan Scott, City Recorder

Approved as to Form:

____
Mark D. Harrington, City Attorney

Exhibit B

Acoustical Engineers Inc.
Consultants

Typical Noise Source dBA Levels

Noise Source	dBA
Noise at ear level from rustling leaves	20
Room in a quiet dwelling at midnight	32
Soft whisper at five feet (1.52m)	34
Large department store	50 to 65
Room with window air conditioner	55
Conversational speech	60 to 75
Self-service grocery store	60
Busy restaurant or canteen	65
Within typing pool (nine typewriters in use)	65
Passenger car at 50 ft (15.2m)	69
Vacuum cleaner in private home at 10 ft (3.05m)	69
Ringing alarm clock at two feet (.61m)	80
Loudly reproduced orchestral music in large room	82
Buses, trucks, motorcycles at 50 ft (15.2m)	82 to 85
Pneumatic tools at 50 ft (15.2m)	85
8-hour OSHA criteria — hearing conservation programs	85
Medium size automatic printing press plant	86
Bulldozer at 50 ft (15.2m)	87
Jackhammer at 50 ft (15.2m)	88
3-hour OSHA criteria — engineering or administrative noise controls	90
Heavy city traffic	90
Heavy diesel propelled vehicle at 25 ft (7.6m)	92
Grinders	93 to 95
Small air compressor	94
Hammermill	96
Plastic chipper	96
Cut-off saw	97
Home lawn mower	98
Multiple spot welder	98
Turbine condenser	98
Drive gear	103
Banging of steel plate	104
Hi-pressure gas leak	106
Magnetic drill press	106
Air chisel	106
Positive displacement blower	107
Large air compressor	108
Jet aircraft at 500 ft (152m) overhead	115
Human pain threshold	120
Inside jet engine test cell	150

Color exhibits under separate cover

DATE: 5/8/03
DEPARTMENT: Executive
AUTHOR: Matt Twombly MAT
TITLE: 1220 Park Avenue Traffic Calming and Parking Lot Design
TYPE OF ITEM: Award of Construction Contract

SUMMARY RECOMMENDATION:

Staff requests authorization to proceed with the construction of the 1220 Park Avenue Traffic Calming and Parking Lot Design Project consistent with prior Council direction. Staff recommends that Council award the construction contract to DRD Paving in the amount of Three Hundred Thousand Four Hundred Fifty Two and 15/100 Dollars ($300,452.15) for the Entire Project and Additive Alternate F1 colored concrete for the planters, and authorize staff to enter into the City's standard construction agreement in a form approved by the City Attorney's Office.

DESCRIPTION

A. Topic Award of the construction contract to DRD Paving in the amount of Three Hundred Thousand Four Hundred Fifty Two and 15/100 Dollars ($300,452.15) for the Entire Project and Additive Alternate F1 colored concrete for the planters, and proceed with the construction of the 1220 Park Avenue Traffic Calming and Parking Lot Design Project.

B. Background In 1992 the Library and Education Center Conditional Use Permit (CUP) called for 51 spaces in the south end of City Park and an additional 30-50 spaces in overflow parking in the vicinity of this project site. In 1993 the City undertook the Lower Park Avenue Design Review Study which recommended improvements to the south end of City Park especially parking, access and crossings on Park Avenue. In 1997 and 1998 the City acquired the MaWhinney, Snug, and Offret properties to enhance the visual and pedestrian connection between City Park and the Library and Education Center. On May 29, 1999 City Council adopted by resolution the revised City Park Master Plan. The Planning Commission approved the CUP for the Skate Park on June 14, 2000 where the conditions of approval stated the temporary landscaping on the MaWhinney/Hale lot would be completed within a year and parking would require a CUP or Master Festival License with due consideration to the conditions of approval of the skateboard park.

At the May 17, 2001 City Council meeting the Council directed staff to temporarily use the MaWhinney parcel for parking on an event by event basis and to begin the planning process on the MaWhinney and Offret lots, but delay any improvements until after the Olympics. On May 24, 2001 staff requested an amendment to the CUP for the skateboard park for changes in the landscaping and parking. The Planning Commission amended the CUP adding that the City Park Master Plan should be amended to incorporate parking at the MaWhinney site rather than at the Offret site to the north.

During their Work Session on August 22, 2001, the Planing Commission reviewed the CUP for the 1220 Park Avenue/MaWhinney lot where conceptual plans were proposed for the parking lot. The Planning Commission reviewed the CUP in consideration of the 1992 Library and Education Center CUP, the 1993 Lower Park Avenue Design Study and the 2000 Skate Park CUP. On September 12, 2001 the Planning Commission approved the CUP for the 1220 Park Avenue/MaWhinney lot based on the revised conceptual plans and conditions of approval. The Conditions of Approval #2 states that the project shall be re-reviewed by the Planning Commission if the project is not completed by October 15, 2002 and the lot shall revert back to an event specific Master Festival License approval.

During the Spring of 2002 the Leisure Services Department with the Parks Recreation and Beautification Board began to revise the City Park Master Plan and presented conceptual drawings to City Council. Based on the revised Master Plan, City Council wanted to incorporate the Park Avenue traffic calming and pedestrian crossing concept at the MaWhinney/Offret lots. Staff returned to the Planning Commission on July 10, 2002 for an extension to the 1220 Park Avenue CUP to incorporate the Park Avenue traffic calming concept. The Planning Commission reviewed the extension to the CUP and approved the CUP with the Conditions of Approval, where Condition #2 states: "The project shall be re-reviewed by the Planning Commission in the event that the proposed parking lot and landscape improvements are not completed by July 10, 2003. If the project is not completed by July 10, 2003, use of the parking lot shall revert back to an event-specific Master Festival License (MFL) approval.

On October 17, 2003 Council reviewed and concurred with the Planning Commission approval for the MaWhinney lot and the traffic calming concept brought about by the newly revised City Park Master Plan. Council expressed that Park Avenue had been identified as a traffic calming priority and directed staff to proceed with the Park Avenue Traffic Calming Improvements in conjunction with the MaWhinney Parking Lot construction project (approved conceptual MaWhinney plan attached). Council also directed staff to create a plan of common themes or design elements for all of Park Avenue as more improvements are made in the future. The plan was created by a group of staff and is attached to this report.

Through the Old Town Improvement Study (OTIS) the MaWhinney parking lot project ranked high and $250,000 was carried forward from the previous budget. The entire Lower Park Avenue Traffic Calming/Pedestrian Enhancement project also ranked high and $650,000 is recommended in the current budget.

In February of this year staff advertised a Request for Proposals for the engineering design of the project. A small group of staff reviewed and ranked the five proposals, and selected Stantec Consulting, Inc. based on their qualifications and experience. The City contracted with Stantec Consulting to prepare concept drawings for review by staff and construction and bidding documents for $13,204.50. Upon completion of the construction documents the project was advertised to bidders.

C. **Analysis** The request for bids was legally noticed in the Park Record on April 19 & 23, 2003, and in the Salt Lake Tribune on April 21 &22, 2003. There were three bids for the project and the bids were opened and read aloud on May 1, 2003. The bid was broken down into three sections or schedules: The Entire Project, the Traffic Calming and the Parking lot. The engineers estimate for the Entire Project was $328,140.00. The low bid for the Entire Project was by DRD Paving in the amount of $299,477.15. The next low bid was by Thiede Construction in the amount of $318,889.00 and then Geneva Rock Products in the amount of $392,342.91. DRD Paving was awarded the bid for the Miner's Park and bulb-outs, as well as the 2002 Main Street Improvement Project. The workmanship and performance of the construction by DRD Paving was at "Park City Standards".

The low bid for the 1220 Traffic Calming was by Thiede Construction in the amount of $144,873. The next low bid was by DRD Paving in the amount of $162, 816.94 and then Geneva Rock Products in the amount of $208,046.75. The low bid for the Parking Lot Schedule was by DRD Paving in the amount of $142,857.46. The next low bid was by Thiede Construction in the amount of $175,476.00 and then Geneva Rock Products for $208,046.75. The project was broken down into three schedules to give Council the ability to proceed with either the Traffic Calming or Parking Lot if bids for the Entire Project appeared too high. Council could choose which project they wished to undertake based on the significant impacts, but it is expressly stated that the City wishes to issue one contract for the work, and not combine the low bids.

There were two additive alternate items F1 and F2. F1: Colored Concrete for the Island Planters (Additive to regular concrete). F2: Stamped/colored concrete (In lieu of pavers along Park Ave. planters and curb). The low bidder for F1 and F2 was by DRD Paving in the amount of $975 for F1 and $7.12 for F2. The stamped colored concrete (F2) additive alternate in lieu of the pavers could save $11,070.40 on the project.

The work will proceed approximately ten days after the award, upon the execution of the construction agreement drafted by the City Attorneys office and receipt of bonds and certificates of insurance. The project documents stipulate that the project shall be completed by August 1, 2003. The project documents also stipulate that prior to the 4th of July all disrupted walkways and roadways must be replaced and usable to the public. The site will still be under construction during the 4th of July but staff will work with the contractor in securing the area.

The planting was left out of the project, partly due to the quality of a sub-contract at the end of a project, but mainly to incorporate public input into the design of the project. The Engineer's estimate for the planting is $15,000. Much of the hardscape (walkways, boulders...) are included in the contract, but additional plaza/seating areas could be added. Based on public input, staff will either have the City purchase the plant material at wholesale and install, or bid the planting/landscaping as a separate project and return to Council for award.

D. **Department Review** Planning, Engineering, Capital Projects, Special Events, Public Works, City Managers Office.

ALTERNATIVES

A. **Approve the Request.** Award the construction contract to DRD Paving in the amount of ($300,452.15) for the Entire Project and Additive Alternate F1 colored concrete for the planters.

B. **Modify the Request.** Award the Construction Contract for just the parking lot or the Park Avenue Traffic Calming. Staff would need to return to Council to award the bid.

C. **Deny the Request.** If Council determines that the bids are too high, or if Council wishes to delay the project to begin construction at a later date, then all bids could be thrown out and the project re-bid.

D. **Continue the Item.** The bids will remain subject to acceptance for forty-five (45) days after the bid opening. Continuation would impact the schedule for completion.

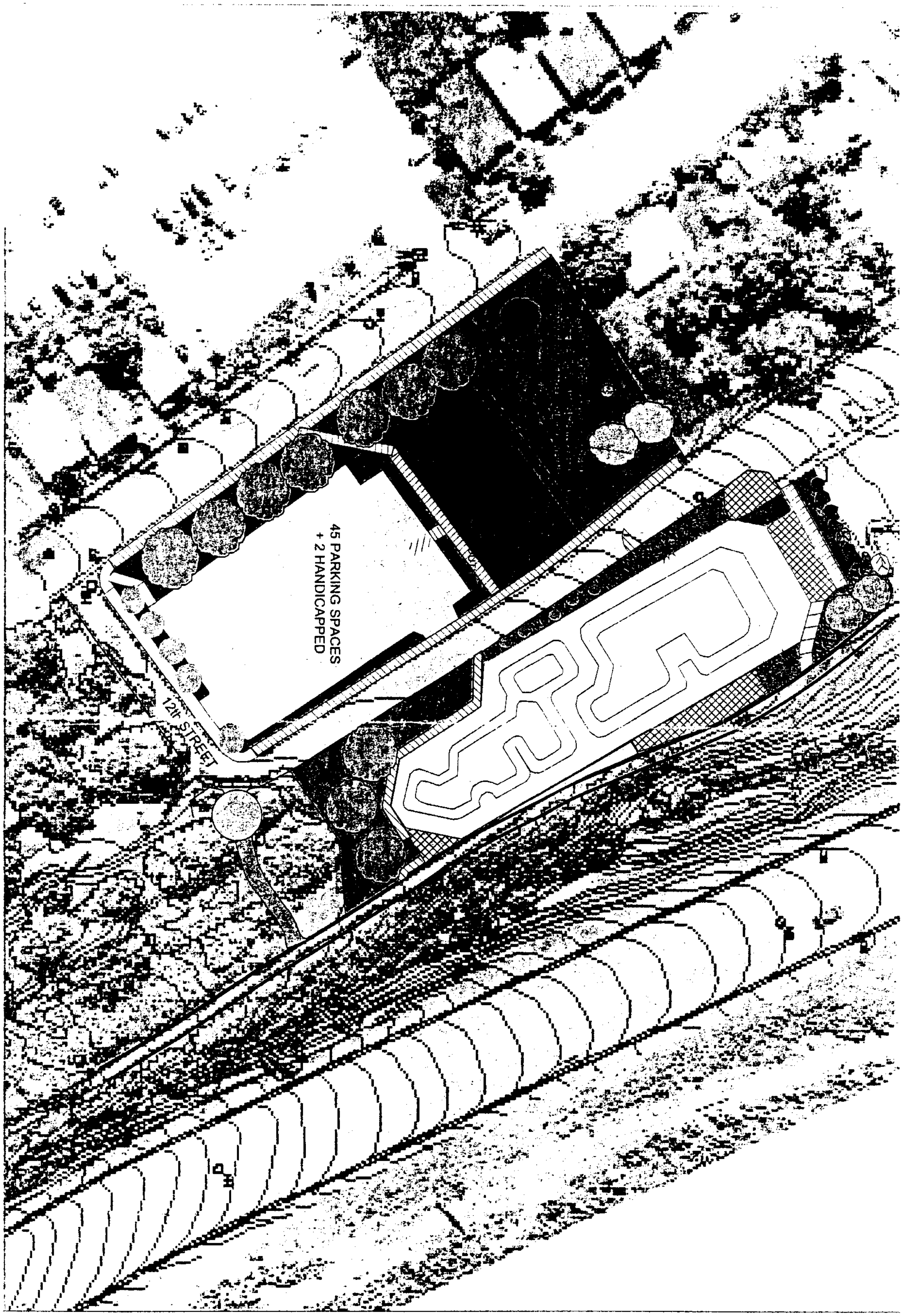
SIGNIFICANT IMPACTS In the CIP, there is approximately a total of $90,000 in the Lower Park Avenue Property Improvements Account; $11,000 in the Park Avenue Redevelopment Parcel Account; $644,030 in the Lower Park Avenue Account, and $226,000 in the Traffic Calming Account. As part of the budget process there is an additional appropriation of $300,000 proposed for 2006 in the Property Improvements Account.

The net parking loss as part of the parking lot re-construction is approximately 45 spaces. The loss of parking along Park Avenue is approximately 20 spaces. The loss of parking, reduction of relatively flat space and duration of construction will impact events at City Park and at the Library and Education Center. The City is still in compliance with the 1992 Library CUP parking requirements. Construction will also impact traffic along Park Avenue including pedestrian traffic and transit stop locations. Staff will coordinate construction to mitigate impacts for events at the Library and City Park.

If Council were to chose to complete the Park Avenue Traffic Calming project only, the Conditional ~~Use Permit Condition #2~~ states that if the improvements are not completed by July 10, 2003 the parking lot will revert back to event-by-event Master Festival License approval for parking. The project is scheduled for completion on August 1, 2003, past the date of the CUP Condition #2, but consistent with the intent of the CUP. Planning Commission will be updated on the status of the project in an upcoming meeting.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION The parking lot and Park Avenue will remain in their current condition. Council could choose to proceed with either the Parking Lot or Park Avenue Traffic Calming, and staff would need to return to award the bid at a later date. If Council chooses not to proceed with the Parking Lot reconstruction the CUP will expire and the parking lot will revert to an event by event MFL use.

RECOMMENDATION Staff recommends that the City Council award the construction contract to DRD Paving in the amount of Three Hundred Thousand Four Hundred Fifty Two and 15/100 Dollars ($300,452.15) for the Entire Project and Additive Alternate F1 colored concrete for the planters, and proceed with the construction of the 1220 Park Avenue Traffic Calming and Parking Lot Design Project consistent with prior Council direction.



Revised [2] Conceptual City Park Master Plan for MaWhinney and Offret Lots

DRAFT
9/04/01

SCALE

NORTH

CITY COUNCIL REPORT

DATE: May 8, 2003
DEPARTMENT: Planning Department
AUTHOR: Derek Satchell
TITLE: Park City Historic District Grant Award Appeals
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS: Review the two (2) appeal requests, consider public input, and act upon a list of alternatives relating to the Historic District Commission's denial of a grant request for 263 Park Avenue; and a request to modify the grant award and provide additional funds and flexibility for types of improvements for 946 Norfolk Avenue, and uphold the HDC's decisions.

A. PROJECT STATISTICS

Applicant:	Robyn Farrant and Paul Butkovich
Location:	263 Park and 946 Norfolk, respectively
Proposal:	Appeal of Historic District Grant action
Zoning:	Historic Residential - (HR-1)
Adjacent Land Uses:	Residential
Date:	March 20 & 19, 2003

B. BACKGROUND

On April 7, 2003, the Historic District Commission (HDC) denied a grant request by Robyn Farrant at 263 Park Avenue. At the same hearing, the HDC awarded a grant to Paul Butkovich, in a lesser amount than requested, and attached limitations on how the monies were to be used. On April 11, 2003, an action letter was sent to all grant applicants stipulating the HDC's decision regarding individual grant applications. Each letter concluded with a clause informing applicants of their right to appeal the HDC's decision to the City Council. Receipt by the City of a written petition (with all relevant facts and remedy) from the applicant was required by April 21, 2003. Ms. Farrant and Mr. Butkovich submitted a letter prior to the stated deadline.

C. HISTORIC DISTRICT COMMISSION REVIEW AND ACTION

263 Park Avenue

The Planning Department Staff received a completed 2003 grant application for 263 Park Avenue on March 20, 2003. The applicant requested a total matching grant amount of $11,324.11 to re-build the existing masonry retaining wall in the front yard, and to re-paint an portion of the exterior west elevation of the historic dwelling. Both tasks are considered eligible pursuant to the 'Eligible Improvements' listed in the 2003 Grant Brochure, and considered necessary improvements to ensure the continued use of the structure.

Upon review of the application, Staff forwarded a positive recommendation to the HDC for a partial award amount. Staff's recommendation for a partial award was based on the fact that the west facade of the dwelling (as demonstrated in the submitted photographs) did not show signs of paint deterioration. Although the same photographs did show paint failure on the dwelling's north elevation, the amount of deterioration appeared localized and minimal. No comments were forwarded to the HDC regarding the masonry retaining wall. The HDC was also informed that although Ms. Farrant was a first-time applicant, the property itself was the recipient of previous grants.

The HDC reviewed the application and considered the project on the merits of its application and staff's recommendation on April 7, 2003. The majority of the Commission concluded that while the exterior paint on the dwelling's north facade did exhibit failure, the existing retaining wall nor the exterior paint finish warrant the extent of repair requested in the grant application. While first-time applicants and repeat recipients are encouraged to apply, the HDC decided to deny the grant request in order to provide funds to other projects demonstrating greater need. This decision was further supported by the HDC given the limited amount of funds available ($200,000) in relation to the record number of grant applications received this year (47).

<u>Findings of Fact for Action on 263 Park Avenue Grant Application:</u>

1. The person is a 1st time applicant, but the property is a previous recipient of the grant program.
2. The grant application is complete and intended for the property located at 263 Park Avenue in the matching requested amount of $11, 324.11.
3. The property is located in an area of town covered by the Main Street RDA.
4. The proposed work includes the re-building of the existing masonry retaining wall and re-painting the dwelling.
5. The proposed work is considered eligible pursuant to the Historic District Grant program policy (as stipulated in the 2003 informational brochure) and considered necessary improvements to ensure the continued use of the structure.
6. The existing dwelling and masonry retaining wall are recognized as being historically significant.
7. Staff reviewed the application and forwarded a positive recommendation to the HDC on April 7, 2003.
8. HDC reviewed the application on April 7, 2003, and denied the request on the basis that the merit of the application did not demonstrate a need equal to the requested work proposed, and in order to provide funds to other projects demonstrating greater need.
9. There is less funds available in the Main Street RDA, than in the Lower Park Avenue RDA.
10. The number of grant applications received by the City for 2003 is forty-seven (47), which is a record number for the program.
11. Approximately 24 grant applications (including this one) were denied funding because of the limited amount of funds available to cover the number and type of requests made.

12. A letter was sent to the applicant informing the applicant of the HDC's decision, and stating the reason supporting said action.
13. The applicant submitted a written request for an appeal of the HDC decision on April 17, 2003.

Conclusions of Law for Action on 263 Park Avenue Grant Application:

1. The proposed work is eligible for funding under the provisions of the Historic District Grant program, but was denied on the following basis:
   a. The HDC determined that the merits of the application did not support the work proposed and funding requested.
   b. The HDC decided to allocate funding to other projects demonstrating greater need.

946 Norfolk Avenue

The Planning Department Staff received a completed 2003 grant application for 946 Norfolk Avenue on March 19, 2003. The applicant requested a total matching grant amount of $14,857.00 to make several necessary repairs to the existing dwelling. Those improvements included excavation, exterior door replacement, exterior deck improvements, exterior window trim replacement, installation of insulation, exterior siding repairs, and exterior painting. All tasks are considered eligible pursuant to the 'Eligible Improvements' listed in the 2003 Grant Brochure, and considered necessary improvements to ensure the continued use of the structure.

Upon review of the application, Staff forwarded a positive recommendation to the HDC for a partial award amount. Staff's determination for a partial award was based on the fact that the merits of the application (as demonstrated in the submitted photographs) showed a greater need for exterior work related to doors, window and siding repairs. The HDC was also informed that although Mr. Butkovich was a first-time applicant.

The HDC reviewed the application and considered the project on the merits of its application and staff's recommendation on April 7, 2003. The majority of the Commission agreed that the application did warrant financial assistance, the award amount considered by the HDC varied initially among the Commissioners, ranging from $6,500 to $10,000. After a lengthy discussion, the HDC decided to award the applicant $6,500 to be used towards exterior siding & trim repairs, prep & re-painting, door, and window replacements based on the apparent need demonstrated in the submitted photographs. Although the decision limited the use of funding to these specific tasks, it is not unusual for applicants to request a change in use of the award (towards other equally eligible tasks which were presented under the application), in which case a change in situation warrants.

Findings of Fact for Action on 946 Norfolk Avenue Grant Application:

1. The person is a 1st time applicant.
2. The grant application is complete and intended for the property located at 946 Norfolk Avenue in the matching requested amount of $14, 857.00.

3. The property is located in an area of town covered by the Lower Park Avenue RDA.
4. The proposed work includes excavation, exterior door replacement, exterior deck improvements, exterior window trim replacement, installation of insulation, exterior siding repairs, and exterior painting.
5. The proposed work is considered eligible pursuant to the Historic District Grant program policy (as stipulated in the 2003 informational brochure) and considered necessary improvements to ensure the continued use of the structure.
6. The existing dwelling is recognized as being historically significant.
7. Staff reviewed the application and forwarded a positive recommendation to the HDC on April 7, 2003.
8. HDC reviewed the application on April 7, 2003, and granted a partial award in the amount of $6,500 based on the basis that the merit of the application and the apparent need demonstrated in the submitted photographs.
9. The used of the funds award were limited for use towards exterior siding & trim repairs, prep & re-painting, door, and window replacements.
10. It is not unusual for applicants to request a change in use of the award (towards other equally eligible tasks which were presented under the application), in which case a change in situation warrants.
11. The number of grant applications received by the City for 2003 is forty-seven (47), which is a record number for the program.
12. Approximately 24 grant applications were denied funding because of the limited amount of funds available to cover the number and type of requests made.
13. A letter was sent to the applicant informing the applicant of the HDC's decision, and stating the reason supporting said action.
14. The applicant submitted a written request for an appeal of the HDC decision on April 21, 2003.

Conclusions of Law for Action on 263 Park Avenue Grant Application:

1. The application was awarded a 2003 Historic District Grant because the existing house is historically significant, and the proposed work is eligible for funding under the provisions of the Historic District Grant program
2. The amount of funding granted was confined to $6,500 because of the limited amount of funds available to cover the number and type of requests made.
3. The use of the funds granted were limited in use to the designated specific tasks based on the merit of the application and the apparent need demonstrated in the submitted photographs.

D. APPLICANTS' RESPONSE TO MAY 7, 2003 ACTION

263 Park Avenue

In summary, the applicant for 263 Park Avenue finds that the HDC errored in their grant application determination of her application in terms of overall need and is requesting reconsideration.

946 Norfolk Avenue
The applicant for 946 Norfolk Avenue asserts that the HDC errored in their grant determination of his application in terms of identifying the primary need for assistance, and is also requesting additional funding.

E. ALTERNATIVES

263 Park Avenue

1. Affirm (per Staff's recommendation), reverse, or affirm in part and reverse in part the April 7, 2003, denial of the 2003 Historic District Grant application for 263 Park Avenue by the HDC.

2. Remand the matter to the HDC with directions for specific Areas of review or clarification.

3. Continue the item and request further evaluation from the Staff.

946 Norfolk Avenue

1. Affirm (per Staff's recommendation), reverse, or affirm in part and reverse in part the 2003 Historic District Grant award for 946 Norfolk Avenue in the amount of $6,500, by the HDC on April 7, 2003.

2. Remand the matter to the HDC with directions for specific Areas of review or clarification.

3. Continue the item and request further evaluation from the Staff.

Exhibits

Exhibit A - HDC Grant Application (263 Park Avenue dated March 20, 2003)
Exhibit B - HDC Grant Application (946 Norfolk Avenue dated March 19, 2003)
Exhibit C - 2003 Historic District Grant brochure
Exhibit D - HDC Review Ranking Sheet (containing 263 Park Avenue dated April 7, 2003)
Exhibit E - HDC Review Ranking Sheet (containing 946 Norfolk Avenue dated April 7, 2003)
Exhibit F - HDC Denial Letter for 263 Park Avenue (dated April 11, 2003)
Exhibit G - HDC Award Letter for 946 Norfolk Avenue (dated April 11, 2003)
Exhibit H - Applicant's Response Letter for 263 Park Avenue (dated April 17, 2003)
Exhibit I - Applicant's Response Letter for 946 Norfolk Avenue (dated April 21, 2003)

HISTORIC DISTRICT GRANT APPLICATION

RESTORATION AND REHABILITATION WORK

HDC

Awarded ____________

Denied ____________

Extension ____________

PARK CITY 1884

Park City Municipal Corporation
PO Box 1480
Park City, Utah 84060
(435) 615-5060
(435) 615-4906 fax

BLDG. PERMIT #

____

FUNDS RELEASED

____

TRUST DEED RECORDED

____

Any property owner having an historic residential or commercial structure in Park City may apply. The matching grant will be used towards specific rehabilitation projects. Previously awarded property owners are eligible but priority will be given to new applicants. Please fill out the following application completely and accurately. If you are uncertain of your property's status, please contact the Community Development Department for assistance.

I. HISTORIC PROPERTY INFORMATION

STREET ADDRESS:
263 PARK AVENUE, PARK CITY, UT 84060

LEGAL DESCRIPTION:
LOT 16, BLOCK 2, PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER

II. APPLICANT

NAME: ROBYN FARRANT

MAILING ADDRESS:
PO BOX 3045, PARK CITY, UT 84060

PHONE # (Home): 435-658-2576 (Work): 801-541-3007

FAX #: SAME AS ABOVE

Date Received:

Exhibit A - HDC Grant Application
(263 Park Avenue dated 3/20/03)

Robyn Farrant
PO Box 3045
Park City, UT 84060
(435)658-2576

March 20, 2003

Historic District Commission
Park City Municipal Corporation
PO Box 1480
Park City, UT 84060

Dear Sir or Madam:

Re: Historic District Grant Application

I am writing to you to respectfully request consideration of the above application for my property at 263 Park Ave, located in the historic old town district.

The first project is the retaining wall in front of my property. It is in disrepair and the damage increases each year with spring run-off, with the stones being pushed out gradually by the moisture (making their way to Main St!). I propose completely rebuilding the wall using the existing original sandstone as veneer and reinforcing it with a concrete footing, CMU wall and stone ledger. It will also be necessary to reset the four existing stone steps, which have sunk down into the ground and tilt forward (makes for an unsteady entrance!).

The second project is to repaint the west side of the original old mining structure that is peeling badly. There are other small areas of touch up necessary; otherwise the remainder of the house with newer siding is in good shape.

Thank you in advance. I look forward to hearing from you in regard to your decision.

Yours truly,

Robyn Farrant

Robyn Farrant

HISTORIC DISTRICT GRANT APPLICATION
BREAKDOWN OF ESTIMATED COSTS

Applicant: ROBYN FARRANT, **Historic Property Address:** 263 PARK AVE, PARK CITY, UT 84060

Paint Grant ✓
($7,000 max)

Regular Grant ✓
($15,000 max)

Landmark Grant ______
($50,000 max)

✦Note: As you complete your application, please refer to the Grant Brochure and Application forms.

Work Classification	Estimated Cost	Owner Portion	City Portion
STONE RETAINING WALL (see attached detailed estimate) & photo's	$21,813.20	$10,906.60	$10,906.60
PAINT EXTERIOR HOUSE (PORTION) (see attached estimate & photo's)	$ 835 —	$417.50	$417.50
TOTAL ESTIMATED COST =	$22,648.20	$11,324.11	$11,324.11

Please attach additional sheets as necessary.

III. SUBMITTAL REQUIREMENTS

No application shall be reviewed until all submittal requirements have been satisfied. **Bound application materials and oversized attachments (larger than 8½"x 11") will not be accepted.**

☑1. Completed *Historic District Grant Application* form;

☑2. Selection of *grant category* for consideration:

Paint Grant ✓	Regular Grant ✓	Landmark Grant _____
($7,000 max.)	($15,000 max.)	($50,000 max.)

<u>**Note:**</u> A single property may apply for more than one of the aforementioned grants. The Landmark Grant is awarded to one recipient per year--funding for this grant may not be available every year;

☑3. Written *Project Description* letter addressed to Historic District Commission (signed and dated);

☑4. Submittal of a *Cost Estimate* from a qualified professional (*more than one estimate is preferred--grant amounts will be based upon the least expensive estimate having the most benefits*);

<u>**Note:**</u> To verify costs and assure quality of work, "do-it-yourself" work and estimates thereof shall **not** be accepted without proof of being a qualified contractor.

☑5. Completed *Breakdown of Estimated Costs*, see pages 3 & 4;

☑6. Completed *Drawings* (as they apply to the proposed project) drafted to scale (1/4" = 1' - 0" minimum):

- any site plans;
- any building elevations;
- any building and/or site sections;
- any streetscape elevations;
- any building floor plans;
- any drawings depicting specific details;

<u>**Note:**</u> Scaled drawings are **required**, but not for all lesser projects that can be adequately described in grant application. All <u>extensive rehabilitation work</u> shall have drawings prepared by a licensed architect, engineer and/or building contractor.

☑7. Color *Photographs* (at least 4"x 5" in size and adequately labeled) of all existing conditions, architectural character and integrity as they apply to the proposed project:

- general view of building and setting;
- perspective view, front facade and one side;
- detailed views of affected work area;
- front elevation;
- perspective view, rear facade and one side;

<u>**Note:**</u> Objects like parked cars, pedestrians, tall weeds, and rubbish should be excluded since they can inhibit the effectiveness of the views.

END

IV. SAMPLE - BREAKDOWN OF ESTIMATED COSTS

Sample

This sample is included to assist you in completing the breakdown of estimated costs on page 4 of this application. Applications shall not be reviewed unless they include the breakdown.

WORK CLASSIFICATION	ESTIMATED COST	OWNER'S PORTION	CITY'S PORTION
Excavation	$1,000.00	$500.00	$500.00
Doors (exterior)	850.00	425.00	425.00
Windows	2,000.00	1,000.00	1,000.00
Siding (materials)	3,000.00	1,500.00	1,500.00
Siding (labor)	3,000.00	1,500.00	1,500.00
Heating	3,400.00	1,700.00	1,700.00
Plumbing	2,000.00	1,000.00	1,000.00
Parking Slab	1,400.00	1,400.00	0.00
Entry Walkway	500.00	500.00	0.00
Lot Line Adjustment	700.00	700.00	0.00
Totals	$17,850.00	$10,225.00	$7,625.00

PLEASE READ AND SIGN BEFORE APPLICATION SUBMITTAL

As the applicant for this proposal, I understand that my application is not deemed complete until the Preservation Planner has reviewed the application. I further understand I will be notified by mail when my application has been deemed complete. At that time I expect that my application will be processed within the allotted time frame, considering the work load of the Preservation Planner.

After you have read the above, please sign your name and date:

Name: [signature]

Date: 3/20/03

ACKNOWLEDGMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge.

I will keep myself informed of the deadlines for submission of material and of the progress of this application. I understand that this information will be on file and available at the Planning Department, 3rd floor Marsac Building.

SIGNATURE OF APPLICANT: R Farrant

NAME OF APPLICANT (please print) ROBYN FARRANT

MAILING ADDRESS: PO BOX 3045

PARK CITY, UT 84060

PHONE #: home 435-658-2576 work 801-541-3007

FAX #: SAME AS ABOVE

TYPE OF APPLICATION : ______

AFFIRMATION OF SUFFICIENT INTEREST *

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

NAME OF APPLICANT: (please print) ROBYN FARRANT

MAILING ADDRESS : PO BOX 3045

PARK CITY, UT 84060

STREET ADDRESS/LEGAL DESCRIPTION OF SUBJECT PROPERTY:

263 PARK AVE, PARK CITY, UT 84060

SIGNATURE: R Farrant DATE: 3/20/03

*1. If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

*2. If a corporation is fee title holder, attach copy of the resolution of the Board of Directors authorizing this action.

*3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

PLEASE NOTE: THIS AFFIRMATION IS NOT SUBMITTED IN LIEU OF SUFFICIENT TITLE EVIDENCE. YOU WILL BE REQUIRED TO SUBMIT A TITLE OPINION, CERTIFICATE OF TITLE, OR TITLE INSURANCE POLICY SHOWING YOUR INTEREST IN THE PROPERTY PRIOR TO FINAL ACTION.

Community Development Department Policy

on

Permit Fee Waivers Regarding Historic District Grant Recipients

Since 1982, Park City Municipal Corporation has provided financial assistance through matching Historic District Grants to local owners of historic property. The purpose of the funding is to serve as an incentive towards the rehabilitation of the historic property. To further defer some of the cost typically incurred during rehabilitation, some permit fees have been previously waived.

Therefore, it shall be the policy of the Park City Community Development Department to pro-rate and waive building permit fees and plan check fees for work on historic properties (or portions thereof) where the owner is a Historic District Grant recipient. However, all new construction (such as additions, expansions, etc.) associated with these properties, which is not part of the proposed restoration work, shall be charged accordingly for all pertinent fees.

EXAMPLES:

A) HDC Grant recipient to rehabilitate existing 1000 sq. ft. historic house -
Building and Plan Check fees waived.

B) HDC Grant recipient to rehabilitate existing 1000 sq. ft. historic house, and build a 500 sq. ft. addition -
Building and Plan Check fees waived for historic portion of house, no fees waived for addition.

______________________________ ____________________

Richard E. Lewis
Community Development Director

Date

M:\DS\HDC\2002\GRANTS\informationalpacket\CDDpolicy.GrantWaivers.wpd

ROBERT L. PEEK
PAINTING CONTRACTOR

Interior
Exterior
Faux
Decorative

PAINTING PROPOSAL

Name Robyn Farrant
Mailing Address Box 3045 Park City 84060
Phone 658-2576 Cell 801-541-3007
Work ______ Fax ______

Project address 263 Park Ave.

Job Details: **Date:** 3-20-03

Sand & repaint front Railing, Scrape, Spot prime, Caulk and paint old section of house where peeling has occured. General Touch up on rest of house where necessary.

Total Labor and Materials: #835^{00}

Payment terms: 30% is due at the beginning of the job. Balance due upon completion unless progress payments are specified above. This proposal is valid for 30 days from today's date.

TERMS AND CONDITIONS: Terms: All accounts are due upon job completion. Customer agrees to pay R.L. Peek Painting Inc. interest on all past due accounts at a rate of 2% per month (24% per annum) and agrees to pay all expenses incurred by R.L. Peek Painting, Inc. in collecting this account, including costs and reasonable attorneys fees incurred before and after suit and judgment.

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above. Please fax or mail signed copy to 435-649-6965 or PO Box 2341, Park City, Utah 84060.

Signature ______________________ Date ____________

435-649-0158 FAX 435-649-6965
P.O. BOX 2341 PARK CITY, UTAH 84060

RJ ENTERPRISES, INC.

ESTIMATE

STONE AND BLOCK MASONRY
2276 SOUTH DANIELS RD.
HEBER, UT 84032
Office (435) 654-3334 Fax (435) 654-3337

DATE	ESTIMATE #
3/17/2003	1932

GENERAL CONTRACTOR

ROBIN

FAXED 5:47 RH 3-18-03

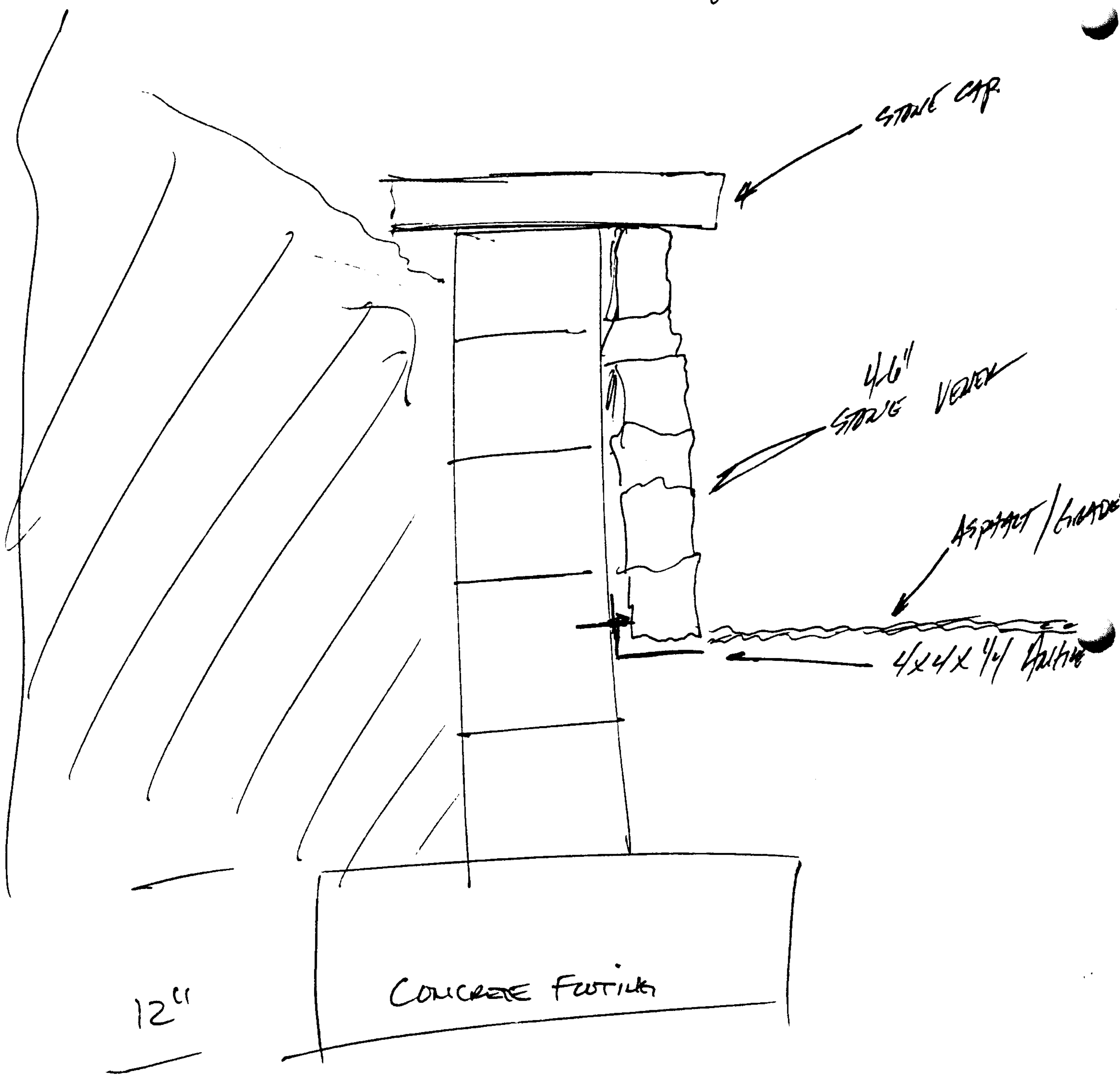
PROJECT

1932 263 PARK AVE...

PHASE	DESCRIPTION	QTY	RATE	UNIT	TOTAL
	JOB: 1932 OWNER: LOCATION: 263 PARK AVE. SCOPE OF WORK: STONE RETAINING WALL				
	STONE WORK				
100	REMOVE AND CLEAN STONE VENEER	216	10.00	SF	2,160.00
200	INSTALL STONE VENEER-mortor set	216	20.00	SF	4,320.00
250	CAP STONE	108	20.00	SF	2,160.00
300	REMOVE AND RESET 4 STONE STEPS	12	45.00	HR	540.00
350	RECHOP EXISTING STONE AT QUARRY	10	125.00	TON	1,250.00
500	STONE LEDGER: 4 X 4 X 1/4 ANGLE W/ 5/8 X 4 1/2 HILTI BOLT	54	12.00	LF	648.00
	SITE WORK AND FOUNDATION				
1000	EXCAVATION FOR FOOTING AND CMU RETAINING WALL-allowance	1	1,500.00		1,500.00
1100	FOOTING-allowance	1	1,000.00		1,000.00
1200	8" CMU WALL.-solid grout	490	11.00	CMU	5,390.00
1	REMODEL PROFIT AND OVERHEAD	18,968	0.15	%	2,845.20
	NOT INCLUDED: ENGINEERING.-if required by city.				
3	ANY ADDITIONAL STONE, ANGLE, CAP, CMU WILL BE SUBJECT TO FINAL FIELD MEASUREMENT.				
4	COLD WEATHER PROTECTION NOT INCLUDED. IF REQUIRED, THIS WILL BE TRACKED AS A " EXTRA" ON A TIME AND MATERIAL BASIS.				
6	OVERTIME NOT INCLUDED IN ESTIMATE				

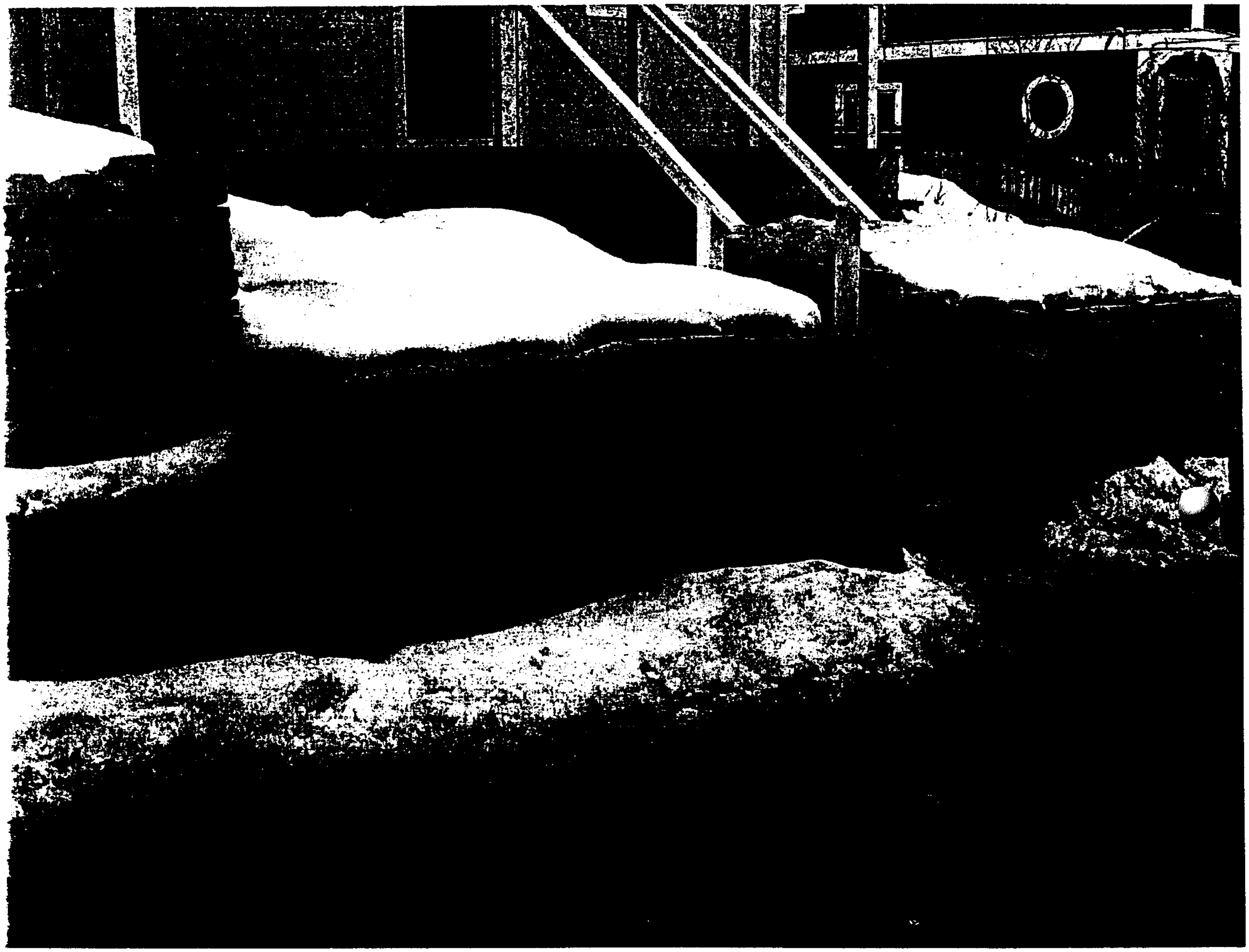
ESTIMATE GOOD FOR 30 DAYS.	**TOTAL**	$21,813.20

Ref:
ESTIMATE # 1932



* N.T.S.

	A	B	C	D	E	F	G	H	I	J
1	JOB:	1927								
2	OWNER:	ROBIN								
3	LOCATION:	PARK CITY								
4	STONE:	SANDSTONE								
5										
6	**AREA**			**L**	**W**	**AREA**		**ANGLE**	**CAP**	**BLC**
7						**100**		**500**	**300**	
8										
9	**EXTERIOR**									
10										
11	RIGHT SIDE			36	4	144				
12	LEFT SIDE			18	4	72				
13		4 STEPS								
14										
15										
16										
17	TOTAL					216		0	0	0
18										
19										
20	TOTAL									
21	**100: EXTERIOR STONE VENEER**			216	SF					
22	**500: EXTERIOR STONE LEDGER**			0	LF					
23	**300: EXTERIOR STONE CAP**			0	LF					
24										



HISTORIC DISTRICT GRANT APPLICATION

RESTORATION AND REHABILITATION WORK

HDC

Awarded ______

Denied ______

Extension ______

PARK CITY 1884

Park City Municipal Corporation
PO Box 1480
Park City, Utah 84060
(435) 615-5060
(435) 615-4906 fax

BLDG. PERMIT # ______

FUNDS RELEASED ______

TRUST DEED RECORDED ______

Any property owner having an historic residential or commercial structure in Park City may apply. The matching grant will be used towards specific rehabilitation projects. Previously awarded property owners are eligible but priority will be given to new applicants. Please fill out the following application completely and accurately. If you are uncertain of your property's status, please contact the Community Development Department for assistance.

I. HISTORIC PROPERTY INFORMATION

STREET ADDRESS:
946 Norfolk Ave Park City, Ut 84060

LEGAL DESCRIPTION:
Lot 19, 20, & N 1/2 Lot BLK 10 Snyders
Addition to Park City
576-542-543 692-421 Ref: 697-56

II. APPLICANT

NAME: Paul A. Butkovich

MAILING ADDRESS:
P.O. Box 3623
Park City Utah, 84060

PHONE # (Home): 435-6490605 (Work): Same

FAX #: None

Date Received:

Exhibit B - HDC Grant Application (946 Norfolk Avenue dated 3/19/03)

MAR 19 2003

III. SUBMITTAL REQUIREMENTS

No application shall be reviewed until all submittal requirements have been satisfied. **Bound application materials and oversized attachments (larger than 8½"x 11") will not be accepted.**

☐1. Completed *Historic District Grant Application* form;

☐2. Selection of *grant category* for consideration:

Paint Grant ✓	Regular Grant ✓	Landmark Grant ____
($7,000 max.)	($15,000 max.)	($50,000 max.)

<u>**Note:**</u> A single property may apply for more than one of the aforementioned grants. The Landmark Grant is awarded to one recipient per year--funding for this grant may not be available every year;

☐3. Written *Project Description* letter addressed to Historic District Commission (signed and dated);

☐4. Submittal of a *Cost Estimate* from a qualified professional (*more than one estimate is preferred--grant amounts will be based upon the least expensive estimate having the most benefits*);

<u>**Note:**</u> To verify costs and assure quality of work, "do-it-yourself" work and estimates thereof shall **not** be accepted without proof of being a qualified contractor.

☐5. Completed *Breakdown of Estimated Costs*, see pages 3 & 4;

☐6. Completed *Drawings* (as they apply to the proposed project) drafted to scale (1/4" = 1' - 0" minimum):
- any site plans;
- any streetscape elevations;
- any building elevations;
- any building floor plans;
- any building and/or site sections;
- any drawings depicting specific details;

<u>**Note:**</u> Scaled drawings are **required**, but not for all lesser projects that can be adequately described in grant application. All <u>extensive rehabilitation work</u> shall have drawings prepared by a licensed architect, engineer and/or building contractor.

☐7. Color *Photographs* (at least 4"x 5" in size and adequately labeled) of all existing conditions. architectural character and integrity as they apply to the proposed project:
- general view of building and setting;
- front elevation;
- perspective view, front facade and one side;
- perspective view, rear facade and one side;
- detailed views of affected work area;

<u>**Note:**</u> Objects like parked cars, pedestrians, tall weeds, and rubbish should be excluded since they can inhibit the effectiveness of the views.

END

IV. SAMPLE - BREAKDOWN OF ESTIMATED COSTS

Sample

This sample is included to assist you in completing the breakdown of estimated costs on page 4 of this application. Applications shall not be reviewed unless they include the breakdown.

WORK CLASSIFICATION		ESTIMATED COST	OWNER'S PORTION	CITY'S PORTION
Excavation		$1,000.00	$500.00	$500.00
Doors (exterior)	x 2	850.00	425.00	425.00
Windows		2,000.00	1,000.00	1,000.00
Siding (materials)		3,000.00	1,500.00	1,500.00
Siding (labor)		3,000.00	1,500.00	1,500.00
Heating		3,400.00	1,700.00	1,700.00
Plumbing		2,000.00	1,000.00	1,000.00
Parking Slab		1,400.00	1,400.00	0.00
Entry Walkway		500.00	500.00	0.00
Lot Line Adjustment		700.00	700.00	0.00
Totals		$17,850.00	$10,225.00	$7,625.00

PLEASE READ AND SIGN BEFORE APPLICATION SUBMITTAL

As the applicant for this proposal, I understand that my application is not deemed complete until the Preservation Planner has reviewed the application. I further understand I will be notified by mail when my application has been deemed complete. At that time I expect that my application will be processed within the allotted time frame, considering the work load of the Preservation Planner.

After you have read the above, please sign your name and date:

Name: Paul Buttorick

Date: 3-14-03

ACKNOWLEDGMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge.

I will keep myself informed of the deadlines for submission of material and of the progress of this application. I understand that this information will be on file and available at the Planning Department, 3rd floor Marsac Building.

SIGNATURE OF APPLICANT: ______________________

NAME OF APPLICANT (please print) ______________________

MAILING ADDRESS: ______________________

____

PHONE # : home ______________________ work ______________________

FAX # : ______________________

TYPE OF APPLICATION : ______________________

AFFIRMATION OF SUFFICIENT INTEREST *

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

NAME OF APPLICANT: (please print) Paul E. [illegible]

MAILING ADDRESS : PO Box [illegible]

Park City Utah 84060

STREET ADDRESS/LEGAL DESCRIPTION OF SUBJECT PROPERTY:

946 Norfolk Ave

____

SIGNATURE: Paul [illegible] DATE: ______________________

*1. If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

*2. If a corporation is fee title holder, attach copy of the resolution of the Board of Directors authorizing this action.

*3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

PLEASE NOTE: THIS AFFIRMATION IS NOT SUBMITTED IN LIEU OF SUFFICIENT TITLE EVIDENCE. YOU WILL BE REQUIRED TO SUBMIT A TITLE OPINION, CERTIFICATE OF TITLE, OR TITLE INSURANCE POLICY SHOWING YOUR INTEREST IN THE PROPERTY PRIOR TO FINAL ACTION.

MAR 10 200[illegible]

Paul Butkovich
P O Box 3623
Park City UT 84060

Historic District Grant Application
Breakdown of Estimated Costs

Applicant: Paul Butkovich Historic Property Address: 946 Norfolk Avenue

Paint Grant X ($7,000 max) Regular Grant X ($15,000 max) Landmark Grant ________ ($50,000 max)

Work Classification	Estimated Cost	Owner Portion	City Portion
Excavation	$1,350.00		
Exterior Doors	$2,800.00		
Exterior Deck	$5,225.00		11,357
Exterior Windows	$3,780.00		
Insulation	$1,200.00		
Exterior Siding	$8,360.00		
Painting	$7,800.00		
Total	**$30,515.00**		

HISTORIC DISTRICT GRANT APPLICATION
BREAKDOWN OF ESTIMATED COSTS

Applicant: Paul Butkovich

Historic Property Address: 946 Norfolk Ave.

Paint Grant _______
($7,000 max)

Regular Grant _______
($15,000 max)

Landmark Grant _______
($50,000 max)

✦Note: As you complete your application, please refer to the Grant Brochure and Application forms.

Work Classification	Estimated Cost	Owner Portion	City Portion

TOTAL ESTIMATED COST =

Please attach additional sheets as necessary.

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BARNDT CONSTRUCTION, INC.

Estimate

NAME / ADDRESS

Paul Butkovich
PO Box 3623
Park City UT 84060

ESTIMATE # 15

DATE 3/17/2003

DESCRIPTION	AMOUNT
Excavation	1,350.00
Exterior Doors	2,800.00
Exterior Decks	5,225.00
Windows	3,780.00
Insulation	1,200.00
Exterior Siding	8,360.00
Exterior Painting	7,800.00

TOTAL $30,515.00

Paul Butkovich
P O Box 3623
Park City UT 84060

March 17, 2003

Historic District Commission
PO Box 1480
Park City, UT 84060

Hello,

The work proposed in this application will correct and prevent deterioration caused by moisture penetration. Exterior grade on the North side of the residence will be lowered to the correct elevation and sloped away from the building. Deteriorated patio decking and waterproof membrane will be removed and replaced. Trim around windows will be removed to allow proper membrane sealing, header flashing, and installation of trim. Exterior doors will be removed, re-framed, sealed, flashed and new doors installed. Deteriorated exterior siding will be removed and replaced. Insulation will be blown in exterior walls where necessary to prevent condensation. All exterior siding, trim and decking will be caulked, painted, and sealed.

Respectfully,

Paul Butkovich

SELECTION & AWARDS

The Historic District Commission (HDC) will review and rank each application, selecting recipients for **Grants** based upon the following criteria:

- Level of architectural significance of structure;
- Intent to retain and/or restore historic; character and integrity of structure; and
- Overall preservation necessity.

Landmark Grant applications shall be reviewed with a greater emphasis placed on the building's location, present condition, and architectural significance.

All applicants shall be notified of the HDC's decision by mail in early April.

PROGRAM PROCEDURES

Upon receiving a grant, recipients are asked to schedule a meeting with the Planning Department prior to beginning any work. The meeting will provide an opportunity to complete all necessary grant paperwork, etc. Contact Derek Satchell, Preservation Planner, at (435) 615-5070 to schedule an appointment.

NOTE: Should any recipient fail to sign their grant agreements, begin their project, or respond to the Planning Department by July 1, 2003, the grant award shall be forfeited.

All proposed work must be completed on or before December 1, 2003. An extension may be granted by the HDC, but no extensions will be given for work that has not commenced by July 1, 2003, without substantial proof that work will begin within the same construction season. Grant work should be completed prior to the opening of the next grant season. Extension requests must be written and submitted to the Planning Department prior to the aforementioned deadlines.

TERMS OF PROGRAM

Grant recipients are required to sign a Historic Grant Program Agreement, Trust Deed and Trust Deed Note on the affected property. This is to protect the structure and/or site from demolition for ten years following the grant award, and *to assure grant recipient ownership of the property for at least five years.*

All work must comply with the Historic District Design Guidelines. Copies are available upon request from the Planning Department.

The HDC will award grants for varying amounts, and the recipients are expected to match the award amount **"dollar for dollar."** <u>Receipt of a grant award does not constitute project approval.</u> All projects must be reviewed and approved by HDC and/or Staff, and may require building permits, prior to the commencement of any work.

GRANT PAYMENT

Upon completion of the grant work, the recipient may request release of the grant funds. The request must include construction receipts, canceled checks (or other proof of payment) and a detailed accounting report. Payment will be made within thirty (30) days of submittal of a complete request. *(A maximum of two disbursements will be allowed.)* The following items must also have been completed:

- Documentation of the proposed work and approval by the Planning Staff and/or HDC;
- Signed Historic Grant Program Agreement, Trust Deed, and Trust Deed Note; and
- Final inspection of the work by the Planning and Building Departments.

Disclaimer: This brochure is intended to provide a brief overview of the Grants Program. For specific details about the Grants Program, please contact the Planning Department at 435-615-5055.

PARK CITY 1884

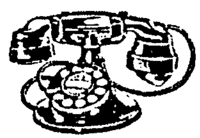
2003 Historic District Grants

Exhibit C - 2003 Historic District Grant Brochure

Park City Municipal Corporation
P.O. Box 1480
Park City UT 84060

ELIGIBILITY

Any property owner having an historic residential or commercial structure in Park City may apply. The matching grants are to be used towards specific rehabilitation projects. <u>The purpose of the grant is to *assist* in offsetting the costs of rehab work–not to pay the entire cost of the work</u>. Previously awarded property owners are eligible but priority will be given to new applicants. If you have any questions regarding this program, please call Sharon Bauman, Administrative Assistant at (435) 615-5055.



ELIGIBLE IMPROVEMENTS

Maintaining or revising modifications to the structure's:

- ♦ Siding
- ♦ Windows
- ♦ Roof
- ♦ Exterior steps or stairway
- ♦ Foundation work
- ♦ Masonry cleaning
- ♦ Structure stabilization
- ♦ New wiring, heating or plumbing
- ♦ Exterior Trim
- ♦ Exterior Doors
- ♦ Cornice repair
- ♦ Porches
- ♦ Stone walls
- ♦ Exterior Painting

NON-ELIGIBLE IMPROVEMENTS

- ☹ Any work which is not in keeping with the Historic District Design Guidelines
- ☹ Work already executed or completed prior to receiving a grant
- ☹ Additions
- ☹ Repair or Construction of a Non-original Element and/or Feature to the Building
- ☹ Adding Solar Equipment or Skylights
- ☹ Waste Removal/Port-a-potties
- ☹ Interior Remodeling
- ☹ Interior Lighting or Plumbing Fixtures
- ☹ Interior Painting
- ☹ Signs

APPLICATION REQUIREMENTS

❖ **Grant application** - Completed application which includes a written **project description.**

❖ Please specify for which of the following grant(s) you are applying:

- ☞ **Painting Grant - $7,000 max.**
- ☞ **Regular Grant - $20,000 max.**
- ☞ **Landmark Grant - $50,000 max.**

(The Landmark Grant may be awarded to one recipient per year--funding for this grant may not be available every year).

❖ **Drawings** - Submit scaled drawings prepared by a licensed architect, engineer and/or building contractor, which accurately depict the proposed work. These drawings will be used in the review and approval of all projects and will be **required for all extensive rehabilitation work,** except for lesser projects that can be adequately described in grant application.

❖ **Photographs** - Submit Photographic documentation to record the existing condition, architectural character and integrity of the structure. All photos shall be in color (at least 4"x 5" in size), and adequately labeled. **Polaroid-type photos will not be accepted.** Depending on the extent of the project, the following views are required to clarify project intent:

- ♦ **General view of structure and setting;**
- ♦ **Front elevation;**
- ♦ **Perspective view, front facade and one side;**
- ♦ **Perspective view, rear facade and one side; and**
- ♦ **Views of affected work area.**

Note: Avoid anything that may obstruct the view.

❖ **Cost estimates** - Submit an authentic cost estimate from a qualified professional along with the grant application (*more than one estimate is preferred--grant amounts will be based upon the least expensive estimate having the most benefits*). To verify costs and assure quality of work, "do-it-yourself" work and estimates are **not accepted** without proof of being a qualified contractor.

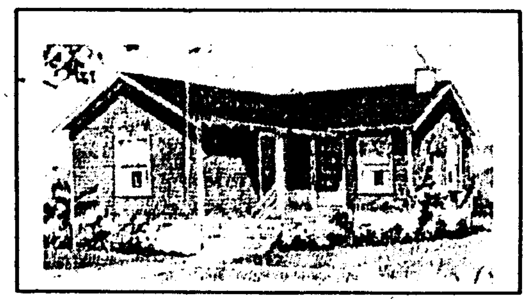
The application shall also be accompanied by an itemized list of work required having the following **breakdown of estimated costs**:

- ♦ **Portion of estimated cost to be covered by <u>Grant</u>** *(50% of work item cost)*;
- ♦ **Portion of estimated cost to be covered by <u>Owner</u>** *(50% of work item cost)*; **and**
- ♦ **Total estimated cost per work item.**

The requested portion of estimated cost to be covered by grant shall not exceed the maximum amount of the grant being applied for.

Unfortunately, not all applicants will receive funding, or only partial funding because of limited resources. Therefore, we encourage applicants to submit a complete and thorough application package.

All applications and associated material must be received (not postmarked) no later than 5:00 PM on March 21, 2003.



C O N F I D E N T I A L - PLEASE RETURN SHEETS - THEY MUST BE RETAINED IN CITY FILES

2003 HISTORIC DISTRICT INCENTIVE PROGRAM - REVIEW/RANKING SHEETS

	ADDRESS RDA AREA	TYPE OF GRANT	AMOUNT REQUESTED **(Please see footnote)**	DESCRIPTION OF WORK ***STAFF COMMENTS IN ITALICS***	COMMISSIONER COMMENTS RANKING	ROUND 1	ROUND 2	ROUND 3	FINAL AWARD
16	259 Park Main RDA	Regular	8,435.00	Roof replacement Window replacement Siding North side - no room to work *Previous recipient. Used grant to fix sewer break. Recommend roof only.*	KW 5100 [illegible] DP 3350 roof LF 3350 roof TH 3350 DW 3350	roof only 3350			
17	263 Park Main RDA	Paint Regular	417.50 10,906.60	Paint exterior (~~west~~ north side of original structure) Repair retaining wall *1st time applicant. Property received past grants, recommend partial.*	take apart restack wall KW 0 DP 0 wall LF 0 TH DW 0	~~0~~			
18	305 Park Main RDA	Paint	5,480.00	Paint exterior *Previous recipient. Recommend partial.*		~~0~~			
19	445 Park Main RDA	Regular	12,900.00	Windows, doors, transom window, paint *Recipient last year. Recommend partial for front doors and paint.*	front door transom KW 1000 DP 1650 TH 0 DW 1500	~~4000.00~~ ~~0~~			
20	450 Park Main RDA	Paint Regular	3,000.00 13,750.00	Paint Re-side, windows, roof, steps and stairway, doors *Recommend partial, or none. Question of ownership.*	radical KW 0 DP LF 0 TH 0 DW	~~0~~			

Please keep in mind that the amount requested by the applicant may include items that are not covered by the Historic Grant Program - i.e., architectural or structural plans, building permit fees (some are waived), waste removal, porta-potties, interior work excluding plumbing, electrical or mechanical (fixtures not covered).
The figures provided by applicants have not been verified, nor have ineligible items been deducted by the Staff. The HDC should carefully consider all items listed in these applications. Complete applications will be available at the April 7, 2003 selection meeting.

Exhibit D - HDC Review Ranking Sheet
(containing 263 Park Avenue dated 4/7/03)

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C O N F I D E N T I A L - PLEASE RETURN SHEETS - THEY MUST BE RETAINED IN CITY FILES

2003 HISTORIC DISTRICT INCENTIVE PROGRAM - REVIEW/RANKING SHEETS

	ADDRESS RDA AREA	TYPE OF GRANT	AMOUNT REQUESTED (Please see footnote)	DESCRIPTION OF WORK *STAFF COMMENTS IN ITALICS*	COMMISSIONER COMMENTS RANKING	ROUND 1	ROUND 2	ROUND 3	FINAL AWARD
35	920 Empire Lower Park	Paint	750.00	Paint house *1st time applicant. Recommend full.*		750-			
36	946 Norfolk Lower Park	Paint Regular	3,500.00 11,357.00	Paint exterior Excavate, deck, doors, windows, insulation, siding *1st time applicant. Recommend partial.*	LF 10,000 DP 7.5 scope 6,000 paint TH 6790 door wind siding DW 6500 KW	6500-			
37	962 Norfolk Lower Park	Regular	2,500.00	Entry stairs *Previous recipient. Recommend none.*		0			
38	1002 Norfolk Lower Park	Regular	7,075.00	Doors, windows, porch posts and railings *1st time. Recommend full.*		7075.00			
39	1259 Norfolk Lower Park	Paint	3,375.00	Paint exterior *Previous recipient. Recommend partial.*	LF 3000 TH 0 KW 3000 DP DW 3000	3000-			
40	909 Park Lower Park	Regular	2,654.50	Electrical rewiring *1st time. Recommend full. Suggest come back next year to do exterior.*		~~2655~~ 2655			
41	1154 Park Lower Park	Regular	5,587.50 -or- 3,587.50	New Roof *1st time. Recommend lesser estimate.*	LF 3587 GP 0 come back siding/windows	3000-			
42	1160 Park Lower Park	Paint Regular	6,438.50	Siding, paint, windows, porch lighting *1st time applicant. Recommend full.*		6500.			

29,480

Please keep in mind that the amount requested by the applicant may include items that are not covered by the Historic Grant Program - i.e., architectural or structural plans, building permit fees (some are waived), waste removal, porta-potties, interior work excluding plumbing, electrical or mechanical (fixtures not covered).
The figures provided by applicants have not been verified, nor have ineligible items been deducted by the Staff. The HDC should carefully consider all items listed in these applications. Complete applications will be available at the April 7, 2003 selection meeting.

Exhibit E - HDC Review Ranking Sheet (containing 946 Norfolk Avenue dated 4/7/03)

* 109

PARK CITY
1884

Department of Community Development
Engineering • Building Inspection • Planning

April 11, 2003

Robyn Farrant
PO Box 3045
Park City UT 84060

RE: 2003 Historic District Grant Application - 263 Park Avenue

Dear Ms. Farrant:

On behalf of the Historic District Commission (HDC), I regret to inform you that your project did not receive a 2003 Historic District Grant. Because we received an unprecedented number of applications this year, we were unable to provide you with a grant because of the limited amount of funds available. However, I hope you will still be able to move forward with your project, and wish you the best of luck in your endeavor.

Should you have any additional questions about the program, please contact Sharon Bauman in the Planning Department at (435) 615-5056.

Any person who submitted a grant application for any historic property within Old town, or the owner of the subject property, may appeal the Historic District commission's decision to the City Council. The written petition with all relevant facts and remedy sought must be received by the City Recorder by April 21, 2003.

Sincerely,

Tom Hurd/ack

Tom Hurd, Chairperson
Historic District Commission

Exhibit F - HDC Denial Letter for 263 Park Avenue (dated 4/11/03)

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Community Development (435) 615-5055 • Engineering (435) 615-5055 • Building (435) 615-5100
Planning (435) 615-5060 • FAX (435) 615-4906

April 11, 2003

Paul Butkovich
PO Box 3623
Park City UT 84060

RE: **2003 Historic District Grant Program -** 946 Norfolk Avenue

Dear Mr. Butkovich:

On behalf of the Historic District Commission (HDC), I am pleased to inform you that you have received a 2003 grant in the amount of **$6,500.00**. Although the HDC was unable to allocate the full amount of your request, you may be eligible to apply in July for additional funds. Nevertheless, the commission is very happy that you will be working on your building this summer. This award, in conjunction with your match, will yield some significant results for the preservation of your historic building towards any of the following projects:

1) Exterior siding & trim repairs, prep & re-painting; and
2) Door and window replacements.

Prior to beginning work, please contact Derek Satchell, Preservation Planner at 615-5070, to schedule an appointment to review your proposed scope of work and sign your grant agreements before **July 1, 2003**. Should you fail to sign your agreements and/or begin your work before this deadline, your grant award will be forfeited.

Being a historic property owner in Park City, you possess a rich heritage – preserve it well. Again, I offer you the warmest of congratulations.

Any person who submitted a grant application for any historic property within Old Town, or the owner of subject property, may appeal the Historic District Commission's decision to th City Council. The written petition with all relevant facts and remedy south must be received by the City Recorder by April 21, 2003.

Sincerely,

Tom Hurd, Chairperson
Historic District Commission

cc: File

Exhibit G - HDC Award Letter for 946 Norfolk Avenue (dated 4/11/03)

April 17, 2003

PO Box 3045, PC, UT 84060

Park City Municipal Corporation
Department of Community Development
445 Marsac Ave
PO Box 1480
Park City, UT 84060

Dear Sir or Madam:

I am in receipt of your letter regarding the 2003 Historic District Grant Application determination for my property at 263 Park Ave.

I am aware that there was an inordinate amount of applications this year and it must have been very difficult to decide where the grants would go.

I realize this request may be in vain, but I would like to ask that you reconsider my application - even for less than the project split, or at least consider the application for the painting project.

I am not sure of the actual amount of that project as I sent everything to you, but I know that is not more than $900. So, any contribution from the Commission would be helpful.

Thank you in advance for your consideration.

Yours truly,

Robyn Farrant

Robyn Farrant

cell: 901-1466

Exhibit H - Applicant's Response Letter for 263 Park Avenue (dated 4/17/03)

Paul Buttkovich
PO Box 3623
Park City Utah

RECEIVED
APR 2 1 2003
PARK CITY
PLANNING DEPT.

thank you very much for Allowing me to be a particapant in the 2003 Historic Grant Program

The main reason that I wanted this grant besides the building need "painting" was that I have several water Lekase Problems

their is no window or exterior door header flashing Along with some siding that is wrotten because of Dranage problems

the deck ~~were~~ was also not properly flash which causes Leakage into Living areas of house

to correct these problem may be but not Limited to removing existing siding and properly flash and bidathane all needed areas

Another great reason for applying for the grant was to install insulation in the exterior walls

Exhibit I - Applicant's Response Letter for 946 Norfolk Avenue (dated 4/21/03)

RECEIVED
APR 21 2003
PARK CITY PLANNING DEPT.

which requires removal [illegible] old dry wall installing insulation & Plastic Sheating as per existing insulation codes than replace dry wall & taping and running out tape and spot nail mudding

I realize that painting ~~and~~ replacing windows & base board trim would be my responsibility and am will to accept this on my own behalf.

Unfortunatly with out the opportunity to Receive help from the "HEC" ~~my~~ house that sits on "two and 1/2" Lots which is one of the Largest and nicest yards in town and have spent lots of $ to make my yard very nice. With out the added help $ wise I may be forced into turning one of my lots into one of those ugly 18' wide house that we all hate.

Please help me so that I can show what this program can & hopefully will do for me and others in the future

Thank You Paul [illegible]