



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

April 15, 2021

The Council of Park City, Summit County, Utah, met in open meeting on April 15, 2021, at 4:00 p.m. The meeting was a remote, electronic meeting due to the declared public health emergency.

Mayor Beerman read the Determination of Substantial Health and Safety Risk.

Council Member Henney moved to close the meeting to discuss property, personnel, and litigation at 4:02 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

CLOSED SESSION

Council Member Doilney moved to adjourn from Closed Meeting at 5:10 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

WORK SESSION

Summer Special Events Update:

Jenny Diersen, Special Events Manager, presented this item. She indicated special events had built community in the last 40 years. This year, larger events would be coming to Council for review and community input, and she noted all events would be decreased by 20% of normal, COVID protocols would still be in place, and focus would be given to event impact mitigation. Diersen stated the applicants took COVID mitigations and the City priorities seriously.

Council Member Gerber stated the State guidelines included mask mandates and asked who was over mask mandate enforcement. Diersen stated it would be a collaborative effort between staff and if a situation escalated, Police and the Health Department would become involved. Council Member Joyce thought all the protocols would end the first part of May because of the HB 294 bill that was passed by the Legislature. Diersen

stated cities would not be able to require COVID protocols when the State lifted the restrictions, but event organizers would still honor the protocols. Council Member Joyce noted events on public property would not have enforcement.

Council Member Worel asked why the fee waiver requests had increased. Diersen explained Car-Free Sunday was a new event that increased City services. She knew it would be a difficult discussion on how to balance those fees and services. Council Member Joyce asked how events like Silly Market could be scaled down. Diersen stated vendors would be reduced and there were discussions to require preregistration or to charge a one dollar entrance fee. It was uncertain, but Silly Market put together a list of protocols to ensure safety for the patrons, vendors, and staff. Council Member Henney noted that people coming for Car-Free Sunday last year were not required to wear masks while outside.

Diersen stated events were prepared for many situations, including rain, less restrictive or more restrictive COVID protocols, etc. Council Member Doilney thought the events were on the right path with protocols and mitigation efforts. Council Member Gerber asked if the Health Department or the State had been petitioned for special mask allowances for special events and thought any safety precautions taken would make sense. Diersen stated she was working on safety protocols with the Legal Department, but mask mandates would not be permitted. She knew Council would want events to require safety protocols. The City could encourage organizers to follow the safety protocols, but could not require events to put those protocols in place. Council Member Joyce stated the July 4th event concerned him the most, and thought measures should be taken to ensure safety. Mayor Beerman thought the summer events would be manageable because some of the larger events had cancelled.

Discuss Potential Interlocal Agreement between Utah State Parks and Park City Municipal for Rail Trail Maintenance and Improvements:

This item was discussed in the Regular Meeting.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Max Doilney Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Council Member Nann Worel	Present via technology

Matt Dias, City Manager Mark Harrington, City Attorney Michelle Kellogg, City Recorder	
None	Excused

Discuss Potential Interlocal Agreement between Utah State Parks and Park City Municipal for Rail Trail Maintenance and Improvements:

Heinrich Deters, Trails and Open Space Manager, presented this item and indicated this agreement was the initial step on this project, and would allow the City to take on the management and maintenance of 2.75 miles of the Rail Trail from Utah State Parks. If Council agreed to proceed, staff would work with the Transportation Planning team on what the area would look like in the next five years.

Council Member Joyce thought the agreement was a great thing to invest in. He hoped the project could be completed as soon as possible. Council Member Henney agreed and noted State Parks didn't have the resources to improve the trail. The only downfall was taking the responsibility for this trail would take funds away from other City projects. Council Member Joyce noted the trail was heavily used and he hoped it could be a corridor for bike lanes as well as pedestrians. Council Member Doilney asked how much control the City had over the width of the area. Deters stated there was a lot of opportunity in that area, and he hoped the City could expand the width. He noted discussions would continue with State Parks. Council Member Worel asked if Union Pacific would ever want to make the area a real railroad in the future. Deters stated there was the ability for the railroad to come back, but he did not see that happening any time soon. Mayor Beerman indicated this section of trail was a treasure to the community and he looked forward to seeing where the project would lead.

II) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Henney stated Scott Loomis retired from Mountainlands Community Housing after 20 years there, and had been a part of delivering 600 affordable units in Summit County. He hoped Loomis could be recognized for his service in the community. He attended the Coffee with Council and there were representatives from the Fire and Water Departments. Council Member Henney asked to hear from staff on the Deer Valley/Snow Park Master Plan entitlements. He thought there should be clarification from the agency that would be approving and/or denying the applications. Mayor Beerman suggested creating a webpage dedicated to this topic.

Council Member Worel stated 75% of County residents over the age of 18 had at least one dose of the vaccine. She noted there would be a mobile unit for service employees to get vaccinated. She thanked Council Member Henney for the great Coffee with

Council discussion on wildfires. She knew the City owned a lot of property and there needed to be more wildfire mitigation on City property.

Council Member Doilney encouraged all to wear masks and stay healthy. Council Member Joyce noted there were three water companies in Summit County, and as the population increased the water demands would increase as well. He noted events were beginning, and stated it was nice to see efforts being made to stay safe.

Council Member Gerber thanked all the businesses and workforce that helped make the winter season so successful. Mayor Beerman agreed and was impressed with the efforts of those in the community. He also thought the Coffee with Council on wildfires was great and timely. He was told there was a taskforce and fuels committee that determined the next projects according to urgency. He wanted to share that project list with the public and requested a presentation on this at a future Council meeting. He thought there should be more labor devoted to forest clean up. Mayor Beerman gave an update on the legal battle with the Town of Hideout, Wells Fargo, and Nate Brockbank. Brockbank had challenged the development agreement on Richardson Flat. The judge voted in favor of the development agreement and said it was legal. The judge also supported the conservation easement. Mayor Beerman stated this was a big step in protecting that land.

Staff Communications Reports:

1. RAP Tax Grant Allocation and Award:

2. Active Transportation Initiatives – 2021:

Council Member Joyce asked that the FY 2022 budget have more focus on neighborhood transportation efforts. He thanked the Transportation team for their efforts with Rail Trail, the stairs in Old Town, etc. that had huge impacts to the people that lived here. Mayor Beerman stated Council directed staff to allocate 15% of Transit revenues for active transportation. Council Member Joyce indicated there were many neighborhoods that still didn't have sidewalks, so he encouraged staff to plan projects and see what could be done, and not limit projects based on an arbitrary number.

3. Main Street Merchant Post Office Box Fees:

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

Mayor Beerman opened the meeting for anyone who wished to comment or submit comments to the Council on items not included on the agenda.

Neal Krasnick via Zoom stated he liked outdoor recreation and he enjoyed the previous discussion. He was working on a project and encouraged Council to view his website. He noted hiking and biking were very popular and Summit County had a huge complex of outdoor recreation. He explained his work regarding updating maps of the trails in the area.

Mayor Beerman closed the public input portion of the meeting.

IV) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from March 31 and April 1, 2021:

Council Member Gerber moved to approve the City Council meeting minutes from March 31 and April 1, 2021. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

V) CONSENT AGENDA

1. Request to Authorize the City Manager to Execute Addenda to Two Contracts for Excavation and Water System Repair Services, in Forms Approved by the City Attorney, with Daley Excavators LLC for an Additional \$1,000,000 Not to Exceed a Total Amount of \$2,000,000; and with JWW Excavating Inc. for an Additional \$200,000 Not to Exceed a Total Amount of \$400,000:

2. Request to Authorize the City Manager to Execute a Construction Agreement in a Form Approved by the City Attorney's Office with Texas Environmental Plastics, LTD, for the Park City Soils Management Facility - Cell 1 Liner Installation Project, in an Amount Not to Exceed \$308,990.70:

3. Request to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with Horrocks Engineers, Inc., to Provide a Project Management and Grant Support between 2021-2024 for Park City Municipal Corporation, in an Amount Not to Exceed \$145,000:

4. Request to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with Fehr & Peers, to Provide Project Management for Park City Municipal Corporation's Short Range Transit Plan in an Amount Not to Exceed \$162,000:

Mayor Beerman hoped staff would emphasize Council's desire to look at car optional transportation options.

Council Member Gerber moved to approve the Consent Agenda. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

VI) NEW BUSINESS

1. Consideration to Approve Ordinance 2021-15, an Ordinance Approving the Little Belle Condominiums 7th Amended (Amending Unit #2), Located at 7195 Little Belle Court, Park City, Utah:

Brendan Conboy, Senior Planner, presented this item and indicated this amendment would expand the wall to allow additional square footage. There would be the standard conditions of approval associated with the approval. Council Member Gerber asked if items like this should come to Council. Council Member Henney stated the attorneys affirmed it should come to Council because that was the legislative body, and this was a legislative action. Harrington stated this topic could be revisited.

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

Council Member Henney moved to approve Ordinance 2021-15, an ordinance approving the Little Belle Condominiums 7th Amended (amending Unit #2), located at 7195 Little Belle Court, Park City, Utah. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

2. Consideration to Approve Ordinance 2021-16, an Ordinance Amending the Land Management Code Section 15-2.13-2 to Prohibit Nightly Rentals in the Fairway Meadows Subdivision:

Brendan Conboy, Senior Planner, stated the Fairway Meadows HOA sent a letter to its members and they were in favor of prohibiting nightly rentals in that subdivision. The adjacent subdivision had already prohibited nightly rentals.

Council Member Worel was happy any time nightly rentals could be curbed in residential areas. She clarified nightly rentals were rentals less than 30 days.

Chip Burrus, Fairway Meadows HOA Secretary, stated he was grateful for staff helping him through the process.

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

Council Member Doilney moved to approve Ordinance 2021-16, an ordinance amending the Land Management Code Section 15-2.13-2 to prohibit nightly rentals in the Fairway Meadows Subdivision. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

3. 2021 EPMOA Empire/Flagstaff Historic Preservation Work Plan - Authorization of Advanced Withholding of Transfer Fee Disbursement from 2020 Revenues for FY 2021, 2022 and 2023 in a Total Amount of \$120,000 to Implement Daly West Restoration Project:

Mark Harrington, City Attorney, and Doug Ogilvy, Empire Pass HOA, presented this item. Harrington stated there was a request for the City to pre-authorize the release of funds to accompany existing funds to implement the Daly West Restoration Project. He noted the mine collapsed which caused the structure to collapse and they hoped to restore that structure.

Ogilvy stated the process began a year and a half ago. He displayed pictures of the project and noted the structure had fallen into the shaft. It would be moved 150 feet up the hill to get it on firm ground. The total project was estimated at \$440,000. They would also restore some of the fire hydrant shacks, signage, and perimeter fencing. He indicated it would be satisfying to see the project brought to fruition.

Council Member Worel asked if there was a shaft under the new site. Ogilvy stated there might be a passageway further down, but there was not a shaft underneath. She asked what would happen to the collapsed shaft. Ogilvy stated the shaft would be capped. She asked if the area would be reopened for skiing. Ogilvy thought there would be some fencing around the shaft to protect people. Council Member Joyce stated there was a lack of airflow and there were many collapsing shafts.

Mayor Beerman opened the meeting for public input. No comments were given. Mayor Beerman closed the public input portion of the meeting and thanked Ogilvy, the public, the Historical Society, and others that pushed the City to figure out ways to protect these structures.

Council Member Joyce asked if the pre-authorization meant the City would not commit further funds for the next three years. Harrington stated the Council and EPMOA can cross that bridge next year. The intent was to get as much work done as soon as possible so the MOA contemplated advanced funding. The next plan update would be discussed and a new plan would be presented at the 2022 annual meeting. Council Member Joyce thought the City should take advantage of opportunities to make progress in the restoration projects.

Council Member Worel moved to approve the 2021 EPMOA Empire/Flagstaff Historic Preservation Work Plan and the authorization of advanced withholding of transfer fee disbursement from 2020 revenues for FY 2021, 2022 and 2023 in a total amount of \$120,000 to implement Daly West Restoration Project. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

4. Consideration to Approve Ordinance 2021-17, an Ordinance Amending the Municipal Code of Park City, Utah, Chapter 13 Water and Stormwater Code by Adding Section 13-5 Regulation and Enforcement of Stormwater Discharges Associated with Post Construction Activities:

John Robertson, City Engineer, presented this item and noted the City continued to make efforts to meet State requirements. The requirements focused on post construction stormwater management practices. The applicants would have to enter into a maintenance agreement on their project run off areas and the City would have the right to inspect the areas to ensure they were being maintained properly.

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

Council Member Joyce asked if the language was standard language across the State. Robertson stated the language was consistent with the State requirements.

Council Member Joyce moved to approve Ordinance 2021-17, an ordinance amending the Municipal Code of Park City, Utah, Chapter 13 Water and Stormwater Code by adding Section 13-5 Regulation and Enforcement of Stormwater Discharges Associated with Post Construction Activities. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

VII) ADJOURNMENT

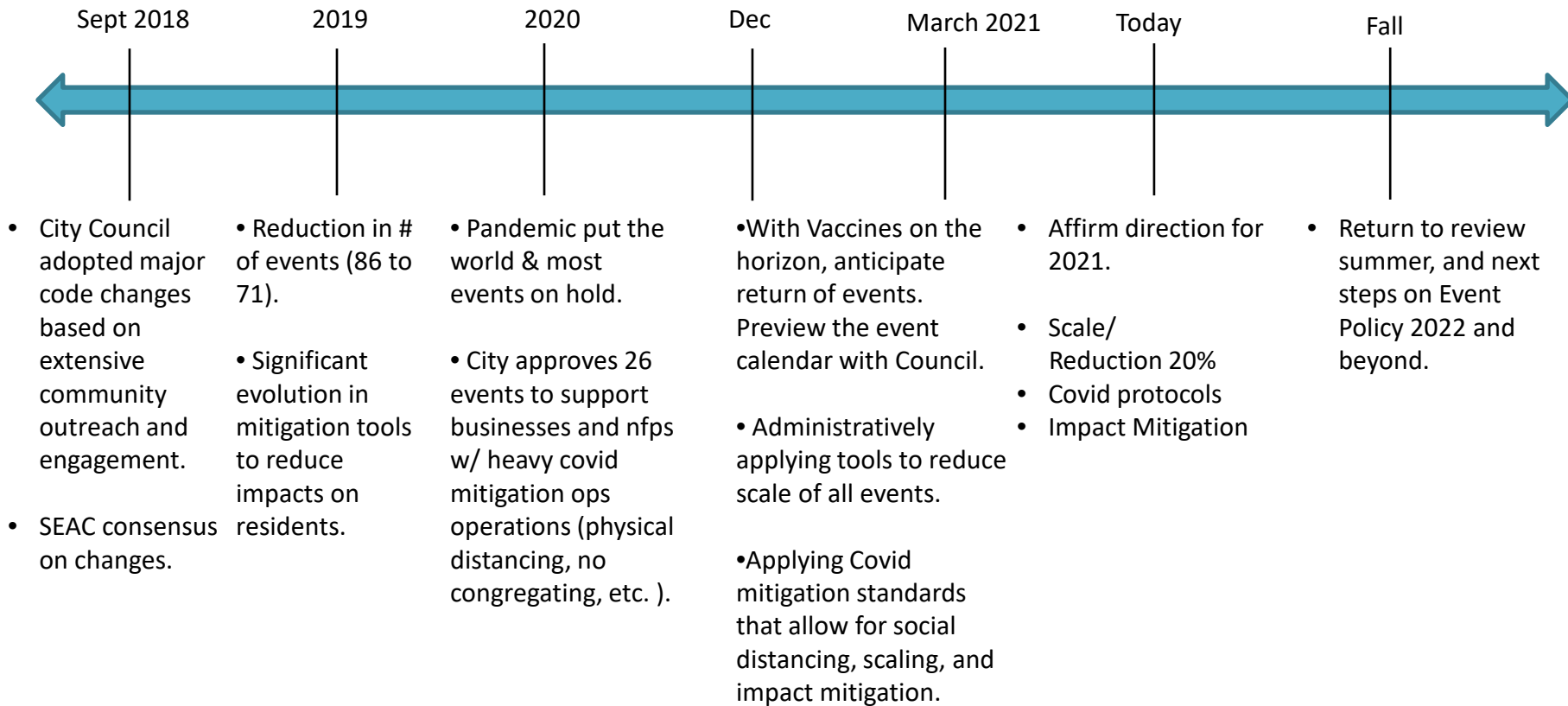
With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

Special Event Update



Special Event Timeline



2018 Policy & Code Changes

After extensive SEAC and stakeholder input:

- Define Peak Timeframes (11 times a year) when new events will not be considered.
- Re-classify event Levels based on impacts and number of days.
- Capped number of Level 3, 4, and 5 events.
- Application deadlines to create predictability for applicants and community.
- Create 5-year limit for SEFR request (Council direction to wean off by FY 24).
- Build quiet times into the calendar administratively.
- Deregulate Level 1, 2 and 3 events at the resorts.
- Added standards of approval that prioritized community alignment, and not using PC as backdrop.

This was a balanced approach. We acknowledged we would win some and lose others. No silver bullet. We have demonstrated success.

Review & Approval Authority

- o City Council retains authority on:
 - New L4 and L5 events.
 - L4 and L5 with material changes year over year.
 - Annual Supplemental Plans of contracted Events.

- o City Council delegated approval authority to staff for:
 - Level 1, 2, 3 events.
 - Level 4 and 5 with no material changes.

- o Permit review process:
 - Deadlines = predictability.
 - Review with internal and external partners.
 - Time & detail.

Scaling/Reduction

- In March, 2021, City Council asked that all events reduce scale and impacts.
- Each event is evaluating their priorities, infrastructure and operational needs, staffing, data analysis, marketing, budgeting, etc. Align resources with priorities.
- Collectively staff is targeting an overall scaling/reduction of about 20%.

Examples of Scaling Tools:

- Reduce capacity at ticketed venues.
- Cap attendance.
- Reduce number of teams at tournaments.
- Reduce number of vendors.
- Change time or days of events to focus on local attendance.
- No/significantly reduced marketing of events.
- Require ticketing or advanced registration.

“Add more bouncers (mitigation) or shrink the guest list (scaling) ” –
Tom Bakaly, Former City Manager

COVID-19

- Currently events are required to complete COVID 19 State Template.
- Most events are embracing this and going above and beyond requirements.
- It is likely that restrictions will be lifted by the state in coming weeks/months.
- We anticipate that many events, just like businesses, will continue to implement COVID protocols even if not required by the state. Events know they have to be prepared to be nimble due to the pandemic.

Examples include:

- Social Distancing, creating pods at events.
- Event Organizer's require masks, frequent handwashing.
- Outdoor space v. Indoor space.
- Contact Tracing /Symptom Checking.

Impact Mitigation

Staff has been successful in mitigating community impacts through the permit process. This will continue to be refined. Examples include:

- Community Engagement & Outreach.
- Transportation Initiatives.
- Sustainability Standards.
- Noise Management.
- Focus on community and local culture. Fun and Funk.

SEFR & Costs

- Fee Reduction has been used as a tool to achieve Council priorities.
- Increasing cost & human resources with decreasing revenues due to tools = increased pressure on applicants, departments and the community.
- Continue weaning events off Fee Reduction.... 95% of our event calendar are local, non-profits.
- Event organizers will receive less Fee Reductions than in the past. Applicants are budgeting, but in the end if events are not fiscally possible, it may cause them to withdraw all together. We are likely to hear concerns over this.

Summary & Discussion

- **Is City Council supportive of staff's direction?**
If we aren't on the right track, we need to know now.
- For current permit review process all applicants will:
 - Reduce scale;
 - Apply Covid-19 protocols;
 - Continue impact mitigation in alignment with community priorities.
- Staff will return to Council:
 - To consider supplemental plans for major events (over the coming weeks).
 - For a summer debrief and look ahead at future policy changes for 2022 and beyond (late fall).
- It is an uncertain time. We must be nimble. Learn, Plan, Implement, Adapt, Repeat.
There is light on the horizon.

Special Event Progress

PARK CITY

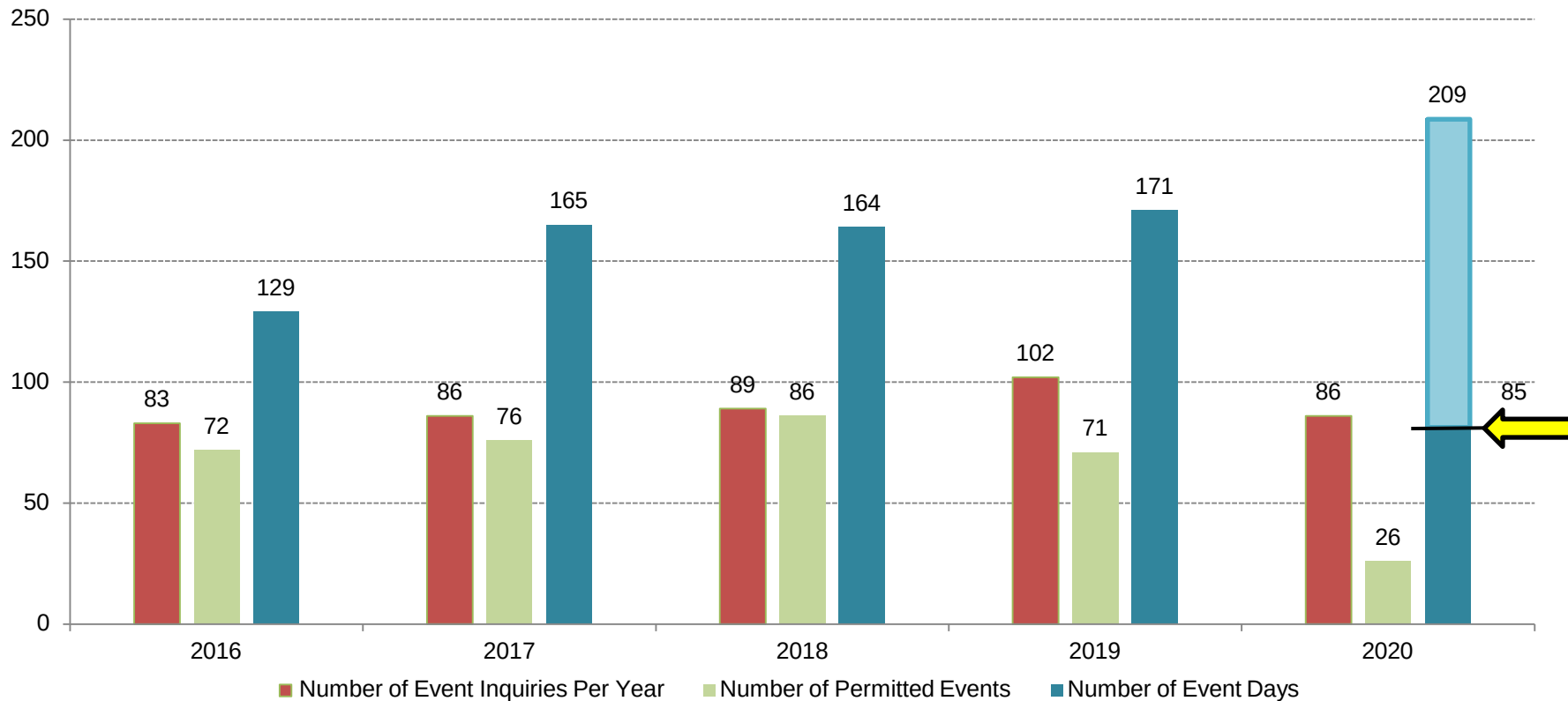
1884



Event Calendar

Count

Inquiries, Permitted Events & Number of Event Days

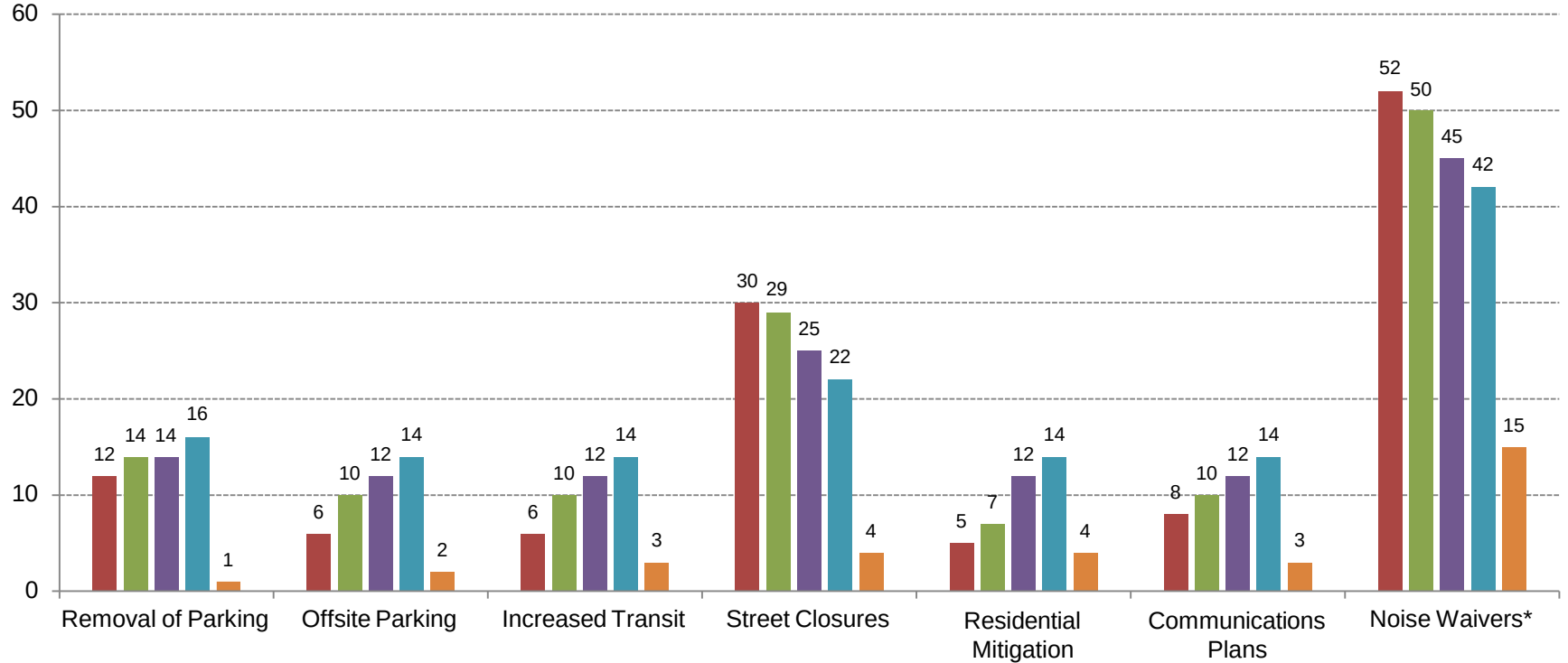


Event Services

Additional Services Provided for Events Over Time

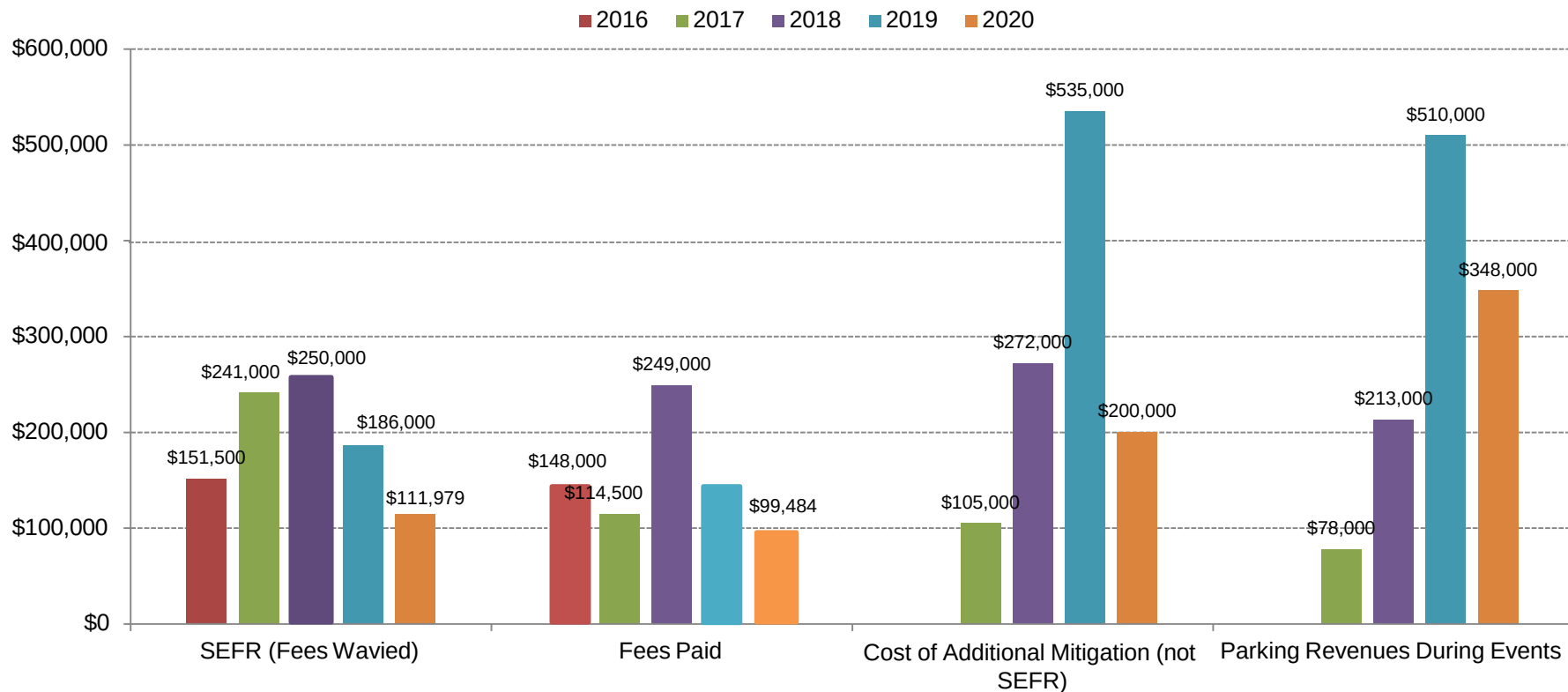
Count

2016 2017 2018 2019 2020



Event Fee Waivers & Impact

Additional Fee Reduction Provided for Events Over Time



An aerial photograph of a mountain town covered in snow. The town is densely packed with buildings, mostly with dark roofs, and is surrounded by snow-covered hills and mountains in the background. The sky is a deep blue, suggesting a clear day.

Little Belle Court, Unit 2 Plat Amendment

City Council
April 15, 2021



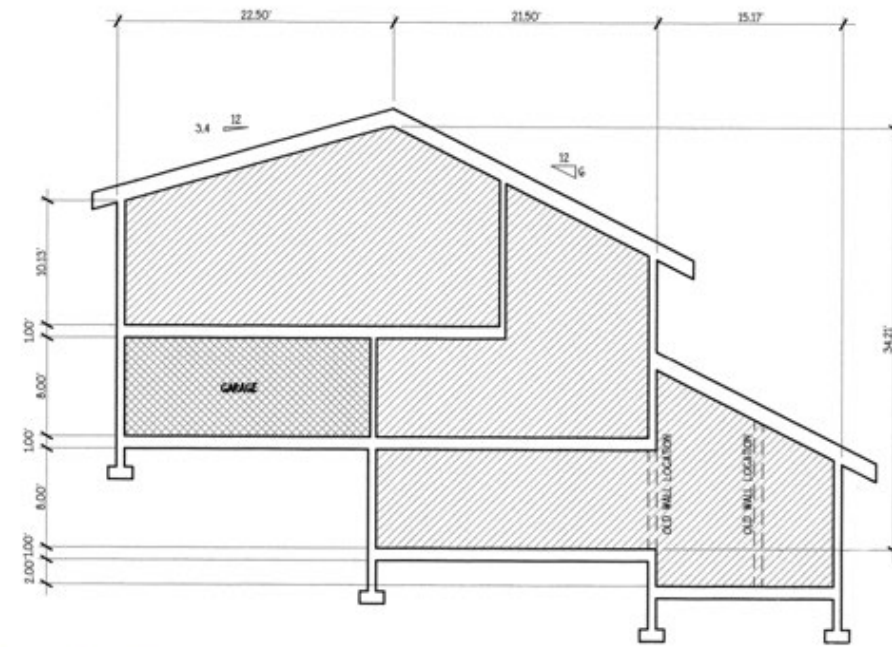
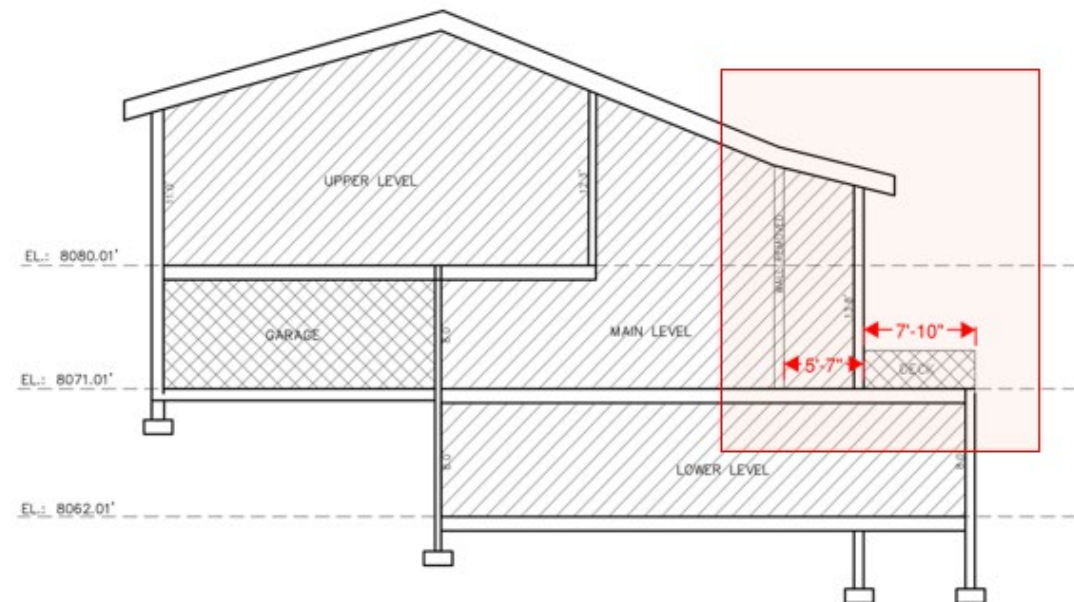
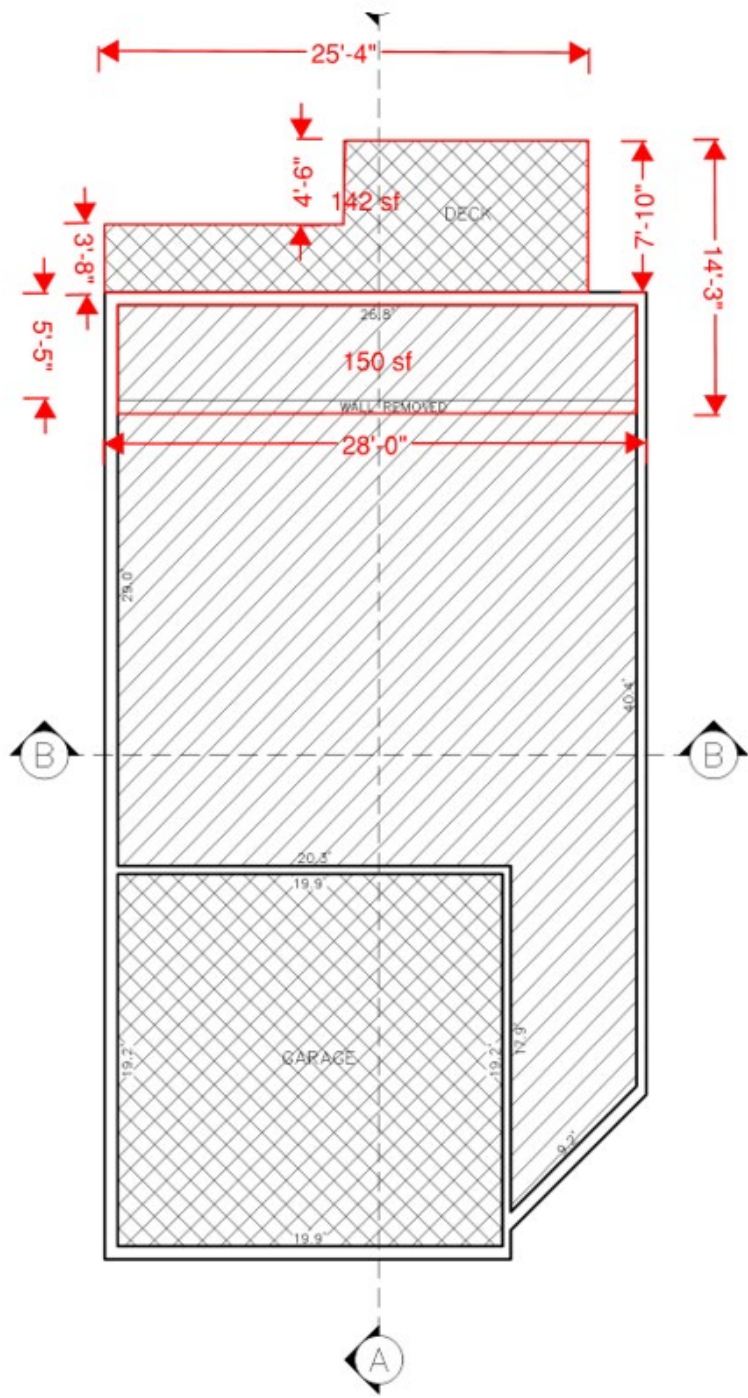


Figure 2 Existing Conditions





Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All conditions of approval of the Deer Valley Resort 12th Amended and Restated Large Scale MPD and the amended Little Belle Condominiums plat shall continue to apply.
4. No building permit may be granted until after this plat amendment has been recorded. Once the deck area is recorded as limited common area, both the unit owner and the HOA must be the applicant for any building permit pulled for the deck area.



Questions?

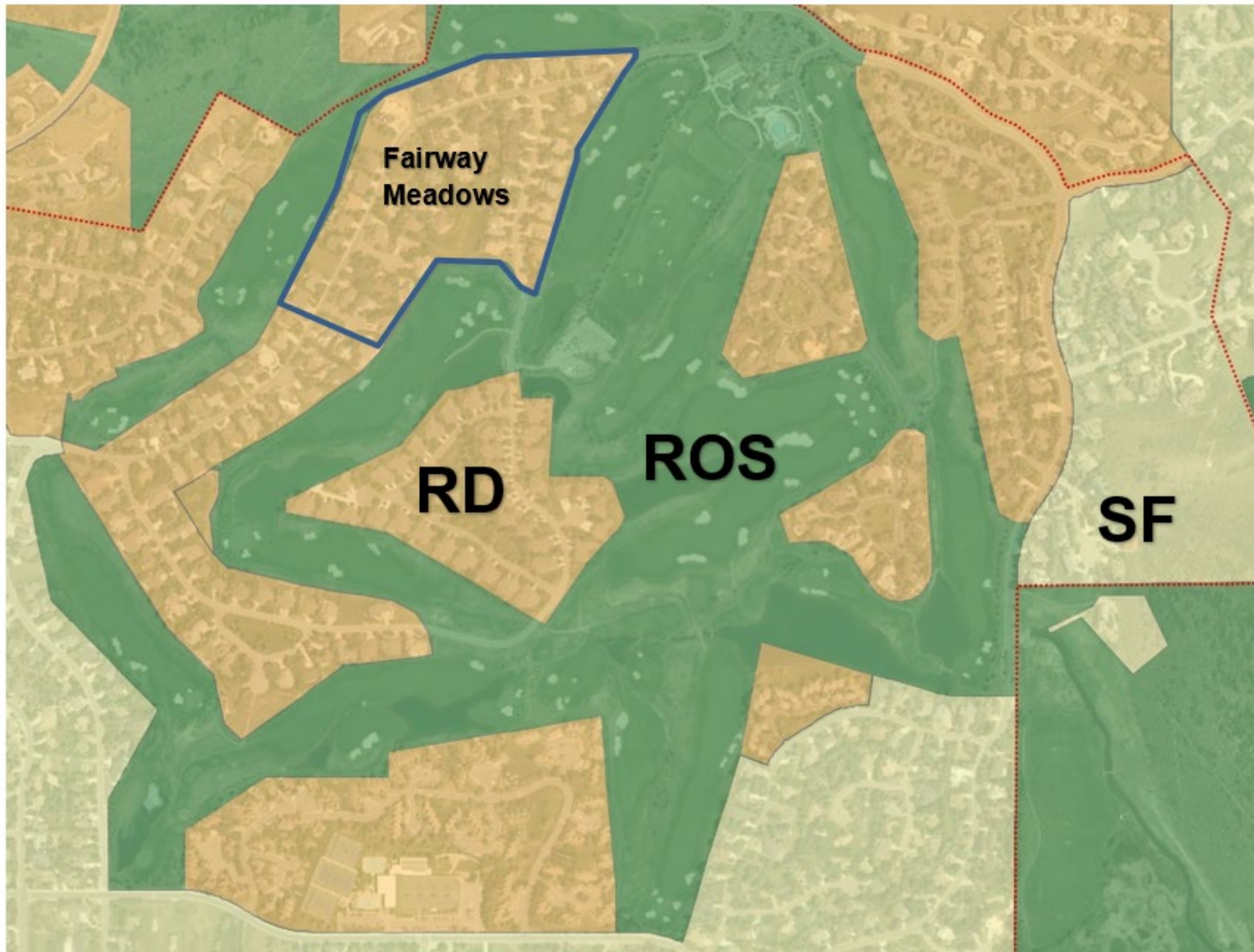


An aerial photograph of a mountain town covered in snow. The town is densely packed with buildings, mostly with dark roofs, and is surrounded by snow-covered hills and mountains in the background. The sky is a deep blue, suggesting dusk or dawn.

Fairway Meadows LMC Amendment – Nightly Rentals

City Council
April 15, 2021





The Fairway Meadows HOA has indicated that they sent a letter to their members on November 24, 2020, requesting a vote on the proposed LMC Amendment and the following results were reported in the submitted application:

Vote	Position
47	“support rezoning the Fairway Meadows HOA to reflect CC&Rs which prohibits nightly rentals”
5	“do not support rezoning”
0	“abstained”
8	“did not respond”
60	Total



Existing Footnote #3:

³Nightly Rentals do not include the Use of dwellings for Commercial Uses and Nightly Rentals are not permitted in the April Mountain and Mellow Mountain Estates Subdivisions.

Proposed Footnote #3:

³Nightly Rentals do not include the Use of dwellings for Commercial Uses and Nightly Rentals are not permitted in the April Mountain, Mellow Mountain Estates Subdivisions, and Meadows Estates Subdivision Phases #1A and #1B, and Fairway Meadows Subdivision.



Questions?

