



**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
May 7, 2015**

**Closed Session**

To discuss Property, Personnel and Pending Litigation

**Work Session**

**Council Questions and Comments and Manager's Report**

Council member Henney attended the Service Awards Dinner and found it very enjoyable. He spoke of the exchange he had with Rich Wineman during last Council meeting and stated he's very supportive of public comments as it is a critical component of the public process. Gave kudos to Matt Abbott for working with Summit Community Power Works to change out bulbs at Jeremy Ranch school where they replaced 2700 lightbulbs in one school.

Council member Simpson reminded the Mayor and Council members to speak into the microphones as we are now broadcasting meetings online. Attended the Wild Land fire policy meeting at the Division of Natural Resources in Salt Lake in response to ULCT's request to attend. They are working on legislation to reimburse cities and counties for fires and will be meeting every two weeks; she will send Council meeting notes and asks for feedback. Attended the JTAB meeting which was very productive. Attended the Park City Lodging Association meeting and reports they have a jam-packed schedule for summer; states she is specifically looking forward to the Tour of Utah and mentions the Arts Festival will be July 31<sup>st</sup> – August 2<sup>nd</sup> this year. Reported the NAC is holding a No Barriers Summit July 9-10 and will be bringing in wounded warriors to try out adaptive equipment on trails and do work with horses. Attended the National Day of Prayer at the Christian Center which was well attended and included our fire and police chiefs as speakers as well as Simpson herself.

Council member Beerman attended the Wild & Scenic Film Festival by Summit Lands. Attended the Recycle Utah Fundraiser which had a good turnout. Attended a Mountain Trails board meeting and reports they have lots of events scheduled for the summer and educated on good dog protocol; also addressed trail closures between the city and Vail with the new Gondola going in this summer. Attended the Service Awards dinner, which was outstanding, and congratulates all longstanding employees on their accomplishments. Attended the Mountain Accord presentation at the Chamber Board retreat and reports the public input period for Mountain Accord was completed May 1<sup>st</sup>. A summary will be coming out in the next week as well as a board retreat planned for late May where they will dissect public input. Suggested Council consider discussing the topic in early June to help give feedback for Mountain Accord. Stated we may have a golden opportunity to put in a bike

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trail with the new power lines going in over by Aerie. Heinrich Dieters, Sustainability, asked if Staff should look in to putting in a paved trail. Council said yes.

Council member Matsumoto asked where the citizens committee for events schedule is located. Attended the People's Health and Peace House luncheons that were both well attended. Attended the Service Award dinner and states she appreciates those who were recognized. Attended the Museum Board meeting and reports today was a free day; there will be another free day next month and again in the fall. Stated she feels it's important we give citizens time for input and asks if Mountain Accord discussions can be put on the agenda earlier as she feels the community is not aware where Council stands on the issue. City Manager Diane Foster states the Interlocal Agreement is on the agenda for May where Council will decide if they want to continue Mountain Accord talks, at which point members can voice their opinions. Council member Beerman says there will be substantial changes based on public input and feels it's better to wait to have discussions amongst themselves and with the public. Council member Matsumoto feels the missing piece is Council as a group informing the public on where they stand. Council member Simpson agrees with Beerman and Matsumoto and suggests they allow time on the agenda to discuss the ILA. Council member Peek states he would rather hear the new blueprint before Council decides if they wish to continue the Mountain Accord discussion. Foster asks when Council wishes to cover the ILA. Mayor Thomas feels we need to create an opportunity for the public to give their input. Council member Beerman explains there is no stoppage of public input but rather an ongoing cycle of input and adjustments. Mark Harrington questions the timing of the ILA discussion. Council agreed to move the ILA discussion to June following feedback from the Executive Committee, as well as scheduling special meetings with time for public input.

Council member Peek attended the Historic Society meeting this morning; asked Staff for an update on the status of the Rio Grande building. Planner Anya Grahm reports the roof needed to be re-engineered since the trusses were deteriorated. Staff agreed to restructuring of the roof by leaving the gables and replacing the joists and thus were surprised to see the roof gone. Staff followed up with the applicant to know why the gables had to be removed. Council member Matsumoto questioned how Staff will handle the situation if they were removed unnecessarily. Grahm explained there is a financial guarantee in place and the contractor would be required to replicate them. Reassured Staff they are doing what they can to preserve as much material as possible, adding that working with old buildings can be tricky because they weren't built to last long or handle heavy loads. Council member Peek feels construction techniques need to be reviewed in addition to the design elements of the Historic District Design Review to ensure an engineer's document doesn't decide the outcome of old buildings. Council member Henney feels it's odd that we went from an agreement with the contractor to being surprised as to what they did. Harrington suggested Staff make it a high priority to look in to what happened. Mayor Thomas reminded Council there is a great deal of discovery when it comes to restoring old buildings and many unknowns can pop up. Council member Peek also attended the Park City Alliance shredding event where documents were shredded and attended the Peace House spring lunch which had great speakers.

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Mayor Thomas acknowledged the marriage of Council member Dick Peek last Friday. Attended the Service Award Dinner, which was amazing, as well as the Peace House luncheon.

Foster spoke to the mistake Staff made where they signed on to the Mountain Pact, which is basically an anti-coal letter, stating it should have come to Council and she apologizes for the oversight.

Planner Francisco Astorga reported Council approved the Dining on Main 2015 and explains why Council is not on a Dining Deck tour as Silver has not confirmed their participation. He states they are not interested in starting until late June.

### **2015 City Manager's Recommended Budget: Pay Philosophy**

Brooke Moss, Human Resources, spoke to the current state of recruitment, the economy and challenges Staff is facing filling positions. Moss states unemployment in Utah and Summit County is very low which has everyone struggling to find qualified applicants, which has impacted city services. Council member Henney feels we're not out in front with what's currently going on with the economy. Moss states government entities are delayed in their ability to react unless a situation is desperate and agrees we do have more of a reactive approach, stating we are thinking ahead as much as possible with the budget process restrictions. Foster reports building inspector pay has been moved up a grade due to staffing shortages. Council member Simpson states all employers are struggling to hire. Council member Beerman says he's concerned that simply raising pay will not get us very far, saying he raised pay in his business this year but has fewer applicants than ever. He feels we need to look at transportation and housing as well. Michelle Downard, Building, spoke to how the Building Department handled a shortage of employees.

Moss spoke to the modifications Staff is recommending by explaining midpoint salary rates they use as a guide, stating for us to be competitive we need to pay towards the top of the scale. Council member Matsumoto asks for clarification on how we justify paying a new employee a high-end wage. Moss explains the pay structure to address new hire maximums and overall maximum pay. Council member Simpson states Staff has come up with some good modifications to address critical areas. Moss explains the second modification would alleviate upward mobility pressure. She explains our grades are fairly large and increase every other year by two percent. The grades have become distant enough from each other that it would be prudent to require mid grades, making movement within a pay grade slower. The third modification changes the average from two to six back to one to five and explains these changes will not be seen by employees until next year. Council member Matsumoto asks if these changes benefit hourly employees. Council member Beerman asks if there's a way to reward employees for following city philosophies such as car pooling. Council member Simpson asks about adjusting the housing allowance for inflation. Foster asks if Council is in favor of the modifications and if they want Staff to come back with housing allowance findings, to which Council answered yes.

### **2015 City Manager's Recommended Budget: Process**

Jed Briggs and Nate Rockwood, Budget, and Moss report on the recommended fiscal year 2016 budget, effective July 2016. Briggs states over the next three meetings they will present different aspects of the budget and look to adopt it June 18<sup>th</sup>. Rockwood discusses

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the FIAR, which are ten-year projections that set the baseline the budget is based on. He discusses the updated sales tax revenue, reporting we've done well despite a poor weather season, which indicates the economy is coming back. New building will result in property taxes which allowed them to bump up the FIAR.

Briggs spoke to long-term strategies, stating the budget draws upon Council input and FIAR projections and reminds Council we operate on a two-year budget process with fewer budget requests coming in the off year. The budget consists largely of recommendations from several committees, which are funneled through the City Manager's office, who has final say. Briggs reiterates that operating capital budget requests should be considered during the budget process, which is an important best practice method the city has used for a long time, and that any general fund surpluses are used for capital projects. He mentions a positive factor this year is that the URS retirement contribution requirement dictated by the state did not increase, which rarely happens. Council member Simpson asks if we should be looking at more ways to create parity between tier 1 and tier 2 employees regarding retirement. Moss states they have not yet discussed that but have reached out to other entities for feedback.

Briggs continued by speaking to utility costs, saying the increases they are projecting are modest. Council member Beerman asks if they accounted for the library expansion in regards to utility costs. Briggs says they need to take a harder look at that before the final budget.

Briggs spoke to the expenditures summary, which is all funds combined, and how much they will be increasing from year to year. Rockwood spoke to revenues, explaining they will continue to make adjustments if they see significant changes going in to 2016, reporting things continue to look good. Council member Beerman asks why Ice is down \$100,000 in 2015. Briggs explains Ice was adjusted down due to marketing factors but they will adjust it up before the final budget. Briggs continues by pointing out the spike in revenue from building, planning and engineering fees that help offset costs for grade increases for building inspectors, etc.

Briggs discussed the benefits committee, this being their first year in existence, and their recommendation of 8.7% increase, which would decrease employee deductibles. He clarified Council's questions about the deductibles. Discussed the Cadillac tax, which goes in to effect in 2018, and how it affects employee benefit thresholds. Council member Beerman asked about health plans available for employees to choose from. Moss explained the two plans currently available and that the government does not allow large employers much flexibility but will do so more in the future. Foster explains the decision of the city to absorb the increased cost in health benefits into FTR grades so the employee is held harmless, which is desirable since all employees are working harder than before due to staff shortages.

Speaking to the dental plan, Briggs reported our broker recommended the city self-fund the plan, which they estimate would save \$50,000/year. Discussed the two percent across-the-board off-year employee pay grade increase, which includes both part and full time

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employees. He points out this is not a cost of living increase but rather an increase to keep up with the market.

Briggs discussed the new community development team and salary details for the new community development director position, which will be responsible for managing four departments. Spoke to the building department pay grade increases and how/why they were decided upon. Explained increases are justified through revenue increases and extra work being placed upon the department. Council member Henney asked about the effectiveness of the smaller pay increases for building. George Reid, Building, and Moss explained that even though the increase was small, it was effective in filling positions that were long vacant and also helps with employee retention.

Briggs discussed retirement benefits increases for dispatchers and wage increases for bus drivers, stating dispatch has a high turnover rate and the increase rewards the difficulty of that position; the increase for drivers will help attract more quality employees, fill vacancies and allow us to be more competitive with UTA and the school district. Council member Beerman asks about the new dormitory for transit workers and if it helped with recruitment. Blake Fannesbeck, Public Works, reports it is full and that they are looking for more accommodations. Council member Henney asks for clarification on new hire salary ranges for bus drivers. Council member Beerman asks about offering end-of-year bonuses in transit and if they help with retention. Fannesbeck states they have them and they are fairly effective.

Briggs goes on to state contract employees will receive a two percent increase, which has not a regular trend for them in the past. Previewed the cost increases recommended for each department by the results team and states more detail will be given May 28th.

In closing, Rockwood pointed out the two innovation challenge projects are included in the adjusted 2015 budget, which is what will be included in what Council adopts today. Foster states because Council is voting to adopt a tentative budget tonight, they don't have to re-adopt the 2015 budget. Rockwood states the capital improvement plan is quite healthy and will be discussed in depth next week.

**Sustainable Tourism**

Matt Abbott introduced Laura Leser, a Park City native and accredited sustainable tourism professional/PhD candidate doing her doctoral thesis work here in Park City. Her doctoral research focuses on sustainable tourism quality control tools, known as sustainability tools. Leser explained sustainable tourism is a continuous process and can be ambiguous, especially for businesses wanting to incorporate sustainability into their business practices. Quality control tools are important in that they allow businesses to measure their sustainability initiatives. Some examples of these tools are sustainable slope programs, rewards and codes of conducts. Globally, businesses are incorporating some tools but do so in a random fashion rather than adhering to a formal approach or certification program. Leser's doctoral thesis aims to generate new insights into the optimization of sustainability tools for Park City businesses. Broadly, she will identify tools used by Park City tourism businesses and exploring why they use them. Her insight will be used to design customized sustainability tools for Park City businesses and help companies implement them. Leser's

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research consists of two phases. Phase 1 is a scoping phase to create a survey for businesses that she will be administer in the fall. The survey can inform the design and implementation for customized tool design. Park City will be the first community to use the design that Leser creates.

Mayor Thomas thanks Leser, wishes her good luck with her research and clarifies for the public that Leser's work is voluntary. Council member Simpson inquired about the survey and recommends Leser aim for October to roll it out, and suggested Leser talk to the Chamber of Commerce to help create incentives for businesses to complete the survey.

### **PCMC Facility Interior Lighting Retrofit**

Matt Abbott introduced Bina Skordas as the new energy project manager based out of the Water department. Skordas lives in Salt Lake and comes highly recommended by Humera and EPG consulting firms with a bachelor's degree in science and natural resource conservation from the University of British Columbia.

Skordas discussed the lighting retrofit that will take place in city buildings, which will help us towards obtaining the Georgetown University Energy Prize. She explains LEDs use less power and have a longer life span. They will decrease costs as the biggest portion of current energy costs is lighting and lighting maintenance. City Hall is the priority for the retrofit because it is our flagship building; it will see a return on investment within 30 months, saving \$5,000 a year.

Council member Simpson inquires about sending the old bulbs to recycling for lower-income housing. Council member Henney asks why the project is happening in three phases. Abbott explained it's to help maintain organization; in reality, those in charge want the retrofit done as soon as possible, so when it comes to actual rollout it may not happen in phases. Council member Peek asks if the LEDs operate on a lower voltage and if the fixtures have a transformer. Abbott says each fixture has a driver that makes any necessary adjustment. He states the goal is to finish by this project by the end of this fiscal year.

### **Regular Meeting**

I. ROLL CALL – Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 7, 2015. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff members present were Diane Foster, city manager; Matt Dias, assistant city manager; Mark Harrington, city attorney; Marci Heil, city recorder; Karen Anderson, deputy city recorder; Nate Rockwood, capital budget, debts and grants manager; Jed Briggs, budget operations manager; Heinrich Dieter, sustainability; Blake Fannesbeck, public works director; Planners Anya Grahm and Kirsten Whetstone, Michelle Downard and George Reid, Building; Senior Planner Francisco Astorga.

### **II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

None

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

Resident Mary Wintzer wished to tell Council her feelings regarding last meeting's public input session. As an observer, she felt uncomfortable and has never seen a more

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combative behavior from a citizen. She agrees with Mayor Thomas when he pointed out that if someone wants to go further than just making a comment, they need to request it be put on the agenda. Council member Peek said he spoke with a citizen upon leaving that meeting who mentioned he didn't feel he could make his comment because of the negative mood. Council member Henney says he's a firm believer in public input, that it's a critical component of the process, and apologizes if he has been disrespectful of the process in the past. Mayor Thomas encouraged the utmost level of civility and respect in all manner of communications from Council, Staff and the public.

Erik Nelson came to discuss 205 Main Street. He feels code was not followed and there was no review from the Planning Commission or City Council, feels a mistake was made by this oversight and says he will talk further about it with Francisco Astorga.

Lynn Ware Peek asks Chief Wade Carpenter what happened with the bear. Carpenter reports they lost the trail on Mountain Top at approximately 12:30 this afternoon; thus, a reverse 911 call went out. Carpenter encourages citizens to report any sightings and keep their animals inside until they have further information. The Department of Natural Resources reports the bear is around 150 pounds.

#### **IV. *CONSENT(Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon)***

1. Consideration of a Utility Easement for the Benefit of 2383 Lake View Court.

**Council member Simpson moved to approve the Consent agenda  
Council member Beerman seconded  
Approved unanimously**

#### **V. PUBLIC HEARING REGARDING THE 2015/2016 CITY MANAGER'S RECOMMENDED BUDGET**

Mayor Thomas opened the public hearing. No comments were made.

#### **VI. NEW BUSINESS**

1. Consideration of an Ordinance adopting the Tentative 2015/2016 Budget

**Council member Peek moved to approve consideration of an  
Ordinance adopting the Tentative 2015/2016 Budget  
Council member Simpson seconded  
Approved unanimously**

2. USSA – 2015 Conduit Financing Refunding Bonds

Nate Rockwood reports the bonds were initially issued in 2007 as a conduit financing for USSA to take advantage of tax exempt bonding ability. The agreement that goes along with the bonds that sets up terms of repayment and liability is placed on USSA; the city is simply the conduit. Rockwood states the terms of the bond will be

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slightly different but the terms for the city remain the same; they are just refunding them to take advantage of cost savings from restructuring. He points out the area where this could affect the city is in regards to bank qualification. However, we are past the ability to do bank qualification due to the sales revenue bond; so as long as the bonds are closed by the end of this calendar year there will be no impact on the city. Council member Matsumoto asks when the bond will be paid off. Rockwood states they are 20-year bonds. Council member Peek asks if the city is assuming any risk with this bond. Rockwood explains there is no risk involved for the city.

Mayor Thomas opened the public hearing. No comments were made.

**Council member Simpson moved to approve the  
USSA –2015 Conduit Financing Refunding Bonds  
Council member Beerman seconded  
Approved Unanimously**

3. Consideration of an Ordinance Approving the First Amendment to the Silver Star Plaza Condominium Plat pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Planner Kirsten Whetstone reports the applicants request the amendment to the plat for the purpose of adding an additional existing building and proposed additions, which includes the historic mine tunnel entrance and a future addition. Applicants request the building be designated as a commercial condominium unit. Whetstone states Planning Commission forwards a positive recommendation to Council to approve this amendment. States the applicants have submitted for an historic district design review. Council member Matsumoto questions the additions to the existing building. Whetstone explains the addition will have to go through the design review process requiring a preservation guarantee. Council member Peek asks for clarification on several aspects of the property and asked if there is any risk for pedestrians accessing the track. Whetstone states she will review to see if there is any risk. Council member Matsumoto states the previous owner did a great job of preserving the mine and doesn't want the building to look new as it does in the pictures in the report, but prefers the original look be preserved. Applicant Alan Long says they will do all they can to preserve the look since that is part of its charm.

Mayor Thomas opened the public hearing. No comments were made.

4. Consideration of the 823 Woodside replat pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Senior Planner Francisco Astorga states the purpose of the replat is to remove the lot line going through a historic structure that splits the property.

Mayor Thomas opened the public hearing. No comments were made.

**Council member Simpson moved to approve the replat of 823 Woodside  
pursuant to findings of fact, conclusions of law and conditions of approval**

**in a form approved by the City Attorney**  
**Council member Matsumoto seconded**  
**Approved Unanimously**

5. Consideration of the 205 Main Street Plat pursuant to findings of fact, conclusions of law and conditions of law and conditions of approval in a form approved by the City Attorney.

Mayor Thomas opened the public hearing. No comments were made.

**Beerman moved to continue to May 14, 2015**  
**Simpson seconded**  
**Approved Unanimously**

6. Consideration of a Land Management Code Text Amendment for Heber Avenue Subdivision.

Mayor Thomas opened the public hearing. No comments were made.

**No Action Needed – Application Withdrawn**

7. Consideration of an Amended Plat for Fairway Village No. 1 Subdivision pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Mayor Thomas opened the public hearing. No comments were made.

**Council member Peek moves to continue Consideration of an Amended Plat for Fairway Village No. 1 Subdivision pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney to a date uncertain.**  
**Council member Simpson seconds.**  
**Approved unanimously**

## **VII. ADJOURNMENT**

**Council member Peek moved to adjourn**  
**Council member Beerman seconded**  
**Approved unanimously**