



**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
DECEMBER 19, 2013**

Work Session

Council questions and comments and Manager's Report

Council member Beerman attended the Joint Council meeting and feels it is very useful. Attended the HPCA meeting where they discussed Main Street Mitigation. Wasatch Summit had a "Save our Canyons" event, acknowledged and thanked both Mayor Williams and Council member Butwinski for their service.

Council member Peek also thanked Mayor Williams and Council member Butwinski for a job well done. Attended a Board of Adjustment meeting and the General Plan scheduling meeting with Council member Beerman and the other members of the scheduling team stating they have outlined the meetings.

Council member Simpson thanked Denise Carey and other staff members for a great Friends of the Farm holiday party and also thanked Mayor Williams and Council member Butwinski.

Council member Matsumoto attended the School board meeting stating it went well discussing coordinating efforts and opportunities around promise Park City. She said she will miss Alex and Dana.

Council member Butwinski hosted a Utah Quality Growth meeting, also attended his first and last ULCT board meeting. He also felt the Joint meetings with the County have been very successful.

Mayor Williams thanked staff for the community open house. Stated Park City has a great bunch of employees, reminisced of where we were 12 years ago, of what we inherited post Olympics and where we have gone. Seeing employees grow into their jobs has been very fulfilling and it has been an honor to serve. Recognized the accomplishments in water, transportation, and emergency preparedness. Expressed his love to all staff. He also expressed his gratitude to the Council and thanked them for being exceedingly professional.

Staff gave Mayor Williams and Council member Butwinski a round of applause.

Special Services Extraordinary Request discussion

Nate Rockwood, Capital Budget, Debt and Grants Manager, stated that two extraordinary requests have been brought to the City for the Mayor and Council's consideration. One is for Promise Park City and Summit County Children's Justice Center. Staff organized a subcommittee to evaluate special service extraordinary requests.

Council member Simpson stated she is a member of that subcommittee and they felt both requests were great.

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Main Street Construction Mitigation

Jonathan Weidenhamer, Economic Development, Chad Root, Building Official, and Thomas Eddington, Planning Director, discussed main street mitigation. Staff recognized that this item got away from staff and the community is feeling the impact.

Staff is looking for a definition on what Council would like to see. Staff held a meeting with Elliot Work Group, Marriot, & HPCA, and staff where they discussed clear parameters and got clarity for what a process would look like from beginning to end. Weidenhamer emphasized the importance of balance. HPCA asked for pedestrian experience, visibility to the business and easy access. Weidenhamer stated that communication and detail are the keys to a clear process and as well as having a clear contact person for the businesses to reach out to. The most critical piece is how the critical windows are handled to keep the businesses happy and permanent.

Council member Matsumoto thanked staff for putting the team together to take look and feels they have hit the key point of communication. She looks forward to implementing the process.

Council member Beerman also thanked staff for the quick, thorough response. He touched on two items; the first regarding switching fees from bid fees to impact fees, the second being a further look into the seasonal impacts options.

Council member Simpson also appreciated the responsiveness of staff. She would like to explore the possibilities of minimizing seasonal closures as well. She feels that the pedestrian experience is vital. She would like to look into covered walkways and would like to get copies of the mitigation plan to the businesses to keep the lines of communication open.

Council member Peek also thanked staff for the hard work. He would like to look at the narrowness of the sidewalk in front of the Main Street Mall and keep pedestrians out of the lanes of traffic.

Council member Butwinski stated that he had attended an HPCA meeting where the 333 main contractor presented a firm timeline. He felt it was a good case study for where we need to be going. Root concurred even though the timeline was delayed about two weeks it was progressively better than the old plan.

Mayor Williams stated that staff has hit the nail on the head with the reference to positive attitude towards the great growth.

Root went over staff's recommendation for a mitigation plan stating the steps a project would go through to include multiple departments in the City.

Council went in to detail on the restrictions of sidewalks, cars and the pedestrian impact. They would like to look into seasonal restrictions and beautification. Also looking into the safety of the pedestrians.

Discussed not using the BID money and would encourage staff to look at other options. City Attorney Harrington clarified they could use right of way fees not impact fees.

Allison Butts, Historic Park City Alliance, encouraged Council to look at an increase Right of Way fees. She also stated that they need to keep in mind that the businesses need to be profitable all winter not just during certain events.

Hanz Fugi thanked Weidenhamer for his quick response to his complaint. He also brought the noticing flaws to the attention of staff. Also pointed out that tourists do not come to Park City to see construction, closed sidewalks etc. he is in favor of development but it frustrated with the length and process of the current construction.

Craig Elliot stated that he feels the most important aspect is that the requirements are lined out in the beginning of the projects. Clear definition will keep things on pace. Stated that three important components to construction projects, they are life safety, preservation with the Economic aspect and preservation of beauty. He would suggest that the City look into building

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hard structure sidewalk barriers. They are usually built out of plywood and require lighting and would be better to look at.

Regular Meeting

I. ROLL CALL-Mayor & Council present

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Kiersten Whetstone, Planning department thanked Dana for being the best mayor ever!

Mayor Williams thanked the community for the last 12 years stating that is has been a great ride. He has loved keeping the town funky and keeping the ski bums in town. Looking at the improved relationships we have with the State. He is very proud of the citizen involvement in the different committees and groups. Thanked his beautiful bride for all her help. Thanked staff, management, and the community.

Chief Wade introduced Malena Stevens as the new Victim Advocate. Stevens stated that she is very excited to be a part of the community and the police department and to be able to help people in unfortunate circumstances help themselves.

Mayor Williams presented two awards of excellence.

The first award went to Ruth Menitsa; Mayor Williams stated that Ruth has been a great champion for Old Town, Council member Butwinski also thanked Ruth for all her time. Council thanked her for her thorough, thoughtful public input.

The second award went to a lifelong resident, Bob Wells, he has moved Deer Valley to the top of the resort scale and his involvement has been phenomenal. Also his commitment to the affordable housing and the underbelly of the community is wonderful. He is the pinnacle of community involvement. He has always stepped up to make Park City a great City.

Bob Wells, thanked Mayor Williams for the award. Stated community service is taking a piece of what is given and giving back. He is very proud of this award.

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

Wesley Smith, founder of Wave, gave Mayor Williams a shout out; two years ago they met with the Mayor and explained his project for under the road electric charging stations and the interest sparked from the beginning with Council's decision to invest toward a project to be completed with the trolley car on Main.

Laura Ritter thanked Council member Butwinski for his four years great service and stated she looks forward to seeing him around.

Council member Simpson presented Dana a gift for all the great service he has done for, to and with the Council.

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IV. APPOINTMENTS AND RESIGNATIONS

1. Swearing in of Officer Chelsea McIntyre
Chief Carpenter introduced Officer McIntyre. Mayor Williams completed the swearing in.

V. Minutes from the Regular Meeting on December 12, 2013

**Council member Beerman moved to approve the minutes
for the December 12, 2013 meeting
Council member Butwinski seconded
Approved unanimously**

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

1. Consideration of authorizing the City Manager to sign a Professional Services Agreement with Ward Engineering for consultant services related to the Deer Valley Drive Phase 2 Project in the amount of \$129,867.
2. Consideration of Local Consent for Special Event Temporary Alcoholic Beverage Licenses to various applicants during the 2014 Sundance Film Festival
4. Consideration of approving the extraordinary funding requests by Promise Park City – Park City Community Foundation in the amount of \$11,500 and the Summit County Children's Justice Center in the amount of \$8,000.

**Council member Peek moved to approve items 1,2 & 4 and
to pull item #3 from consent agenda
Council member Butwinski seconded
Approved Unanimously**

3. Consideration of Authorization to proceed with pre–construction services for the Library and Education Center Building Remodel Project and authorize the City Manager to enter into a Professional Services Provider Agreement in a form approved by the City Attorney's Office with Okland Construction Inc. in the amount of Nineteen Thousand Nine Hundred Forty Eight Dollars. (\$19,948)

Council member Simpson would like to relook at this option with the newly acquired property in the RDA she feels it beneficial and fiscally responsible to take another look at the plans for the library and the community center.

Council member Beerman agreed with Council member Simpson

Council member Matsumoto stands committed to keeping the library in the historic site and feels it is more important to keep the project rolling.

Council member Peek agrees with Matsumoto that the adapted uses of historic structures are very important.

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Council member Butwinski feels taking a look would be a great option and feels the City can still use historic building for a remodel and keep the area vibrant without the additional costs at this point to get a 21st century library in that building. At the end of the day it is a good time to look at the path before any more funds are spent to be fiscally responsible.

Weidenhamer asked for clarification as to where the Council would like to look. Council concurred the lower RDA would be favorable.

City Manager Foster cleared up the direction for staff. City Attorney Harrington stated that this is the first step in the construction process and if the Council feels that they may not keep the original plan then they should table the item because the severance penalty would be harsh if the construction plans change.

Weidenhamer stated that if Council would like to completely look at the entire project feels it would take longer than the next meeting and gave Council a clear picture of the delays; however, did state that a high level look and decision on the 9th will not impact construction.

Council member Matsumoto felt it appropriate with the 3-2 in favor of a second look to come back on the 9th with another look. She also stated that she feels they cannot make a clear decision if they do not look at the entire project and would feel it beneficial to bring the public input into the equation as well.

Council member Simpson would like the Carl Winters building to be a highly active community center, alive and vibrant. There is a big wish list for that area.

Council member Butwinski stated that he would like to see Adriane Juarez, Library director, give her opinion in the staff report for what they would like in the library to make it a 21st century building.

**Council member Simpson moved to continue the item
to the January 9, 2014 City Council meeting**

Council member Butwinski seconded

3-2 Vote as follows:

Simpson- aye

Butwinski-aye

Beerman- aye

Matsumoto-nay

Peek- nay

Motion Carried

VI. NEW BUSINESS

1. Consideration of authorize the City Manager to enter into an annual Licensing and Support Agreement and Hosting Services Agreement with VR Compliance Software Inc. not to exceed \$100,000.

Jason Glidden, Special Events Manager, presented the VR compliance software to Council stating it would greatly assist the City in the nightly rental infractions of our current business

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license code. Discussed the time saving aspect for code enforcement. Stated the annual cost is \$1,200 as well as a \$75 fee per non-compliant property identified. Discussed that transit would pick up 50% of the fees in the first year in addition to the use of the contingency fund in the first year and as we work through the list the fees will reduce every year. Also discussed the staffing requirements with the software. Discussed revenue of the business licensing fees the City would see with the software.

Council member Simpson inquired of the requirement of the 80 properties to be identified each month in as stated in the contract. Glidden further discussed that it would be processing 80 properties not bringing them into compliance.

Council member Peek inquired about looking into imposing the fees accrued on the properties to the violator.

Council members Simpson and Matsumoto feel that every one that rents their property may not know they need a business license and would like a softer approach at least during the first year.

Shelly Hatch, Finance, stated that as long as they are working with the City the soft approach will be taken, if they do not work with staff then double fees can be assessed as per code.

Glidden stated that the County is looking at this product as well and are right behind the City in implementing the product. He also clarified that the company has been great to work with and the 80 properties a month number can be negotiated.

Mayor opened the floor for public input.

Hope Melville, inquired if there is a public list of those with business licenses for nightly rentals and would also like to see a contact number for said licenses for first level complaints.

Hatch stated that currently the information is available through the GRAMA request process. City Attorney Harrington stated that Council could direct staff to provide the information on-line as long as the protected information remains protected.

Council member Simpson moved to authorize the City Manager to enter into an annual Licensing and Support Agreement and Hosting Services Agreement with VR Compliance Software Inc. not to exceed \$100,000 as amended to use contingency funds as needed.

**Council member Matsumoto seconded
Approved Unanimously**

2. Consideration of the Call-Up and remand of the General Plan from the Planning Commission:
 - a) Public Hearing on Call-Up
 - b) Action on Call-Up
 - c) Consideration of Remand to the Planning Commission
 - d) Continued public hearing on the pending draft the General Plan
 - e) Motion to call a Joint Meeting with the Planning Commission on January 15, 2014 and to continue the City Council public hearing until February 13, 2014

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Consideration of the Adoption of the General Plan

Planning Director Eddington presented the general plan schedule the scheduling committee has agreed upon. This committee included Council members Peek & Beerman, Planning Commissioner Jack Thomas, and Planning Commissioner Nan Whorel as well as planning staff and City Attorney.

This schedule would require 2 additional planning commission meetings in January, 2 off-site open houses for public input as well as a joint meeting with the Council and Planning Commission.

Council member Butwinski thanked staff for the well thought plan. He also suggested a brief update to Council following each Planning Commission meeting to track progress.

Council member Beerman inquired about an up-to-date version of the General Plan. Eddington stated that an up-to-date, date stamped version is on line.

Council agreed they would like to see a verbal report at each of their meetings following each Planning Commission meeting.

Commissioner Thomas stated that he is concerned with the accelerated schedule and the impact on staff. Eddington felt staff would be able to keep up with the schedule.

Brad Smith, resident, stated that he would like to see the time for public input following the edits to be able to give feedback.

Council member Simpson inquired of staff the timeliness to get the edits up online. Eddington stated the goal would be by the Monday following the meeting.

Planning Commissioner Charlie Wintzer stated his concerns with the timeliness of the edits.

Mayor Williams stated that the main focus to is to get this right the first time and in a timely manner.

Council member Beerman suggested that staff bring in extra bodies to help with real time edits during the Planning Commission meetings.

Joe Scott clarified if there was flexibility of this schedule.

City Attorney Harrington stated that the flexibility would remain with the motion tonight and if a hard deadline was specified and Council felt the need to amend the deadline in the future they would again have to call out the plan and amend the date.

Council member Butwinski concurred with Council member Peek's suggestion from the Dec 12th meeting to keep the deadline. He feels that as long as progress is being made with fresh comments then the plan will keep moving along.

Brad Smith, resident, again asked for a joint meeting with Council and public to be able to give comments on edits other than the public input section of the agenda.

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City Manager Foster spoke to the comment that this Council has listened to the comments of the public thus far and we are continuing to tweak this plan and if residents feel the plan has derailed then comments during public input would be sufficient.

Council member Simpson stated that the meetings are the opportunity for the public comments.

Mayor Williams thanked residents for the comments

Council member Butwinski also reminded residents that they can always contact the planning department or the Council personally.

Steve Swanson agreed with the entire general plan and weighed in on the process and his fears and a personal observation.

**Council member Peek moved to Call-Up the General Plan
Council member Simpson seconded
Approved unanimously**

**Council member Peek moved to remand the General Plan to the Planning Commission
Council member Beerman seconded
Approved unanimously**

**Council member Simpson moved to call a Joint Meeting with the Planning Commission
on Feb 4th, 2014 and to continue the City Council public hearing until February 13, 2014
Consideration of the Adoption of the General Plan.
Council member Butwinski seconded
Approved unanimously**

VII. ADJOURNMENT TO HOUSING AUTHORITY

**MEETING PARK CITY HOUSING AUTHORITY MEETING
SUMMITCOUNTY, UTAH,
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I. ROLL CALL- Chair & Board present

II. NEW BUSINESS

1. Consideration of approval of Housing Plan for Richards Annexation

Rhoda Stauffer, Affordable Housing Specialist, and Kirsten Whetstone, Planning Department, presented the consideration of the housing plan and are recommending fees in- lieu

Chair Williams opened the public hearing. There were no comments. The public hearing was closed.

Board member Simpson moved to authorize the Park City Housing Authority accept an in lieu payment in the amount of \$103,345 as fulfillment

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of the housing obligation for the Richards Annexation Council member
Butwinski seconded
Approved unanimously

III. ADJOURNMENT

With no further business the meeting was adjourned.

MEMORANDUM OF CLOSED SESSION

The City Council met in a closed session at approximately 12:30 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Andy Beerman, Liza Simpson, Dick Peek and Cindy Matsumoto was excused. Staff present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Tom Dayley, Deputy City Attorney; Lori Collett, Finance Manager; Phyllis Robinson, Public Affairs; Thomas Eddington, Planning Director; Jonathan Weidenhamer, Economic Development Manager; Clint McAfee, Water Manager; Michelle DeHann, Water Department; Roger McClain, Water Department; Jack Thomas, Mayor-Elect; Tim Henney, City Council member-elect. **Council member Butwinski moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Simpson seconded. Motion carried.**

Council member Beerman moved to open the closed session. Council member Peek seconded. Motion carried.

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

Prepared by Marci S. Heil, City Recorder


Marci S. Heil, City Recorder

