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

April 28, 2016

The Council of Park City, Summit County, Utah, met in open meeting on April 28, 2016, at 3:15 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 3:15 p.m. Council Member Matsumoto seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

Council Member Beerman moved to adjourn from Closed Meeting. Council Member Worel seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

STUDY SESSION

1. Housing Resolution Report Update and Policy Discussion: Joint Meeting with the Planning Commission:

David Schwartz and Dan Guimond, consultants with Economic & Planning Systems, presented this item. They presented a PowerPoint presentation which displayed the pros and cons of Inclusionary Zoning. An Inclusionary Zoning type of ordinance would result in a greater portion of development contributing to affordable housing, it was widely used outside of Utah, and would not require a Citywide vote. The cons would be that there was no precedent for this approach in Utah and it could be challenged, there would be a high capital cost to build affordable housing, and the legal and political risks could be greater than the benefits.

Another option for affordable housing was Dedicated Funding (community based approach), which could be some kind of dedicated tax on the residents – such as a portion of the property tax or sales tax. This option would spread the responsibility across the entire community instead of having the responsibility solely lie with the developers. Affordable housing would not be dependent on market development cycles in getting units built, it would be a lower cost alternative, and the achievable production (benefits) would outweigh the political risk of taking the issue to voters. The cons included requiring a strong political will as well as requiring voter approval. He stated there could be a middle ground between the two options. The current resolution based approach could continue, but a policy could be created for certain projects based on square footage or unit threshold.

Council Member Beerman thought this was an excellent report. He indicated Park City had raised $40 million for affordable housing, but noted there was the issue of figuring out how it should be spent.

Council Member Matsumoto thought focusing on the workforce would be a good place to start when deciding on affordable housing options. She thought the resorts should contribute to the housing needs of their employees, and wondered how that could be effectuated. It was noted that the City Ordinance had a requirement that addressed some of that, but it was not known if the requirement was enforceable.

Stauffer stated that the State required the City to do an assessment every five years on affordable housing access and need. In the last five years, the focus had been on housing for young families since the last census showed a decline in that demographic. There was discussion on codifying the requirements, but the consultants discouraged that because of potential legal challenges to the codification. Stauffer indicated that over 300 units had been acquired since 1993 from new developments, but 118 units had not yet been built. She stated that two thirds of those 118 were slated to be built within the next five years. Council Member Gerber felt a lot of tools had been given to the Council, and the Council needed to use these tools to alleviate the housing problem.

The consultants noted that one failure of the City's housing resolutions was that there was no quantifiable goal on how many units the City wanted to achieve. Discussion ensued on intensifying the focus of the City in obtaining more affordable housing units. Density and height bonuses were discussed as well. The consultants felt density added value and height conserved land. It was noted another study session on this topic would be held in a few months.

WORK SESSION

Council Questions and Comments:

Council Member Matsumoto stated she attended the Snyderville Basin Water Reclamation District meeting, and they were breaking ground on a new treatment plant.

Council Member Henney stated yesterday at the School District Board meeting they authorized the switch to LED lights. He indicated it was nice to see the School District's alignment with the City's critical energy priority.

Council Member Beerman gave a shout out to Jason Christensen in the Water Department for the system that alerted him of a possible water leak at his home.

Council Member Worel stated she attended the Library Board meeting, she went to the McPolin Barn, and she drove a City bus as part of her orientation training.

Council Member Gerber indicated she also went to the McPolin Barn.

Council Member Henney stated he went to the Park City Follies and commented that it was great to see City employees participating in the Follies.

Mayor Thomas indicated he went to a Webelos Scout meeting and answered questions about his job as mayor.

2. Discussion Regarding Updating Building Permit Fees:
Anne Laurent, Chad Root and Michelle Downard, Community Development and Building Departments, presented this item. Laurent stated there were many details of inspections that were time consuming for building inspectors. The Building Department hoped to continue with the 24 hour turnaround for inspections, so they proposed to increase the inspection fees to cover the amount of time spent inspecting. She noted The National Building Code encouraged a fee that reflected the actual construction valuation. She also indicated the building fees were not an Enterprise Fund.

Mayor Thomas asked how the department would determine valuation when bids might not be available. Laurent stated that when the building permit was pulled, the value given at that time would be used. She also stated that a deduction would be given for projects that would have alternative energy components. Root stated the Building Department had reached out to the contractors with regard to a possible fee increase and the contractors supported the fee changes.

3. Discussion Regarding the Terms of Boards and Commissions:
Matt Dias, Assistant City Manager, presented this item. He reviewed that the past Council voiced concern that boards needed to be renewed and appointed at the same time each year. Over time, this process became work intensive, so he asked the Council if they would like to change the terms, i.e. stagger the terms of the boards, do nothing, have the mayor pre-screen applicants to narrow down the interviews, or interview for all the board openings at once.

Council Member Worel indicated she would like to interview for all the board openings at once. Council Member Beerman preferred leaving the terms as specified. Council Member Matsumoto was in favor of pre-screening the candidates, but noted that she would like to see those that did not obtain a position on one board to be eligible to serve on another board. Dias stated a list could be created to keep a record of applicants. She was also in favor of doing the interviews all at once.

Council Member Beerman suggested having a box that could be checked if the applicant was favorable to serving on other boards. Foster stated the Council meetings were fairly full in June and noted some of the board appointments might not happen until August.

Mayor Thomas asked the Council if they were in favor of having another study session on affordable housing with the Planning Commission to delve into the details of this issue. Council Member Henney was in favor and indicated he would like to see goals set and visioning processes discussed. The other Council members agreed.

REGULAR MEETING

I. Roll Call

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	City Recorder	Present

II. Communications and Disclosures from Council and Staff

1. Update Regarding the Current and Upcoming Large Public and Private Construction Projects in Park City:

No comments were received.

III. PUBLIC INPUT *(ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)*

Joni Boulware, Park Meadows, asked if the Council could help persuade the HOAs to allow solar panels on rooftops within the communities. She gave examples of HOAs denying requests and she thought this was contrary to the City's energy goals. She also hoped the City would consider, as a Land Use Authority, applying the rule of not approving subdivision plats where renewable energy options within that plat are not allowed. Matt Abbott, Sustainability, explained the HOA problem with solar units on rooftops, and indicated staff was trying to address the situation and would come back to Council with some suggestions. Mayor Thomas requested that this item be brought back to a future meeting.

IV. New Business

1. Consideration of Ordinance 16-18, an Ordinance Approving the 1280 Park Avenue Condominiums Plat Located at 1280 Park Avenue, Park City, Utah Pursuant to Findings of Fact, Conclusions of Law and Conditions of Approval in a Form Approved by the City Attorney:

Hannah Turpen, Planning, presented this item. She explained this plat amendment would create two lots from the existing property. A two unit condominium would be created from the existing duplex, enabling the owner to sell each unit separately.

Mayor Thomas opened the public hearing for comments from the audience. No comments were given. Mayor Thomas closed the public hearing.

Council Member Henney moved to approve Ordinance 16-18, an ordinance approving the 1280 Park Avenue Condominiums Plat located at 1280 Park Avenue, Park City, Utah, pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney. Council Member Beerman seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

2. Consideration of an Appeal of a Denial of a Business License Application for Firearms Assembly at 2897 American Saddler:

Mark Harrington indicated that the applicant requested to continue this item to a date uncertain.

Council Member Matsumoto moved to continue the appeal of a denial of a Business License Application for Firearms Assembly at 2897 American Saddler. Council Member Worel seconded the motion.

RESULT: CONTINUED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

3. Authorize the City Manager to Execute the 1st Addendum to the Professional Services Agreement, Brendle Group, for Water and Energy Conservation Program - Phase 2 Engineering Services in an Amount Not to Exceed $188,173 (Increase of $37,175), for a Total Contract Not to Exceed $225,348, in a Form Approved by the City Attorney:

Bina Skordas and Nick Graue, Water Department, presented this item. Skordas explained the Water Conservation Energy Program that was created. The four goals of the program were to reduce energy intensity, reduce the unit energy cost, produce local renewable energy and communicate results. She explained the steps needed to be taken to achieve these goals.

Graue explained the need to contract with the Brendle Group, indicating that they would be developing a roadmap for reducing energy, and preparing scopes, schedules and budgets for future phases of program implementation.

Council Member Beerman moved to authorize the City Manager to execute the 1st Addendum to the Professional Services Agreement, Brendle Group, for Water and Energy Conservation Program - Phase 2 Engineering Services in an amount not to exceed $188,173 (increase of $37,175), for a total contract not to exceed $225,348, in a form approved by the City Attorney. Council Member Gerber seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

4. Consideration of a Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with Daley Excavators L.L.C. for the 2016 Water Service Line Improvement Project for an Amount Not to Exceed $220,000:
Griffin Lloyd, Engineering, reviewed the request to execute a construction agreement for water service line maintenance and water meter replacements. Jason Christensen, Water Department, indicated a lot of headway had been made with meter replacements.

Council Member Gerber moved to authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with Daley Excavators L.L.C. for the 2016 Water Service Line Improvement Project for an amount not to exceed $220,000.00. Council Member Matsumoto seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

5. Consideration of Approval of Street Dining on Main Leases, in a Form Approved by the City Attorney: (A) Cisero's Ristorante at 306 Main Street; (B) Bistro 412 at 412 Main Street; (C) 501 on Main at 501 Main Street; (D) Main Street Pizza & Noodle at 530 Main Street; (E) Bandits Grill & Bar at 440 Main Street; (F) The Eating Establishment at 317 Main Street; (G) Shabu at 442 Main Street; and (H) Flanagan's on Main at 438 Main Street:
Francisco Astorga and Ashley Scarf, Planning, presented this item. Scarf reviewed that eight of the nine Main Street dining establishments had requested to participate in this program for another year. Approval of this item would be contingent on the restaurants renewing their leases of City property. Council Member Beerman suggested that Planning

inform the affected dining establishments of the anticipated construction by their establishments.

Council Member Worel asked if the dining establishments had been notified of the fee increase for this lease. Astorga indicated that they were aware and had not contested the amount of the lease.

Council Member Matsumoto moved to approve Street Dining on Main Leases, in a form approved by the City Attorney: (A) Cisero's Ristorante at 306 Main Street; (B) Bistro 412 at 412 Main Street; (C) 501 on Main at 501 Main Street; (D) Main Street Pizza & Noodle at 530 Main Street; (E) Bandits Grill & Bar at 440 Main Street; (F) The Eating Establishment at 317 Main Street; (G) Shabu at 442 Main Street; and (H) Flanagan's on Main at 438 Main Street.. Council Member Gerber seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

6. Consideration to Approve Resolution 07-16, a Resolution Proclaiming May 3, 2016, as Travel Rally Day in Park City, Utah:

Council Member Beerman moved to approve Resolution 07-16, a Resolution proclaiming May 3, 2016, as Travel Rally Day in Park City, Utah. Council Member Henney seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

7. Consideration to Approve Resolution 08-16, a Resolution Proclaiming May, 2016, as Building Safety Month in Park City, Utah:

Council Member Beerman moved to approve Resolution 08-16, a Resolution proclaiming May, 2016, as Building Safety Month in Park City, Utah. Council Member Henney seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

8. Consideration to Approve Resolution 09-16, a Resolution Proclaiming May 7, 2016, as Arbor Day and Celebrating Park City's 23rd Anniversary for Recognition as a "Tree City USA Community," in Park City, Utah:

Council Member Matsumoto moved to approve Resolution 09-16, a Resolution proclaiming May 7, 2016, as Arbor Day and celebrating Park City's 23rd Anniversary for recognition as a "Tree City USA Community," in Park City, Utah. Council Member Henney seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 6:40 p.m. Council Member Worel seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

Council Member Beerman moved to adjourn from Closed Meeting. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

V. Adjournment
With no further business, the meeting was adjourned.

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Michelle Kellogg, City Recorder