



**PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060**

April 28, 2022

The Council of Park City, Summit County, Utah, met in open meeting on April 28, 2022, at 2:45 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss litigation and property at 2:57 p.m. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Rubell, and Toly

EXCUSED: Council Member Dickey

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting at 4:15 p.m. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Rubell, and Toly

EXCUSED: Council Member Dickey

WORK SESSION

Special Service Contracts Overview and Discussion:

Jed Briggs, Budget Director and Kirsten Darrington, the Grants and Contracts coordinator with the Budget department, presented this item. The goal was to review and consider any changes to the existing regular Services Contracts process and to include funding for mental health services. Background was given to Council about both the special services contracts and mental health service funding. Special services contracts provide funding for community needs through partnering with non-profits. These special service contracts are evaluated through a special services committee comprised of two Council members, Budget staff and community members as needed, and they can be awarded on a one to four-year cycle depending on the scope. Regular service contracts are essential to the City's goals such as affordable day care services with PC Tots, and these were approved in FY 21 on a four-year contract. Up to \$250,000 a year was budgeted to seven organizations. In FY 21, a new category of Diversity, Equity and Inclusion (DEI) contracts was created, which are shorter and they

are focused on providing a demonstrated focus on DEI that provides a direct benefit to the community. There may be a cross-over between them which is allowable under the policy. Council Member Gerber reminded Council that the goal of special service contracts was building programs, new pilot programs, or innovations not existing in programs that are already consistently funded. Special services contracts were awarded to 13 organizations on two-year cycles and over \$250,000 each year had been allocated. Clarification took place as to the cycles and payment schedules. Council Member Toly asked how many applied for a special services contract but didn't receive any monies and why. The answer was a total of 19 applicants and six were not funded either for being outside of the DEI scope of the RFP, the timing was off, or as Council Member Gerber clarified, they didn't meet the specific requirement as a new, innovating, or pilot program.

Background was given on Mental Health Services: The Summit County Mental Health Alliance was formed in 2017, recognizing the need in our community for mental health and substance abuse issues. Communities That Care was brought on to provide the targeted needs based on the priorities established. Summit County and Park City put funds towards mental health through an MOU that went to Summit County and then it shifted to an annual one-time donation. For the past 3 years, the City has contributed \$60,000 annually to Communities that Care (CTC) through the Park City Community Foundation. There were two options to consider: Option One was to continue to award a one-time donation to selected community organizations to provide these services. Considerations were to set collaborative precedent with partners to support CTC, other mental services could be supported here, and they were limited to funding only one year at a time. Option Two would formalize things more by requiring an RFP with recommendations from the Special Service Contracts Committee which then go to Council for approval. It ensures consistency with other nonprofits and service providers, allows the City to contract for multi-year funding like the Regular Service contracts, and other mental health service providers could be considered also. The funding would not be guaranteed between cycles and would be more competitive. Next steps for each option are Option One: continue to award the annual donation and staff would bring it back to Council in August and then the recipients would receive this in the fall. Option Two: award funding for mental health services through the Regular Special Services Contract which would open in late May, evaluate the applications in June, then bring the recommendations to Council in July with the award being made to applicants later in July.

Mayor Worel inquired how City Council would go about the competitive process for Option One. Darrington clarified that recipients would be those that Council identified, and staff would go through the process which would not be as prescribed as the regular service contracts process. Council Member Gerber clarified that they are reviewing just the mental health piece of the contracts. Her recommendation was to have a third option of \$60,000 for mental health and \$60,000 for Communities That Care and not

have it necessarily tied to the Special Services Contract, but it can have its own review process.

Council Member Doilney concurred with Council Member Gerber as he wanted to see continuity of care and didn't believe that \$60,000 was enough for mental health services in our community. The Special Services contract is a great way to find more organizations that leverage the money to get more. He was pleased to hear about a gap analysis coming where the City can get more funding to address those gaps. The only part of the system he didn't like was that it must come back every year which seemed like a lot. They already knew they wanted continuity of care, yet they need to review every couple of years to make sure that the care is at the level they would like. He agreed that once more information and a gap analysis is done, they will contribute more money. It would be irresponsible to not continue Option One since it maintains our status but develop Option Three as the City goes forward. Council Member Rubell asked for clarification on the cycles. DEI were on a two-year cycle being approved in December and funded in July. The service contracts were four-year cycles.

Jed Briggs confirmed that they end in the FY 24. The DEI's will be this time next year and the regular service contracts will be two years from now. Further, he added that the key distinctions are that the DEI's are money geared towards Diversity, Equity and Inclusion and the regular service contracts are in specific categories that the City designated so one needs to apply within those categories. Mental health will be budgeted in the FY 22 in the General Fund and Council can donate out of budgets that have been approved by Council, but a budget can only be adopted for one fiscal year. Discussion took place as to how to consolidate the process for efficiency. Reasons were given as to the two- and four-year cycles and the pros and cons. Council Member Rubell preferred that they run a single process for everything for efficiency and agreed that mental health is a huge priority and to allocate enough money.

Mayor Worel was excited about the increase of mental health services over the last five years and was sent a list of 14 mental health related organizations who would love the chance to apply for City grants. At present, there really is no mechanism for those groups, who are already providing mental health services, to apply for a special services contract and suggested that they include mental health in category Two or create a mental health category. She asked about the amount of money that can be allocated for special services contracts. Briggs said it is up to Council discretion to change the numbers for funding to be included in a budget recommendation. Briggs confirmed that yes, they could increase the amount of money in a category. Council Member Toly wanted to see a more competitive process that keeps things fresh, innovative and sends a message that the City supports all types of mental health initiatives and actions with the schools or workforce, Connect Summit County, The Clubhouse, Live Like Sam, LGBTQ+ outreach group and Summit County Recovery. These are all important groups to our community, and they need a voice with how we spend the money for mental

health. There is an amount for regular service contracts (RSC), one amount for DEI and one amount for mental health. Council Members Toly and Doilney made clear that they do not want to see any gaps in service in this process. Briggs clarified that Council is not adopting a budget tonight, but they can recommend an amount for May 12. In addition, Council can fund services in a separate process until they get in alignment with category One or Two. Council Members Toly and Gerber recommended an amount of \$120,000.

Homestake Drive Housing Project Presentation and Discussion:

Rory Murphy, J. Fisher applicant, began that they were taking input and were far from a complete plan. Jason Glidden, Housing Development Manager, stated that it is a partnership, and they shared more information with Council to answer questions. Peter Tomai, Park City representative, Rory Murphy, applicant, Chimso Onwuegbu architect, Ryan Davis with J Fisher Companies, and developer Jake Wood with J Fisher Companies were introduced.

Background was given to the process to get to this point. Public private partnership has benefits such as fast delivery of housing goals, to leverage financial resources, preserve human resources, and operational efficiency. J Fisher Companies was the identified developer. Glidden added that there was a budget request to do a revision to the General Plan which is expected to take 10 – 12 months to draft, not including the approval process and part of that will be small neighborhood plans and they will prioritize this neighborhood. In addition, City Engineering has conducted extensive planning to improve the road networks in that area, specifically the Munchkin extension, and the redesign of Homestake Rd. This will help with circulation and walkability in this area with large sidewalks from Kearns to Park Avenue.

Another concern was the electric and magnetic fields (EMF) with the location adjacent to Rocky Mountain Power's substation. Tomai explained about different frequencies and radiation. Electricity is at 60 Hz which is considered ultra-low frequency in contrast to a cell phone which operates in the 600 – 800 mega Hz range otherwise 600 to 900 million Hz so most of the concern is around ionizing radiation, which is the extremely high radiation like microwaves, 5G, etc. There are currently no regulations in the US or Europe around low frequency radiation and they have gone to local firms and experts and found no body of knowledge about it. He stated that there is no relation between these low frequencies and health concerns. They will continue to look for more research and information about this however and pointed out that there were links in the staff report for further information. Glidden pointed out that there is a big difference between the substation and satellite/cell phone output.

Ryan Davis advised there were 120 units with 80% affordable and 20% at market value like Council requested with affordability being 60% of area median income. That got them to the rents in the table of the 2021 area median income published by HUD, but

the 2022 rents have been published since then. They will do a professional market study to dictate the market rate units as well. There were 1, 2, 3-bedroom floor plans.

Parking: In order to maximize the buildable residential density of the site which drives the parking underground, the proposed plan was a single level of underground parking. The balancing act was the cost of underground parking and meeting the LNC with the needs of the residents. This initial concept allowed them to get 120 parking stalls and then maybe some public parking.

Architect Chimso Onwuegbu talked about the vibrant community fabric. He mentioned walkability, being close to public transit, the idea to strengthen the sense of community and remain vibrant, and to keep members of the community here as all general idea concepts. The architect made it clear that these are design concepts to give the general vibe of the space with the center area as a community magnet where people can gather. These were just ideas of places where people could be part of the neighborhood such as rooftop decks, BBQ spaces, dog washes, and other ideas. As the Master Plan develops, they will think about how to connect to the Windsor property or the substation area. Lastly, they wanted to show some initial concept sketches of how to integrate the green spaces and not impose on the street therefore they put most of the massing at the back of the property.

The Affordable Housing Resolution was referenced which was passed by the City and particularly Section 16 which defines how the city selects tenants compared with what was allowable in federal guidelines in subsidized projects. It was proposed to meet the goals of the housing resolution with a qualified employment categorization of applicants, If the applicants meet the employment requirement of 30 hours within the boundary given by the City they would be in a preferenced category. During the pre-leasing section a pre-leasing list would be used and then after a period it would be opened to general applicants who meet the broader income eligibility criteria. During the waitlist process this would be the same procedure. Two points made were: it cannot be a requirement to be employed. Preference can only be given if they meet the employment requirement so it would be structured as a prioritization. The second restriction is time-based employment, so one needs to consider how this would be memorialized in the ground lease so that this tenant selection process runs with the life of the asset. The governing document is the ground lease structure which will dictate all the terms, the operating expectations and all the contributions including soil mitigation, public parking, and deeper affordability. The assets will become the property of Park City Municipal (PCM) at the end of the lease which would be 50+ years. The developer takes on the payment terms, the talent and experience, all the design and capital necessary to design, build, operate and maintain the property into perpetuity.

Council Member Rubell said the unit mix makes sense, but he deferred to the housing team on what the community needs. He did not wish to offer comment on the

architecture or design. Commercial seemed like a lot at 5,000 SF but he was ok with some small support for resident services, and he suggested to get the affordability down with whatever would work, and he would be open to adding another floor, more capital contributions, and loans. He prefers to not drop down on mix of affordable and market rate units. He asked, How do people stay qualified for the unit? Can we ratchet up the rent to match the income? Then would it go to market rate? He suggested that the excess dollars go back into a housing fund to reinvest in the affordable goal of the project and won't incentivize those situations. One parking space per unit was what he envisioned so he struggled with the number of units. He would first rank those who work within Park City and second within the school district boundaries. He asked where the time of employment restriction comes from and indicated he would like that information in the future. He prioritized public service jobs. If there are mitigation techniques for EMFs, it would be important to him to hear about them to see if they make sense.

Council Member Toly has a lot of contradictory info from France and Europe about EMFs that she would like to share. She continued that our AMI has increased by almost \$20,000 in one year so she questioned where the rates come from. It was answered that those rates are set by the state every year based off that guidance and that is the rate that gets passed through to the project. The new 2022 AMI rates for a family of four is \$80,000 in household income. The rates for specific units will change in the future based on the federal guidelines and there is a cap on how much you can increase rates year over year which is typically the maximum of 5% or double the national average. There is a lot of guidance on setting rent from HUD and the Utah Housing Association. She wanted to look more at parking since they are losing parking in that area. She agreed with leaving the design and unit mix to the team. With regards to the tenant selection, she mentioned her desire to contact the people who are currently on waitlists to buy in Park City and educate them about renting also.

Council Member Doilney offered no specific feedback on design or the affordability guidelines and deferred to staff. He didn't want to consider more parking since they are trying to get to a walkable community, and he didn't want to save parking for private businesses over affordable housing. As far as the proposed tenant selection, he agreed that he would like to have more people like teachers, police, etc. and agreed with Council Member Toly to prioritize the list. Council Member Gerber had no comment on the project design and liked the unit mix. She suggested 40% and 80% AMI and to move some around to hit a wider range of units. She was fine with parking and stated that it's an ideal place for bus lines and bike storage. She was concerned that a part of the population may be left out of the selection process such as the Latinx and immigrants, and she wanted to set a goal to get more of this population into those units in addition to outreach and translating information. Council Member Rubell got clarification that 80% of the units are set at the 60% AMI rate. In addition, clarification

took place as to the upper limits of income to qualify tenants and he requested more data and trends in ranges to understand the targets in rent structure.

Tomai wanted to bring an amendment to the existing MOU with the principal feature being to insert a formal option to lease the property to the J Fisher Company if they continue to make progress on the project. They expressed the desire to have an application ready at the beginning of June and to go to Planning Commission by mid-July.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Nann Worel Council Member Max Doilney Council Member Becca Gerber Council Member Jeremy Rubell Council Member Tana Toly - via Zoom Matt Dias, City Manager Margaret Plane, City Attorney Paige Galvin, Deputy City Recorder	Present
Council Member Ryan Dickey	Absent

II) PRESENTATION

1. White Pine Touring 2022 Season Report - Presented by Jack Walzer, General Manager of White Pine Touring:

Heinrich Deters, Trails and Open Space Manager, introduced Jack Walzer from White Pine Touring and stated there are two items in this staff report: the parking along Thaynes Canyon Drive and the White Pine report.

Jack Walzer from White Pine Touring summarized what they do at the White Pine Touring Center. This is the 41st year at the golf course and he gave an overview of services such as groomed classic and skate skiing tracks which are uniquely skiing only trails. They sell day and season passes, ski lessons, snowshoe tours, Nordic rentals, tuning, sales of equipment and accessories, they host races, promote, and facilitate school programs and teams. They employ citizens and are the top 10% of the Nordic centers for user days overall in the country and cross country is popular with tourists. Numbers of individual season passes sold: 163 family season passes, 245 10 punch passes, 354 teams/coaching passes, 7 fire/police/education passes, 6 military, 25 senior 65 + passes, 160 free for 75 and older, Day passes: 236 6 - 12 adults, 4,384

adult evenings, 639 nights, senior day passes 631. Rentals: 3,127 classic packages, 846 skate packages and 264 kids' packages of skis, boot, and poles. Also, rented 364 snowshoes and 48 kid's packages; Lessons: 1336 privates, 188 group lessons and their growth was 10 - 12 % growth over last year.

Council feedback was very positive and appreciative of the report and the service to the community. The range of ages that is served is wonderful.

Deters indicated City Council direction is needed for a separate issue regarding parking along Thaynes Canyon Drive for the PC Golf Club. The City as a user is not in compliance with their own land management code and it is critical to the operation of the golf course. Staff requested direction to explore a possible amendment to formalize this or to hold another meeting. Vaughn Robinson, Golf Manager, stated that in 2002 they moved into the Hotel Park City and early on overflow parking was rarely used until later in the evening until about 5 years ago. When the project was approved the parking overflowed into the neighborhood, SR 224, and then into The Market. UDOT shut down the overflow on SR 224. Then the homeowners in the neighborhood couldn't pick up their mail, garbage couldn't get picked up, emergency vehicles couldn't get in and out, and overtime overflow parking went to the side of the driving range. Unfortunately, the whole place was under- parked coupled with three very successful businesses at this site (Ruth Chris, Hotel Park City, and the Golf Club). Before COVID, the highest number of golf rounds were 32,400 and two years ago it was 40,600 and last year they did 36,500 rounds so it has really exploded the last couple of years. Parking along the driving range wasn't common due to the possibility of cars getting hit by golf balls until the last couple of years when cars are parked all the way to the entrance to the new maintenance building which is unheard of. It has impacted the neighbors much more recently and there were no complaints until the last couple of years. Time is needed to come up with a solution to make the neighbors happy and get into code. It will have huge negative impacts to shut it down as well as for the hotel and restaurant. The Park City Golf Club already has reservations booked and to call and cancel the guests because of parking will be difficult. Staff would like to have about four to six months to make amendments and formalize this through the public process to come up with a plan.

Council Member Gerber recommended staff to find good long-term solutions and do short-term outreach work with the neighborhood in advance of the summer. Council Member Doilney agreed that the golf course must continue as a non-conforming use until there are some creative solutions. Council Member Toly recommended outreach with the neighbors as well as involving the hotel and restaurant in their parking needs and plans. She also stated she would like to address trailhead parking for the Silver Star area because she believed that may be impacting this parking also. Council Member Rubell agreed with having short-term and long-term solutions. He stated he lives in the neighborhood and the City must clean up the side effects and then take

significant action for the long-term. The City needs to come up with true overflow use like Deer Valley does for their street parking on their busiest days. The development agreement doesn't permit the use by the zoning and the Land Management Code, so he struggled with consistency in the application of codes. There is an urgency to solve this problem, but it needed to be a safe long-term solution. The road is unsafe right now with the number of cars going up the street to look for parking. There was a Neighborhood Traffic Management Plan (NTMP) done on the road and the cars back into traffic and the already failing street. Perhaps the City could investigate striping spots with paint and signs. There are no sidewalks either, so the school kids must walk in the street to and from the bus stop. So, there is a confluence that makes the case for a real long-term solution. He thought the permit idea for overflow is a good one and making sure the City uses it as best as it can. Also, look for other places on the property in the short term which may change by season and the hours to match the operation hours of the property. This property was put into the UPZ zone last year, so he wanted to clarify that the City is trying to solve a problem not set a precedent here to preserve open space and park. Lastly, he agreed to get Hotel Park City involved in the discussions. Consensus from City Council was to perform outreach to the neighbors and inform them of the process forward, short term solutions to lead to long-term solutions and to engage the public in both of those solutions. Mayor Worel requested to hold public comment until specifics come from staff on this issue.

III) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Toly disclosed for the topic of the Park Silly Sunday Market that in the past she was the vice-president of the Historical Park City Alliance (HPCA) and last year she walked the street with City Council and the Park City Silly Market to discuss future ideas. She recently went to Sedona, Arizona, and they have a great transit to trails program that she used three times and would love to implement more here; She also went to the Utah League of Cities and Towns (ULCT) Conference in St George with City Council and Park City staff last weekend, and it was so great to meet and discuss opportunities to partner together. She pointed out that Monday is the Snyderville Basin Water symposium at the Park City Hospital and on Tuesday, the Wildland Urban Interface Code and Wildlife Awareness Panel Discussion at the Santy Auditorium.

Council Member Gerber expressed her desire to discuss the Quinn's Junction Park & Ride before the bid has expired and to get it back on the agenda soon and all agreed.

Council Member Doilney concurred that it was great to go to the ULCT Conference. He commended the Chamber of Commerce in the Definition Stewardship Council process, which is still ongoing, but they wrapped up most of the work yesterday and today. His quote today is: "If I sang the praises of your hard work, I would lose my voice pretty

quickly". He praised the Park City Municipal staff specifically and the community in general with how hard they have worked to get up to speed with a new Council, new mayor and the staff has worked hard re-presenting things and going back to the drawing board. It isn't easy to get new direction and they have taken a lot of criticism that should probably be shared more among the City Council.

Council Member Rubell wanted to see a forward look of Council topics and it was clarified by Sarah Pearce, Assistant City Manager, that May 12 will be the new date for the new packet timeline. He would like to be able to share a date for the fractional ownership and Margaret Plane, Park City Special Counsel, clarified that topic is going to Planning Commission in May. The paid parking at the resort will be impactful citywide where parking and buses exist, and he would like to prioritize this and be ready before next winter. He asked staff for an update on whether the resorts' bills have been paid. He explained that he will be abstaining from a conversation later in the agenda.

Mayor Worel asserted that the ULCT conference was great. She has been working closely with Malena Stephens from the Summit County Council and they are getting close to a process about the public weigh in on the potential Olympic bid.

IV) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda.

Bill Ciraco lives in the Aspen Springs area and he stated that he believes that this would be a perfect opportunity for Park City to dialog with Vail to communicate with their pass holders who live in Heber, Silver Creek, Silver Summit and the outer reaches of the area to park at Richardson's Flat for free and the resort will provide transportation to the mountain to see if that will work as a longer term solution before the City spends money to build another park and ride out there.

Deb Rentfrow: With the Quinn's Park and Ride up in the air, it was suggested to use Richardson flat as a pilot program which she thought was a great idea. If the City activated a pilot program for Richardson Flat, it wouldn't be difficult to implement a needed stop at Park City Heights. Perhaps the funds could be reallocated for that and test it from July to December to get to the resort. She argued that there is enough time to try this, and it would be time and money well spent.

Mike McComb, Park City Emergency Manager and Derek Siddoway, Communications and Public Engagement Director for Summit County spoke. The Parley's Fire showed the need to alert residents in emergency situations and improve processes and procedures specifically to the Spanish speaking population, for not just emergencies but

alerts for weather, road closures, hazmat spills, etc. There are two components to this: one is working at a high level with PCPD, Emergency Management, and the Sheriff's Office to improve the processes to translate the message as quickly as possible. The second part of that is the text line to communicate to the Spanish speaking community quickly and effectively.

Jay Burke eComment: "I want to be on record as opposing the new perimeter trail in Round Valley. As well, living on the Rail Trail, we oppose the "improvement" project for that trail. Round Valley first. I'm in Round Valley 2 - 3 times a week in the summer, and a little less in the winter. All I'm hearing/reading lately is how overused our trails are. Please do not create more reasons for attracting more users to Round Valley. I've been riding and recreating in RV for over 20 years now, my how it has changed. Originally, I thought the change was for the better, but as the City (and Heinrich) push to jam more and more trails in there...is drastically headed downhill to being experientially terrible. PLEASE STOP...there are more than enough trails and trailheads, just stop. As for the Rail Trail, it doesn't need completely re-invented - it needs some slight modifications. Re-pave it completely (not just a resurface) and add a 2 -3' soft surface side trail to it. Plus, it could be re-striped. By making wider the hwy 248, you're only creating more user conflict issues, and you'd be surprised what we hear/see living right on the trail. Please, stop wasting the money and time (I hear your staff is over-taxed currently). There is no benefit to this project. Water flow...one of the promises of the project is wetlands viewing. Going to be a disappointment when folks roll down there to see a mud pit once the creek flow source disappears. The flow out of Park Meadows is meager at best come July/August...I wish we could determine a way to keep a sustainable flow going to the ponds (either from park meadows or from upper silver creek)."

V) CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from March 29 and 31, 2022:

Council Member Gerber: March 30 Page 8 line 26: Amend to strike "rope drop" and on page 23 line 40 she was asking why a pad was being put there because it didn't seem like it should be a priority and I was told why it was.

Council Member Doilney moved to approve the City Council meeting minutes from March 29 and 31, 2022 as amended. Council Member Gerber seconded the motion.

RESULT: APPROVED AS AMENDED

AYES: Council Members Doilney, Gerber, Rubell, and Toly

EXCUSED: Council Member Dickey

VI) CONSENT AGENDA

1. Request to Authorize the City Manager to Execute Three (3) Professional Service Provider Agreements for Noxious Weed Abatement, in a Form Approved by the City Attorney, with Ecology Bridge LLC - \$30,000; Jesus Rea Landscaping - \$175,000; Ground Solutions LLC - \$25,000, for a Total Amount Not to Exceed \$235,000:

2. Request to Adopt Resolution 05-2022, a Proclamation Recognizing Child Care Provider Appreciation Day on May 6, 2022:

3. Request to Adopt Resolution 06-2022, a Proclamation Recognizing April 2022 as Child Abuse Prevention Month:

4. Request to Adopt Resolution 07-2022, a Proclamation Recognizing May 2022 as Mental Health Awareness Month:

5. Request to Authorize a Contract with Alpine Forestry, in a Form Approved by the City Attorney, for the Community Wildfire Risk Assessment Plan in the Amount of \$250,000:

Council Member Rubell moved to remove Items One and Five from the Consent Agenda. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Rubell, and Toly

EXCUSED: Council Member Dickey

Council Member Rubell moved to approve Items Two, Three, and Four from the Consent Agenda. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Rubell, and Toly

EXCUSED: Council Member Dickey

1. Request to Authorize the City Manager to Execute Three (3) Professional Service Provider Agreements for Noxious Weed Abatement, in a Form Approved by the City Attorney, with Ecology Bridge LLC - \$30,000; Jesus Rea Landscaping - \$175,000; Ground Solutions LLC - \$25,000, for a Total Amount Not to Exceed \$235,000:

Council Member Doilney moved to authorize the City Manager to execute three (3) professional service provider agreements for noxious weed abatement, in a form approved by the City Attorney, with Ecology Bridge LLC - \$30,000; Jesus Rea

Landscaping - \$175,000; Ground Solutions LLC - \$25,000, for a total amount not to exceed \$235,000. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Rubell, and Toly

EXCUSED: Council Member Dickey

5. Request to Authorize a Contract with Alpine Forestry, in a Form Approved by the City Attorney, for the Community Wildfire Risk Assessment Plan in the Amount of \$250,000:

Heinrich Deters, Trails and Open Space Manager, presented this item. The community adopted the Community Wildfire Preparedness Plan in 2021 which set the foundation for implementation, action, planning and preparedness. One of the action items is to do a comprehensive risk assessment of the community which is what this contract is for. It is a resource identification priority wildfire concern areas and high value assets such as economics, social and the natural environment. One of the deliverables is a map for fuel reduction areas and it provides an analysis and standard of how those high value resources play into a mitigation effort. This will be a community asset for the city as well as the HOAs, the resorts, etc., but this will give them a guiding principle to implement that. Lastly, the City can use this to apply for federal grants. Further, this is a tool that the Building Department can complement the WUE code aspect and create regulations for identifying high risk areas. The timeline for the plan is one year to set up for next fire season. The City typically does about five acres worth of work every year. This year, 60 acres of work is planned with the bulk of that on Treasure Hill this summer. The City also targeted some areas on Rossie Hill and Daley Canyon/Prospect Ridge as priorities. Lastly, Marsac Canyon is probably a high priority area even though the City does not own the land there. UDOT has a right of way in that area, and the City will encourage the landowners to take some steps. The goal is to be efficient with resources between the City and HOAs.

Council Member Rubell fully supported this and requested to do more knowing that it will cost more. He wanted to see from staff what other things can be done this summer while this plan is being completed; perhaps hiring a backup firm to do additional area identification. He suggested a city program that would help people be fire wise compliant and subsequently reduce the risk to our whole community as well as their own property and he would like to see this prioritized. Council Member Doilney desired to do more for community safety and agreed that this type of report will be more impactful and can influence behavior for landowners. Council Member Gerber asked what is the next big step up to do more? Also, she asked if the resorts are working on their property also? Deters answered yes.

Deters clarified that there are not many contractors available to do this now and the City has been doing their own work for a long time. Right now, the City does not have a

program set up to provide money for private property owners to do work and the City does not do work on private property, but they work with private property owners. He stated that would be a policy discussion for Council and Deters asked for direction whether he should put together a grant program of taxpayer's money to fund private property owners fire protection costs. Council Member Rubell suggested working with the fire district to do a rebate program as soon as possible. The Council members were supportive of Deters to explore and return with a plan.

Council Member Doilney moved to authorize a contract with Alpine Forestry, in a form approved by the City Attorney, for the Community Wildfire Risk Assessment Plan in the amount of \$250,000. Council Member Rubell seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Rubell, and Toly

EXCUSED: Council Member Dickey

VII) OLD BUSINESS

1. Consideration to Approve Ordinance No. 2022-08, an Ordinance Approving Amendments to Land Management Code § 15-2.1-2, § 15-2.2-2, § 15-2.3-2, § 15-2.4-2, § 15-2.5-2, § 15-2.6-2, § 15-2.7-2, § 15-2.9-2, § 15-2.10-2, § 15-2.11-2, § 15-2.12-2, § 15-2.13-2, § 15-2.14-2, § 15-2.15-2, § 15-2.16-2, § 15-2.17-2, § 15-2.18-2, § 15-2.19-2, § 15-2.23-2, For Zoning District Use Tables, § 15-15-1 Definitions, and Enacting a New §15-4-22, Outdoor Pickleball Courts in Residential Areas:

Browne Sebright, Park City Planner, and Gretchen Milliken, Park City Planning Director, presented this item. They kept the 300 foot public notice radius because that is already the standard for all the Park City's Conditional Use Permits and secondly, the purpose was to notify neighbors impacted by the noise. The City believed that the 450 – 900 foot range was sufficient to receive notice of a CUP application. Setbacks remained the same as last time, minimum of 600 feet and reductions to no less than 150 feet when they demonstrated noise mitigation. The 300 foot public notice radius on top of the required setbacks would be sufficient to cover all potentially impacted neighbors. Minimum lot size of 1 acre was originally included as Sebright explained to reduce court concentrations, however, based on Council feedback that the requirement may be duplicative, staff removed the provision. The changes proposed under the code were that the HOA would get noticed at the time of the building permit therefore was moved to earlier in the process to provide for more community engagement. The provision for the hours of play remained to make sure that pickleball aligns with the code and noise ordinance and to make sure it doesn't exceed the maximum of noise level for day times of operation no more than 6 AM to 10 PM but 8 AM – 8 PM seems

more realistic for the neighborhood impacts. The parking requirement already existed in the land management code, and they were clarifying that this is a requirement, and they did remove the maximum number of guests. Outdoor lighting and landscaping remained the same. A new portion was added that allows the CUP to be revoked with an appeal process if the site is no longer in compliance. Applicants are required to submit a construction mitigation plan is still included with this ordinance. There were two new public comments which were included. The recommendation from staff was to review, conduct a public hearing and adopt the ordinance.

Council Member Toly mentioned she was fine with playing before 8 AM and it was clarified that lighting was still prohibited. It was also confirmed that all property owners from all sides are notified. Council Member Rubell asked whether people would be able to put up noise reduction walls and he was told yes, and that those noise reduction walls would be considered under the Conditional Use Permit review.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Gerber stated that staff has gone above and beyond and thanked them for their thoroughness. She was supportive with the hours of operation of 8 am to 8 pm.

Council Member Doilney moved to approve Ordinance No. 2022-08, an ordinance approving amendments to Land Management Code § 15-2.1-2, § 15-2.2-2, § 15-2.3-2, § 15-2.4-2, § 15-2.5-2, § 15-2.6-2, § 15-2.7-2, § 15-2.9-2, § 15-2.10-2, § 15-2.11-2, § 15-2.12-2, § 15-2.13-2, § 15-2.14-2, § 15-2.15-2, § 15-2.16-2, § 15-2.17-2, § 15-2.18-2, § 15-2.19-2, § 15-2.23-2, for zoning district use tables, § 15-15-1 Definitions, and enacting a new §15-4-22, Outdoor Pickleball Courts in Residential Areas. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Rubell, and Toly

EXCUSED: Council Member Dickey

2. Consideration to Approve Resolution No. 08-2022, a Resolution of Park City Municipal Corporation Appointing the "Deed Restriction Advisory Committee" to Negotiate and Make Recommendations Regarding the Acquisition of Deed Restrictions in the City and Authorizing the City Manager to Approve and Execute all Necessary Documents in Accordance with Adopted Budget Policies:

Jason Glidden, Housing Development Manager, presented the next item and credited Elyse Kats for much of the work. He presented the Live Local Park City Lite Deed Restriction Program. The recommendation was to receive the briefing, take public

comment and approve the proposed Live Local Park City Lite Deed Restriction program with its corresponding Advisory Committee Resolution. Background was given on the program which was first brought to Council in July 2021. It has had success in Vail and Breckenridge, and it gives cash payments to property owners to place a deed restriction on their property in perpetuity, which would be restricted to full time residents working 30 hours per week within the city limits, retirees, or long-term renters (greater than 6 months). This program would promote more full-time residents by providing a down payment assistance program and assist current homeowners to maintain their property for permanent community residents. Some parts that changed were a requirement to work 30 hours within the school district boundary as well as to include seniors and retirees with at least 2 years worked within the Park City area before retirement. Staff also brought the length required for a long-term lease to 6 months. The city would make a cash payment to a property owner to put a deed restriction on their property. There were variables considered such as location, property conditions, and the appraised value of the property. The deed restrictions in Park City would be in the 20% range. The restrictions would mirror the City's existing deed restriction language with changed criteria for net worth, income, and household size requirements. The benefits were to encourage full time residency in the Park City area, allow staff to take a more mixed approach to the housing program and to open it to various economic classes. It also addressed traffic, and employee turnover. The users of this program would be existing and future homeowners, property investors for long term renters (not short-term renters), retirees, and employers. An advisory committee is recommended to help steer timelines and to speed up the process which would be approved by Council. It would only be authorized to recommend purchases of up to \$200,000 with City Manager final approval and Council would approve anything above that amount. The committee would be composed of local industry experts. The application process was then outlined step by step. Staff suggested a pilot program and listed areas to consider for future review such as pre-authorization for specific areas and consideration of homes that are affordable by nature. He proposed to allocate \$1,000,000.00 from the sales of assets and he noted that the housing team would return to Council on May 5 to get approval for the budget ordinance for the pilot program and they are aiming for June 1st to begin accepting applications.

Mayor Worel was fully supportive of this but asked how to measure success on December 1. The answer given was based on the number of units secured that were no longer empty or short term rented. The cost to invest in this/per unit cost analysis to make sure this is efficient would be another way. Mayor Worel recommended that there would be developed a way to measure success. Council Member Gerber discussed bringing as many deed restrictions in as possible, asked for clarification about including retirees and offered to be a Council liaison in the future. Council Member Doilney commended staff with bringing this in line with other existing programs. He offered they will know the success of this program based on how quickly they run out of money. Council Member Rubell asked about enforcement and Glidden responded with the

definitions of default, how to identify it, investigate and deal with it. They already have a compliance program in place which is largely based on complaints by citizens. Housing fraud is an offence in our city. Council Member Rubell asked about the legality of deed restrictions and the answer is yes, they have been reviewed by the legal department but legal will take one more look.

Council Member Toly asked about advertising this since most of our target audience don't live here. Glidden answered that they would be working with the Board of Realtors, existing homeowners, and property managers. Council Member Toly asked if for a 4-bedroom unit would one person have to work 30 hours a week or all four people would work 30 hours a week. Glidden addressed the main point is no short-term rentals, but they will have one main qualified applicant who must work 30 hours a week even though they would like to have all four residents working 30 hours per week. Council Member Toly coaxed a big push with the small local businesses.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Rubell moved to approve Resolution No. 08-2022, a resolution of Park City Municipal Corporation appointing the "Deed Restriction Advisory Committee" to negotiate and make recommendations regarding the acquisition of deed restrictions in the City and authorizing the City Manager to approve and execute all necessary documents in accordance with adopted budget policies with the following changes: 1. To clarify language on rentals to mirror Vail's with no gap of rentals or previous City approval to do so 2. To target employment and properties within Park City limits 3. To change provision to be more flexible such as city priorities 4. To lower the City Manager authority up to \$75,000.00 and above that would be approved by City Council

The motion failed with no second.

Council Member Rubell amended the motion by dropping requirement #4, Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Rubell, and Toly

EXCUSED: Council Member Dickey

3.Discuss Park Silly Sunday Market Contract Negotiations:

Jenny Diersen, Director of Special Events, introduced Kate McChesney, Executive Director of Park Silly Market, and Jonathan Weidenhamer, Economic Development Manager. They started the conversation about Park Silly Market and outlined the history and background. The three items of focus that staff would like answered were: Is Council interested in pursuing this conversation, if they are interested then give

feedback about the proposed terms and outreach, or if they aren't ready, should staff just focus on community outreach? Park Silly Market requested a new contract to be 7 - 10 years, the fees to be decreased at the current rate, which is \$60,000, the venue to remain the same and to continue 14 Sundays. McChesney reminded the Council of the businesses that have been created at Park Silly Markets in the past 15 years such as Nosh, Cade & Co., Pink Elephant Coffee, Red Bicycle Breads to name a few in addition to the child musicians that have played their music and the community goals which have been successful.

The Council expressed an interest to continue discussions. Council Member Doilney added that he wanted to get all the details now, so he chose Option One. Council Member Gerber supported Option Two with the outreach first and replied that she felt more comfortable with a 4-year contract, not 7 – 10 years.

Council Member Doilney suggested the stakeholder and outreach process was good and left it up to staff as to when to bring it back to Council. Council Member Toly responded to Diersen's request for specific stakeholders with HPCA, the Restaurant association, the Chamber of Commerce, residents in Deer Valley and Old Town. She also pointed out that maybe the community should rethink the whole thing such as do you want it on a different day, different location, time of day, etc. so she urged all kinds of questions. Council Member Rubell chose Option Two.

Mayor Worel opened the item for public input.

John Helton is a 35-year town resident and he believed that the Park Silly Market is a nuisance at the bottom of Main Street, and he doesn't think the town needs it anymore. He didn't think locals attend it and it may prevent people from coming to Main Street as it seems like all tourists from Salt Lake. It is not a unique event. He loved other festivals and activities on Main Street. He suggested holding Park Silly Market in a parking lot or a town park. Park City has never been busier so there is no need to have it on Main Street anymore. He mentioned he liked Car Free Sundays.

Michael Sweeney online:

He started the Park Silly Market in 2007 and what it has done for the community and lower Main Street was tremendous. He remained a supporter.

Mayor Worel closed the public input portion of the item.

Diersen summarized that Council was going with Option Two which is to commence the stakeholder group and most of Council was willing to rethink the terms proposed and not stick to the current terms.

VIII) NEW BUSINESS

1. Discuss City Programming at the Arts District:

Jenny Diersen and Jonathan Weidenhamer presented this proposal. Diersen explored the Park City programming at the Arts District. Background was given as to how the program went last summer. Does Council want to explore public input on the arts district?

Council Member Toly asked if the funding included the Transit to Trails program but that is funded separately. Does this proposal include non-profits to use this space? Diersen said that there was interest in renting the space with a Special Event Permit as well as having them participate in the City programming depending on what Council directs.

Council Member Rubell was not a fan of the money spent on this last year but entertained the minor level of \$60,000 where the City sponsored something once a month and then opened it to someone else on the other weeks. Council Member Doilney agreed with the moderate level of programming and reminded them about the decision to keep it small and community focused. Conversation continued about the level of usage, success and enjoyability of the event last summer. The Transit to Trails part is huge and will only grow. Council Member Gerber remembered that it was intentional to start small and she loved the active art. She answered with at least the moderate level with picnic tables and games. She didn't want to see active programming there all summer. Dates were clarified to do this from August to October geared more for locals. Council Member Toly felt better with the minor level. She also advised that the place be presentable and safe. Council Member Rubell offered he was most comfortable in the \$50,000 – 60,000 range and advised that it should not be city staff programming it all. He encouraged the community to do more. Mayor Worel recalled great community programming with some of the art forms and music but heard negative feedback about the costs, so she proposed a program once a week for a shorter period.

Diersen offered to come back to City Council using this feedback and she will return with another option with the focus on late summer early fall time frame. There was also discussion about the budget timeline and how to get this back quickly.

Mayor Worel opened the item for public input.

Angela Moschetta, Old Town resident, suggested that the case being made of the success was disingenuous as she thought it was a lot of money and not a lot for it. She addressed the attendance as city staff, city Councilors and their families, and the artists' friends every week. She backed up Council Member Rubell's suggestion to spend less and program more lightly. It had been the idea in Park City that non-profits need to be subsidized, but that isn't always true and asserted that if somebody really wanted to activate then they should put together the program. Furthermore, if this can't be figured out then that is a sure sign that Park City has no business pursuing an arts and culture

district. In terms of safety, there was not a path to walk into this area and she walked over rubble and excavated soils to enter so she wasn't sure it was safe with chain link fences. She advised to hold a more legitimate and substantive discussion than last year.

Deb Rentfrow echoed Council Members Rubell, Toly and Angela Moschetta's comments. She supported the timeframe geared more towards the locals in late summer into fall and concluded that is the maximum that the City needs to spend on this. She referenced past reports and it costs a lot per person. She urged the Kimball Art Center and Sundance to step in and have the City do a minimal amount.

Mayor Worel closed the item for public input.

2. Consideration to Adopt Ordinance No. 2022-09, an Ordinance Approving the Kings Crown Re-Subdivision Third Amended Lot Combination Plat, Located at 1281 Rothwell Road, Park City, Utah:

Spencer Cawley with the Planning Department presented this issue. The existing conditions were a single-family home on Lot 23 and a vacant lot on Lot 24. It is owned by the same owner. The applicants wanted to combine these lots to accommodate an 800-SF addition and some landscaping to buffer the neighboring property. On March 23, 2022, a positive recommendation was made for approval by Planning commission. It allowed a less intense use of the property while it complied with the RC zoning requirements. No easements or public street or right of ways were amended or vacated. This did require a CUP for abandoning the sewer and water laterals at the main line and the sealing must be supervised by a service provider. Also, the unit density will be forfeited by the lot combination and may not be used or transferred to a different part of the subdivision. It was noticed on March 9th and no public input had been received. The recommendation was to review, hold a public hearing and approve this lot combination plat.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Gerber moved to approve Ordinance No. 2022-09, an ordinance approving the Kings Crown Re-Subdivision Third Amended Lot Combination Plat, located at 1281 Rothwell Road, Park City, Utah. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Rubell, and Toly

EXCUSED: Council Member Dickey

3. Consideration to Approve Ordinance 2022-10, an Ordinance Approving 1304 Park Avenue Plat Amendment, Located at 1304 Park Avenue, Park City, Utah:

Aiden Lillie presented the plat amendment for 1304 Park Avenue. The applicant proposed to remove the existing internal block line in an existing historic structure to create a single lot of record in the historic Residential Medium Density zoning district. History is presented and the ways that the proposal complied. On March 23, 2022, the Planning Commission reviewed and unanimously forwarded a positive recommendation to City Council. The proposal complied with the HRM zoning requirements in the district. Due to the Land Management Code, it is considered a valid noncomplying land management structure, so it complied with the code. Staff found good cause because it resolved existing issues and it preserved the character of the neighborhood. It allowed lot lines to be cleaned up and resolved existing encroachments into city right of ways. There were a few issues with the proposed plat which were in the Conditional Use Permit and the report. There were no public comments and staff recommended the proposal be approved.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Gerber moved to approve Ordinance 2022-10, an ordinance approving 1304 Park Avenue Plat Amendment, located at 1304 Park Avenue, Park City, Utah. ?? seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Rubell, and Toly

EXCUSED: Council Member Dickey

4. National Community Survey Overview:

Linda Jager presented this topic. The National Community Survey would take five months from start to finish which can start at any time. Jager asked if City Council would like to support participation in the National Community Survey in this upcoming year and how to customize this. There are specific areas that can be included in the customized section such as Park City's areas of priority: social equity, housing, environment, and transportation. The City can identify specific regions to benchmark against too. Lastly, a group can be brought in at additional cost to present the results.

Council Member Gerber supported participation in the survey and liked the idea of having housing, social equity, transportation, environment, and mental health access as key areas. Jager acknowledged they can present and interpret the results without an outside group. Jager has a survey now called the Utah State University Wellness survey which has close to 500 responses and feedback will be expected soon. Discussion took place as to the frequency of surveys and it was cautioned to not over survey residents. The last survey was done in 2017 and therefore Council Member

Doilney conceded that it is due. Council Member Rubell disagreed and opined that it is a waste of money, and no new information will come from it. A lot of surveys have been done recently and he suggested a look at it next year. Council Member Toly concurred with Council Member Rubell and cited the recent housing, sustainability, and wellness surveys. \$20,000 was too much and she was not in favor. Mayor Worel valued the survey because it compared people's opinions on similar topics, and it included. "How welcome do you feel in this community?", where there was a big drop between 2015 and 2017 therefore, she supported the survey if that specific parameter was included. Council Member Gerber conceded that not all of them are relevant, yet it is a good snapshot of the community where you can see patterns, and the ability to benchmark against other communities was useful.

IX) ADJOURNMENT

With no further business, the meeting was adjourned.

Paige Galvin, Deputy City Recorder

NATIONAL COMMUNITY SURVEY PROGRAM OVERVIEW



BACKGROUND

- Park City Municipal has used the National Community Survey™, which is sponsored by the International City/County Management Association in cooperation with National Research Center, Inc at Polco.
- The questionnaire and survey methods are designed based on the experience of hundreds of local governments, ranging in size from small to large.
- Park City's results have been benchmarked with those of more than 500 other jurisdictions in the National Community Survey database. The results have been used for community planning and resource allocation, program improvement, and tracking changes in residents' opinions about government performance.
- Park City has conducted the survey biennially since 2011. The survey was delayed in 2019 - 2021 due to Vision 2020 and the pandemic.
- The scientific survey is mailed to a random sample of residents within City limits, while an open, non-scientific survey is conducted later, for residents inside and outside municipal limits to participate.



BENEFITS

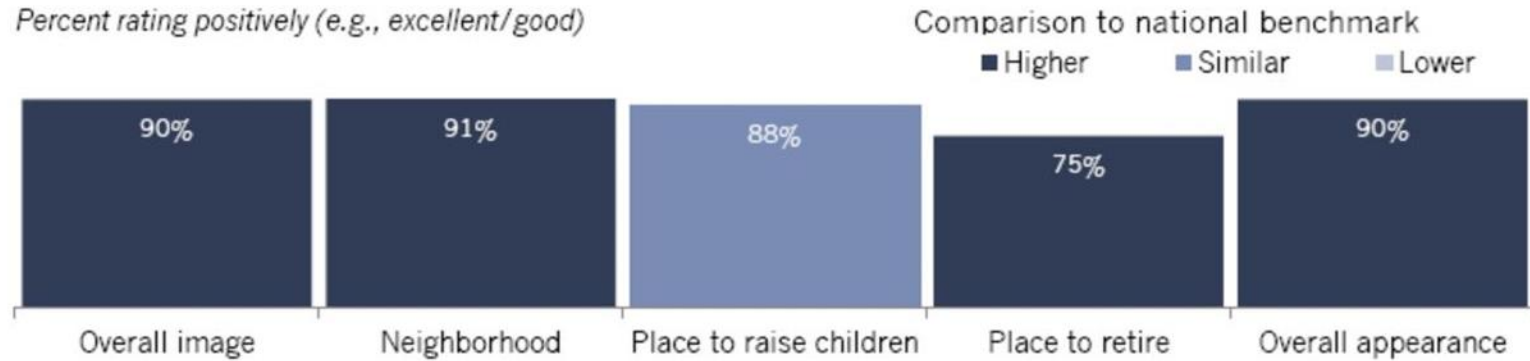
- Post-Covid Insights
- Identify Community Concerns & Satisfaction Levels
- Validate Community Sentiment
- Community Benchmarks
- Useful Data for Council Retreat
- Measure Progress on Critical Community Priorities
- Department Performance Measures

2017 Survey

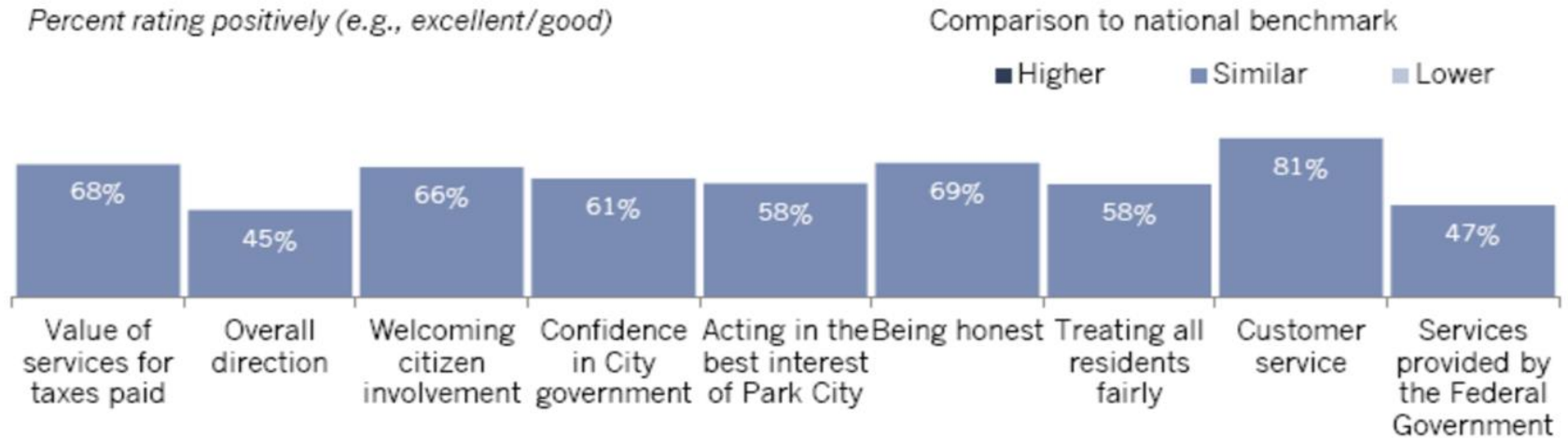
- Statistically valid survey
- 2017 survey mailed to random sample of 1500 Park City residents
- 369 residents responded (27%) – statistically relevant sample
- Online opt-in survey (308 surveys completed, not statistically valid)
- Offered in Spanish and English



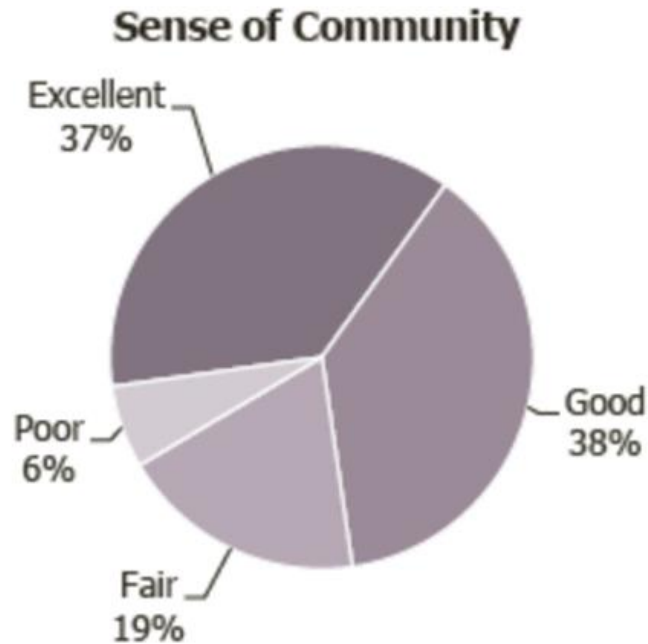
What makes Park City livable, attractive and a place where people want to be?



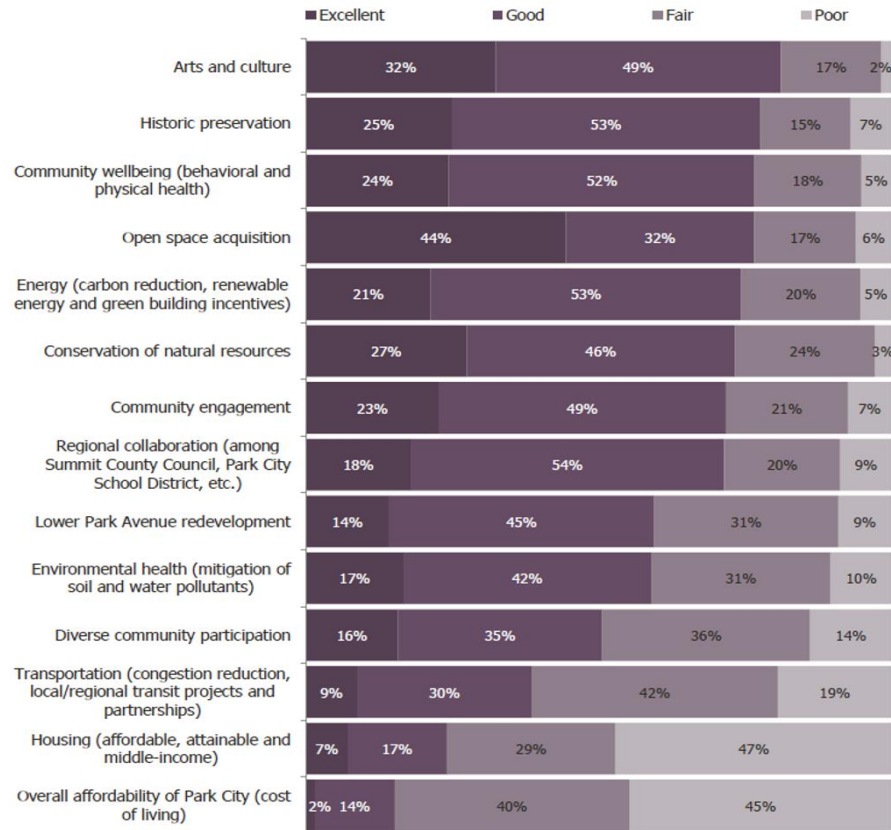
How well does Park City Municipal meet the needs and expectations of its residents?



Do the residents of Park City feel connected to the community and each other?



Please rate Park City's progress on Community Priorities



Custom Benchmark

Park City/Top 10%

	Park City percent positive	Top 10 percent positive	Difference
Overall customer service by Park City employees (police, staff, planners, etc.)	81%	91%	-10%
Services provided by Park City	79%	94%	-15%
Overall direction that Park City is taking	45%	85%	-41%
Value of services for the taxes paid to Park City	68%	79%	-11%
Job Park City government does at welcoming citizen involvement	66%	76%	-10%
Overall confidence in Park City government	61%	80%	-19%
Generally acting in the best interest of the community	58%	80%	-21%
Being honest	69%	80%	-11%
Treating all residents fairly	58%	78%	-20%
Services provided by the Federal Government	47%	54%	-7%

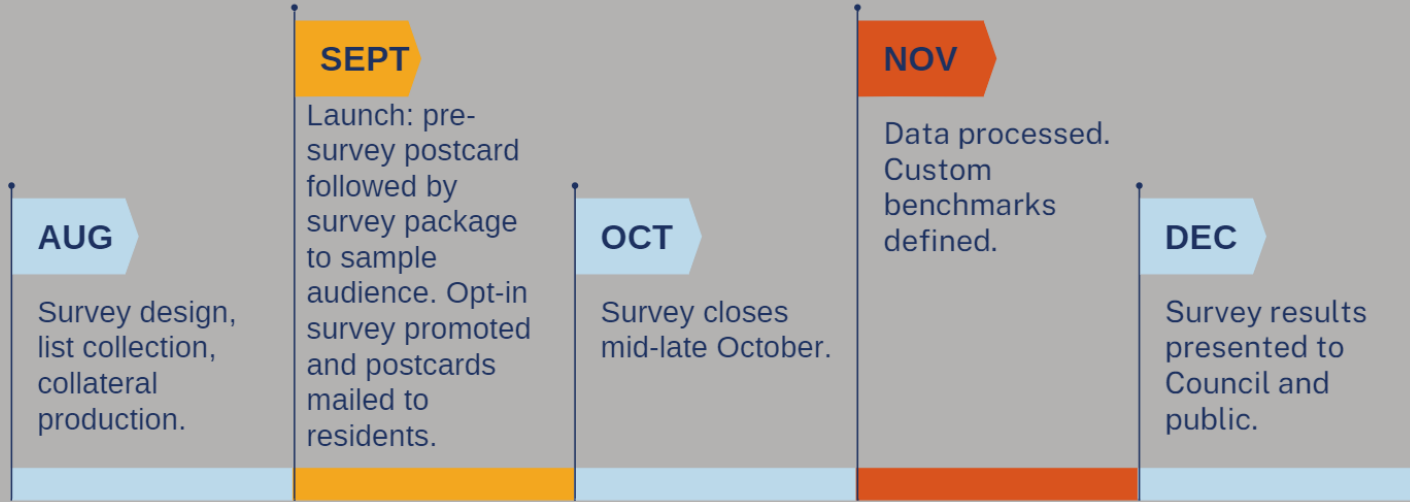
Top 10 Jurisdictions

Alexandria, VA
Benbrook, TX
Bettendorf, IA
Brookline, MA
Broomfield, CO
Chanhassen, MN
Clayton, MO
Clive, IA
Creve Coeur, MO
Decatur, GA
Des Peres, MO
Eagan, MN
Eden Prairie, MN
Edina, MN
Fishers, IN
Franklin, TN

Gaithersburg, MD
Gilbert, AZ
Golden, CO
Greenwood Village, CO
Highlands Ranch, CO
Hopkinton, MA
Kennedale, TX
Lake Forest, IL
Lakeville, MN
Lawrenceville, GA
Lewisville, NC
Lone Tree, CO
McAllen, TX
Morrisville, NC
Needham, MA
New Brighton, MN

Papillion, NE
Paradise Valley, AZ
Richmond Heights, MO
Riverside, MO
Schaumburg, IL
Sierra Vista, AZ
Suwanee, GA
University Park, TX
Urbandale, IA
Westminster, CO
Weston, MA
Williamsburg, VA
Winter Garden, FL
Yountville, CA

SAMPLE TIMELINE



Survey available in English and Spanish. Sample may include registered voters, second homeowners, street addresses and/or P.O. boxes, sorted by neighborhoods.

DISCUSSION

- Does Council support participation in the National Community Survey in FY23 (\$10,000 budget request)?
- If so, are there specific areas of interest that Council would like to include in the customized section of the NCS survey? For example, we can ask participants to rate Park City Municipal's current performance for the following Critical Community Priorities:
 - Housing
 - Transportation
 - Environment
 - Social Equity
- Are there specific cities and regions Council is interested in benchmarking through participation in the NCS?
- If Council seeks to continue participation, staff recommends including a professional presentation of survey results by a Polco representative at a future work session.



SPECIAL SERVICE CONTRACT OVERVIEW

RECOMMENDATION

*Review and consider any changes to the existing
Special Service Contracts process (recently revised in 2021)
and discuss mental health funding under
the types of services funded.*

SSC BACKGROUND

- Special Service Contracts (SSCs) provide unique and valuable services to the community
- Contracts are awarded through a competitive RFP process
- Applications are evaluated by the Special Service Contracts Committee
- Special Service Contracts are awarded on a 1–4-year cycle
- In FY21, Council approved a revamp of the application process, splitting the process into two categories:
 1. Regular Service Contracts
 2. Diversity, Equity, and Inclusion (DEI) Service Contracts

SSC Categories

1. REGULAR SERVICE CONTRACTS

- Services considered to be essential to PCMC's goals
- City anticipates funding for the foreseeable future
- Approved in FY21 for a 4yr contract
- Awarded to 7 organizations
- Up to \$250,000 budgeted for each year (FY21-24)

2. DIVERSITY, EQUITY, AND INCLUSION (DEI) SERVICE CONTRACTS

- Services with a demonstrated focus on DEI that provides a direct benefit to the community
- Approved in FY22 for a 2yr contract
- Awarded to 13 organizations
- Up to \$250,000 budgeted for each year (FY22-23)

Note: Does not include Department Service Contracts



SSC SERVICES

TYPES OF SERVICES FUNDED

- Childhood Care & Education
- Community Art & Culture
- Emergency Assistance
- Food Assistance
- Healthcare/Medical Treatment
- Housing Outreach & Education
- Legal Mediation Services
- Social Equity and Inclusion Programs
- Waste/Recycling Management



CURRENT CONTRACTS

Regular Service Contacts (Awarded in FY21 for a four-year contract)

Organization	Annual Amount	Category
Christian Center	\$ 40,000.00	Food Pantry & Emergency Assistance
Holy Cross Ministries	\$ 10,000.00	Emergency Assistance
Jewish Family Service	\$ 20,000.00	Emergency Assistance & Medical Treatment
PC Education Foundation	\$ 50,000.00	Education
PC Tots	\$ 50,000.00	Childcare & Development
Peace House, Inc.	\$ 40,000.00	Safe Haven/Emergency Assistance
People's Health Clinic	\$ 40,000.00	Medical Treatment

Note: Organizations may awarded more than one Special Service Contract to support different projects and programs

CURRENT CONTRACTS

DEI Service Contracts (Awarded in FY22 for 1-2 year contract)

Organization	Annual Amount	Category
Arts Council of Park City & Summit County	\$ 22,400.00	Social Equity and Inclusion Programs
Big Brothers Big Sisters of Utah	\$ 2,500.00	Social Equity and Inclusion Programs
Christian Center of Park City*	\$ 15,000.00	Social Equity and Inclusion Programs
Jewish Family Service*	\$ 20,000.00	Social Equity and Inclusion Programs
KPCW*	\$ 5,000.00	Social Equity and Inclusion Programs
Mountain Mediation	\$ 20,000.00	Social Equity and Inclusion Programs
Mountainlands Community Housing Trust	\$ 50,000.00	Social Equity and Inclusion Programs
Park City Community Foundation*	\$ 50,000.00	Social Equity and Inclusion Programs
Park City Film	\$ 15,000.00	Social Equity and Inclusion Programs
Park City Seniors	\$ 25,000.00	Social Equity and Inclusion Programs
Park City Tots, Inc.	\$ 25,000.00	Social Equity and Inclusion Programs
SOS Outreach*	\$ 20,000.00	Social Equity and Inclusion Programs
Youth Sports Alliance	\$ 10,000.00	Social Equity and Inclusion Programs

*Denotes organizations that only recieved funding for one year instead of two



MENTAL HEALTH SERVICES

BACKGROUND

- In 2017, Park City and local partners formed the Summit County Mental Health Alliance, recognizing the critical need to address mental health and substance abuse and increase support services in the community.
- Communities That Care (CTC) was brought on as an integral component to assess community needs and provide targeted services.
- CTC's services are specifically designed to address youth substance abuse risk factors through prevention-based strategies.



MENTAL HEALTH SERVICES

BACKGROUND

- Summit County and Park City initially put funds towards mental health through an MOU with Summit County supporting the Alliance
- City and County continue to provide support through annual donations to CTC
- The City has contributed \$60,000 annually to CTC through the Park City Community Foundation over the last three years.
- In December 2021, Council discussed the need to revisit this process and have a deeper dialogue regarding the disbursement of funding



OPTIONS FOR CONSIDERATION

#1 CONTINUE TO AWARD A ONE-TIME DONATION TO SELECTED COMMUNITY ORGANIZATION(S) TO PROVIDE MENTAL HEALTH SERVICES

Considerations:

- Set collaborative precedent with partners to support Communities That Care
- Other mental health services could be supported
- Limited to committing only 1 year of funding at a time

OPTIONS FOR CONSIDERATION

#2

AWARD FUNDING FOR MENTAL HEALTH SERVICES THROUGH
THE REGULAR SPECIAL SERVICES CONTRACT PROCESS.

Considerations:

- This option would require an RFP with recommendations from the Special Service Contracts Committee
- Ensures consistency with other nonprofits/service providers
- Allows City to contract for multi-year funding (4 yrs.)
- Other mental health service providers could be explored
- Funding is competitive

NEXT STEPS

Option #1: Continue to award a one-time donation for mental health services:

1. Council reviews and approves annual donation (August 2022)
2. Donation is awarded to selected recipient(s) (October 2022)

Option #2: Award funding for mental health services through the Regular Special Services Contract process*:

1. Open RFP for mental health services (May 2022)
2. SSC committee meets to evaluate applications (June 2022)
3. SSC recommendations are brought to Council (July 2022)
4. Award is made to selected applicant(s) (July 2022)

Mr. Sebright

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Max Doilney
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Tana Toly
Council Member
tana.toly@parkcity.org

cc: PC Planning Department, PC Planning Commission

12 April 2022

Subject: Proposed regulation of private pickleball courts.

Dear Mayor Worel and Members of the Park City Council:

Thank you for reviewing the following comments concerning construction of private pickleball courts in residential areas of Park City. This issue has garnered significant attention of late by residents applying for private pickleball courts and opposing neighbors, and by the Planning Department, by the Park City Planning Commission, and now by the Park City Council. While pickleball is merely a game, it is no small issue, as resolution requires important balancing of property rights and the rights of nearby neighbors to peace and quiet through enforcement of extant noise and land use policies and regulations. Please know that I, and many others, am very appreciative of the effort invested in attempting to address the private pickleball court issue.

Backyard pickleball raises many land use issues, amongst them on street parking, visual impacts, and hours of play, all addressed by the proposed Code Amendments and appropriate for review and consideration by the Council. The most important issue with pickleball courts in densely developed residential areas is **NOISE**. The research developed by the Planning Department and Planning Commission establishes this point. The proposed Code Amendments address these issues rationally and I support their adoption.

Longstanding noise ordinances, implemented long before pickleball became a contentious issue, already exist. Decibel levels above 55 violate existing noise limits in our community and should be prohibited in the case of backyard pickleball. The scientific evidence as provided by acoustical engineering studies is clear and overwhelming that pickleball generates noise levels up to 80 to 85 decibels. These studies clearly demonstrate that noise mitigation for pickleball courts within 150 feet of nearby properties is nigh unto impossible unless the court is contained within a building. Further, these studies suggest that mitigation of such noise levels is challenging at best for distances of up to 600 feet for properties adjacent to and near pickleball courts. The proposed Code Amendments add a prudent process for ensuring, in advance, that a backyard pickleball courts will not violate noise ordinances before a pickleball court is constructed. Once constructed, remediation will be dependent upon effectiveness of complaints from neighbors and potential litigation.

I strongly support adoption of one acre lot size minimums and minimum setbacks of 600 feet and 150 feet with effective sound mitigation technologies (acoustic walls of ten feet and higher). The latter would be subject to acceptable acoustic study and engineering at the expense of the applicant. Such legislation

would preclude construction of pickleball courts in the most densely developed neighborhoods in Park City, protecting the valuable time of the Planning Department, Planning Commission and City Council, and reducing the potential for contentious and damaging litigation amongst neighbors. Other contentious nuisance issues associated with pickleball courts might also be eliminated if courts in these neighborhoods are simply prohibited.

Further, if an applicant persists in proceeding with a backyard pickleball court a required meeting with the Planning Department is a good idea. Such a meeting might be useful to discourage pickleball court applications which violate minimum property size, setback requirements, and acoustic requirements, raise visual impact issues, and have potential to result in litigation.

Following are a couple of other observations of this process for consideration:

-Enforcement is also a problem and a devilish one to address. It is in no one's interest for Council to adopt unenforceable restrictions on backyard pickleball. Clearly, private citizens must play a notable role in enforcement, often by initiating the identification and notification process. Post these initiatory steps, enforcement is and should be under the purview of duly elected officials and actual enforcement should be expected of these same officials and their delegates as part of their fiduciary duties to the public. There is no escape from this responsibility nor should there be. We, the public, should expect that whatever amendments Council adopts can be reasonably enforced.

-While voluntary community surveys are fun and interesting and the results may make some feel good, they generally do not present a valid picture of public opinion, particularly in the times we live in when a broadcast email, to fellow pickleball players, for example, can skew "results" in a totally inaccurate way. If surveying is to be used to measure public opinion, it should be a scientific survey with identified margins of error completed by independent licensed or certified professionals.

-The importance of recognizing and acknowledging the work of professional staff in developing potential legislation should not be understated. It is the role and responsibility of professional staff to conduct the "deep dive" into issues of import. Professional staff must exercise the time and diligence to explore and learn about the assigned issue, including the detail and nuance and, in the end, educate, inform, propose and recommend. Paying insufficient attention to this work may bring risk and can bring problems. I wish to specifically thank the Planning Department for their in depth and thoughtful work on the issue of private pickleball courts.

NOISE is the issue! I conclude by strongly urging the Park City Council to approve the Code Amendments that limit private pickleball courts to properties of one acre or more that can accommodate 600 foot setbacks from neighboring properties or 150 foot setbacks with approved noise mitigation. The proposed legislation balances property rights while reinforcing long existing noise level ordinances in our community that benefit the public at large.

Thank you for your efforts on our behalf and working to keep Park City strong by nurturing community.

Sincerely,

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April 11, 2022

**VIA EMAIL TO council_mail@parkcity.org
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Re: Proposed Land Management Code Amendments to Mitigate Pickleball Impacts (Code Amendments)

Dear Mayor Worel and Council Members

I thank Council for its thoughtful deliberation of the proposed Code Amendments regarding Outdoor Pickleball Courts in Residential Areas at its meeting on April 7, 2022. I write regarding the changes to the Code Amendments proposed by Council following its discussions.

I believe the Code Amendments proposed by Planning Commission (Commission) and presented to Council generally represent a carefully researched and crafted ordinance which, taken as a whole, balances not only property owners' rights to use their backyards for recreational purposes and neighbors' rights to peace and quiet but also effectively enforces the letter and spirit of our land use

regulations and protects homeowners' property values. I strongly support and urge City Council to adopt the Code Amendments.

Specifically relating to the changes proposed by Council on April 7, I have the following comments and concerns.¹

1. I understand that Council would eliminate the one-acre minimum lot size requirement proposed by the Commission. Early in the process undertaken by the Planning Department (Department) and Commission I expressed a concern regarding lot size to the Department and Commission. I asked why Staff had proposed a one-acre minimum and whether a larger or smaller minimum lot size would be more appropriate. I also asked whether or not pickleball courts in residential neighborhoods are so likely to create a nuisance and lead to complaints and potential litigation that they should simply be prohibited. Several members of the Commission expressed similar concerns.

My conclusion, reached by the end of the Department's and Commission's extensive and careful drafting and deliberative process, and which is reflected in the record and the proposed Code Amendments, is that the one-acre minimum lot size requirement is an appropriate restriction to prevent courts from being built in Park City neighborhoods with predominantly smaller lot sizes where, based on the record compiled by the Department and evidence of innumerable pickleball disputes around the country, successful mitigation is nearly impossible and courts, if built, are likely in any event to draw opposition and potential litigation.

The benefit of this provision is that it would simply eliminate likely disagreements between proponents and opponents during a particular CUP process over whether the noise and other impacts generated by an outdoor pickleball court in a densely developed small-lot residential neighborhood can be effectively mitigated. By so doing, the concerns expressed by the Mayor and several Council Members at your April 7 meeting regarding enforcement of restrictions on guests, parking, and hours can simply be avoided. In this respect, the minimum lot size requirement effectively accomplishes the practical result suggested by Council Members Doilney and Rubell during the meeting: that outdoor pickleball courts should simply be prohibited in densely developed small lot residential neighborhoods. This restriction will also result in administrative economy and cost-savings as the Department and Commission will not have to deal with applications for small lots which are likely to be highly problematic. On the other hand, the lot size restriction permits court construction on larger lots where the record shows that noise impacts can often be reasonably mitigated.

¹ This letter supplements and incorporates my letters to the Department and Commission dated February 17, February 23, March 14, and March 31, 2022 in which I comprehensively address the numerous concerns which many of my neighbors and I have about backyard pickleball in Park City, many (but not all) of which concerns have been addressed in the proposed Code Amendments. These letters are part of the record created by Staff and Planning Commission in proposing the Code Amendments. Because the proposed changes in the Code Amendments impact the proposal by the Commission, I am also copying the Commissioners on this letter.

Accordingly, and based on the strong evidence contained in the record developed by the Department and Commission, I recommend that Council preserve the one-acre minimum lot size requirement in the Code Amendments.

2. While I recommend above that the one-acre minimum lot size requirement be retained, I also believe that the essential integrity and prophylactic benefit of the Code Amendments can be preserved without the minimum lot size requirement *so long as* the 600 feet and 150 feet setback requirements set forth in the proposed Code Amendments are retained. In fact, given the size of a pickleball court and as a matter of simple geometry and arithmetic, it will be virtually impossible for any CUP applicant to comply with the minimum 150 foot setback requirement on a lot size of one acre or less, regardless of how the lot is shaped or the court is positioned.

I do believe the 150 foot setback requirement is critically important to the overall effectiveness of the Code Amendments and, based on the discussion on April 7, I understand Council supports this requirement. There is a fairly voluminous record which was created in the Planning Commission process which describes the very serious noise issues arising from backyard pickleball. Experts agree that noise disturbance is an issue at distances up to 600 feet (and even more depending upon local conditions) and they agree that *at distances of less than 150 feet the noise impacts on neighbors can generally **not** be effectively mitigated*. The reasons for this inability to mitigate include sound reflection, sound leakage from acoustic barriers, landscaping, topographic and atmospheric variables, acoustic barrier height limitations, and proximity of multi-story residences.

If Council has any doubt regarding these realities, I would commend Council's attention to the Staff's review of the issues relating to pickleball sound at pages 304 and 305 of the April 7 agenda packet, including specifically the reference to the article entitled "The sound of pickleball – a detailed explanation, and what you need to consider before building courts" by Bob Unetich², a USA Pickleball official, and the letter of a recognized acoustic expert, R. Lance Willis, PhD, of Spendiarian & Willis, included in the agenda packet at page 522, for his expert opinion on this issue.³

I strongly support the 600 foot and 150 foot setback limitations set forth in the proposed Code Amendments.

² See: <https://crazypickleballlady.com/2021/07/13/the-sound-of-pickleball-a-detailed-explanation-and-what-you-need-to-consider-before-building-courts/>. Mr. Unetich is a USA Pickleball certified referee, a USA Pickleball Ambassador At Large, and a professional registered engineer. For more information, see also his Facebook page called "Pickleball Noise Mitigation" at <https://www.facebook.com/groups/145879006219534>.

³ Dr. Willis' substantial credentials and experience in evaluating pickleball noise issues are well-known to Staff. Staff has relied extensively on his expert opinions in formulating its approaches to pickleball regulation as set forth in the Staff Reports provided to Planning Commission. See, in particular, Dr. Willis' article entitled "Why Are Your Pickleball Courts Receiving Complaints from Neighbors?" at <https://www.acousticalnoise.com/news/>.

3. I understand that Council would eliminate the restriction on numbers of guests who may be present to play pickleball on a private court proposed by the Commission. I agree with the concerns expressed by the Mayor and Members of Council that this restriction would be very hard to enforce as a practical matter and would perhaps unreasonably treat guests invited to a residential property to play pickleball differently than guests invited for dinner or other social purposes. Notwithstanding, use of private pickleball courts should be limited to purely private and noncommercial purposes and the provisions included in the proposed Code Amendments requiring the owner or another resident to be present when the court is being used by guests and prohibiting any kind of fee or payment for use of the court should absolutely be retained.
4. I understand that Council would change the preliminary conference requirement from mandatory to optional. Based on my recent experience opposing two flawed applications for outdoor pickleball courts in Park Meadows, there has been much confusion among applicants about what the requirements are for CUPs for private recreation facilities. Regardless of how they are finalized, the Code Amendments will not eliminate potential misunderstandings over applicable requirements. I do not believe that requiring a preliminary conference with Staff will be particularly burdensome on applicants, but it will have the unquestioned benefit of clarifying the CUP requirements before time and money are spent by applicants and opponents, if any, on ill-considered projects. I recommend that the preliminary conference requirement be made mandatory.
5. Council considered extending the notice requirement beyond neighbors within 300 feet of the applicant's property lines. I am not clear what the tentative resolution of this issue was at the April 7 meeting. However, I agree with the point of view expressed by a Member at the meeting that pickleball noise can affect properties within 600 feet of the applicant's property line and recommend that Council adopt a requirement that the CUP notice be sent to all such property owners.
6. I understand that Council would also not require notice to HOAs of a CUP application. I understand the reluctance of Council to cause the City to insert itself in, or interfere in any way with, private HOA processes. However, I would counter that the main purpose of the proposed Code Amendments is to ensure that reasonable processes are adopted to maximize the likelihood that any courts which are approved by the Commission do not become the subject of post-approval complaints by neighbors or an HOA and do not result in litigation. I recommend the requirement of notice to HOAs of a CUP application be retained.

I look forward to Council addressing these concerns at its next meeting. Thank you in advance for your attention and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Frode Jensen".

Frode Jensen

cc:

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