PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MARCH 26, 2009

Present: **Mayor Dana Williams; Council members Candace Erickson; Roger Harlan; Jim Hier; Joe Kernan; and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jonathan Weidenhamer, Economic Development Manager; and Matt Cassel, City Engineer

Jeff Ward and Sandy Geldorf, HMBA; Brad Lucas, H W Lockner; and Maria Vyas, Fehr & Peers; Nani Hogle, resident; Donnie Novelle, Park City Transportation

1. Council questions/comments. Candace Erickson commented on the amount of her time and staff resources spent on the Air Force issue during the past two weeks. Liza Simpson reported on the Save Our Snow meeting where designating October as Green Month and a green building conference were discussed. Joe Kernan commented on the presentation from Wasatch County at the interagency meeting about potential development around the Jordanelle, estimated at 10,000 unit equivalents. He understood that about 1,000 are under construction and the build-out is projected at 10 to 20 years. Many are primary residences but second home communities are also planned and currently there is no transportation plan.
Mayor Williams reported on a luncheon with members of PRI, the Boyer Company, the LDS Church, and current and former County officials to celebrate the joint purchase of open space in the Kimball Junction area. This purchase has the highest density associated with it and the acquisition is significant. He added that he has also been working hard on the Air Force matter for the last two weeks and complimented the team who met with Governor Huntsman on SB216. The Mayor noted that the Governor was very complimentary of Park City and sensitive to our concerns. The City's ownership of Gambel Park, consisting of 110 acres, was passed by the US House and Senate which increases total open space to 240 acres from the Aerie Subdivision back over to the Prospector area. He reported on the growth of the use of cloth bags at grocery markets and attending the HMBA meeting where a grant proposal to the City was discussed. Tom Bakaly pointed out that this week's Manager's Report included information on the request; a work session can be held on this if desired. Staff's recommendation is to consider the funding request as part of the budget process which begins the first meeting in May.

Jeff Ward admitted that the HMBA is unfamiliar with the budget process, there is not a lot of detail in the written proposal and there is more information that should be presented. Jim Hier stated that unless there is a huge time crunch, that the budget process is the best option. Jonathan Weidenhamer noted that between now and then, there is a lot of staff and HMBA work to accomplish and it would be helpful to get a feeling of Council's level of support for the project now. Members agreed to schedule a work session on April 2 to decide whether or not to consider it as part of the budget.

2. Legislative update. Jim Hier shared comments he heard at the Chamber meeting on the session including the amendments to the liquor laws which will be an improvement. Although the restaurant tax did not pass, there is a possibility that it will return next year. The tourism fund was reduced from $11 million to $7 million. Tom Bakaly reported that unfortunately SB211 was signed. This bill deals with amendments to the International Building Code. SB248, promoted by Salt Lake City to obtain more sales tax, was amended so it no longer deals with the resort community definition but provides transportation funding to eligible communities.

3. Bonanza Drive overview. Brad Lucas displayed a rendering of the project area and explained that elements include installation of a 12" water transmission line and other water distribution and sewer lines. Road reconstruction includes pavement, bike paths and sidewalks. The Deer Valley Drive intersection will primarily stay the same with the exception of lengthening the left turn lane and adding bike lanes. There was discussion about encouraging bikers to use the Poison Creek Trail because of the lack of bike lanes on Deer Valley Drive. He noted that the Iron Horse intersection has a lot going on and he spoke about the initial plan to restrict left turns in and out of Iron Horse Condos but since developed two small left turn lanes for the complex. The underground pedestrian tunnel is a big component connecting the Poison Creek Trail but the access ramp location is on private property. Mr. Lucas stated that this configuration is ideal for landscaping but acknowledged its dependence on negotiations with the land owner.

A school bus pull-out is planned on the northeast corner of the intersection so that traffic flow will not be interrupted and there was discussion about getting a formal statement from the School District that traffic can move around a stopped school bus. In response to a question from resident Nani Hogle, Mr. Lucas explained that the Iron Horse intersection meets a peak hour signal warrant but is border-line and may not be necessary. They are recommending that the traffic signal not be installed at this time but conduit and junction boxes will be buried as a part of the reconstruction in the event a signal is needed in the future This will greatly reduce the cost for installing a light. It is anticipated to improve site distance somewhat with pavement work. Donnie Novelle, Park City Transportation, expressed that she prefers a right turn only on Lower Iron Horse Road at least during peak times. Brad Lucas explained that installing lights and a cross-walk on the north leg of Munchkin are proposed and eliminating left turns during peak hours would apply to this intersection.

He explained the median design and a left turn acceptance lane for left turns out of Prospector Avenue. There will be no through traffic out of Maverick into Prospector Avenue. Mr. Lucas indicated that a lot of public input has been received on the continuous raised median on the south leg of the intersection. Through compromise, the plan has been changed to provide for an opening for the Park City Plaza driveway which would allow left turns in and out.

Cindy Matsumoto, Right At Home, referred to the raised median in front of her store and noted that she did not complain because of the greater good, but the Plaza tenants complained and got what they wanted. It is going to be more difficult to access her shop and she asked that the Iron Horse intersection be examined again. The difficulty of turning left because of poor line of sight at this location was discussed. Matt Cassel explained that the driveway to the Plaza has been opened but the group feels uncomfortable with this option because it creates a conflict with Prospector Avenue improvements. Capacity at the intersection is compromised and staff recommends monitoring the intersection for conflicts. Council members were willing to try the compromise approach. Mr. Lucas explained the plan to install a continuous raised median from Prospector Avenue to Kearns Boulevard. The Maverick driveway location has the highest accident rate in the entire corridor. Part of the project involves restriping and widening Monitor Drive to provide northbound bike lanes and southbound access for bikes. Based on the walkability study and other input, Lockner is recommending bike access off the road to the west sidewalk on Kearns Boulevard.

Brad Lucas stated that they are attempting to work through all of the issues and arrive at a good design for the community. The bid process will begin in late spring with construction planned in July. The first phase would be roadway construction from the Iron Horse intersection south, including water and utility work and in late fall; the remainder of the water line through the project would be installed. The project would shut down in the winter and be completed in 2010. They are committed to completing the project while minimizing impacts by maintaining access to all of the businesses and getting the message to the public that the road is open.

Mr. Lucas indicated that the Iron Horse intersection will have to be closed for a time and will work with the stakeholders on this. Matt Cassel acknowledged that the time frame is not yet known, but considerations include the distribution of power to downtown and high pressure gas at a location where new and existing water lines, tunnel, culvert, and sewer line under the tunnel will be placed The schedule is still being determined and the closing will be as short as feasible. The Mayor invited public input.

Carol Potter, Mountain Trails Foundation, stated that she is very disappointed that the tunnel will not be built this summer but in 2010. It was the number one priority of WALC and in her heart and is now dead last.

The Mayor agreed that the tunnel is important. Matt Cassel explained that delaying the construction of the tunnel was based on the need to provide access to the condominium complexes by alternating the use of lower and upper Iron Horse. Liza Simpson clarified that WALC prioritized a myriad of projects, large and small, and would not characterize the tunnel as dead last when there are millions of dollars worth of projects yet to do.

Jim Hier recommended eliminating through truck traffic on Bonanza Drive to reduce congestion and better accommodate walkability goals and didn't understand why this is not addressed in the plan. Mr. Lucas indicated that the percent of trucks using Bonanza averages about 11% which increases in the summer months and truck traffic is fairly constant during the day. He did not believe that truck traffic is a big factor with regard to congestion, although he acknowledged the safety component of the plan and trucks may be inconsistent with associated goals. It is difficult to ban trucks altogether because of the number of businesses in the corridor needing deliveries. However, there could be a weight limit to filter out some of the heavy construction vehicles or interstate trucks. Jim Hier stated that he is not proposing on eliminating trucks altogether but eliminating some through truck traffic and has seen related traffic signs. Reducing 10% of the volume of traffic, especially during peak times, would be beneficial and also would prevent some of the back-up that occurs on Kearns as all those trucks line up in the morning to make a left hand turn during the construction season. He felt that installing a sign is an easy and effortless approach and may be effective. Traffic flows smoother when there are no trucks in the mix and Matt Cassel stated that they will look at this. Tom Bakaly suggested coordinating with UDOT and Mr. Cassel explained that the City must meet UDOT standards. The Mayor invited public comment.

In response to a question from Nani Hogle, Mr. Lucas explained that Poison Creek will be moved and piped from the Iron Horse intersection up to the Rail Trail and pointed out that a portion of the trail is under the creek in the tunnel area.

Bob Murphy, Superman at Park City Plaza, suggested that Bonanza Drive just be painted; leave it as it is with a center lane and reassess the plan. He acknowledged that opening the median to the Plaza may compromise the plan. The study that was conducted in 2006 projecting growth should be reevaluated consistent with today's economy. If left turns are restricted, the Plaza will suffer terribly.

Mark Spencer, Spencer's Smoke and Grill, asked if the tenants of the Plaza were properly notified. Maria Vyas explained that in late January fliers were distributed to businesses along the corridor which provided contact info for Fehr & Peers, an outline of the project, and information on the open house which was held on February 17. The flier invited tenants to meet with the consultants on an individual basis and Ms. Vyas stated that they met individually with Bob Murphy and Mark Spencer. An email list from the prior round of public involvement in 2007 and an email list of business owners at the open house have been compiled. Mr. Spencer felt that the same people show up for the meetings and concluded that not everyone knows what's going on.

He complained that City buses will interrupt the flow of traffic because there will be no center median for drivers to pull around them. Brad Lucas explained there are three seasonal bus stops on the corridor and a stop is estimated to take 40 seconds which is not a significant delay for traffic. This is much shorter than a school bus stop. He spoke about making more room for a car to pull around a bus by narrowing the median. Liza Simpson did not believe 40 seconds is accurate especially in the winter with riders carrying equipment. Mr. Spencer expressed concerns that the plan for medians is not clear and suggested painting the road and installing a light. Matt Cassel spoke about the importance of planning for the future and Candace Erickson pointed out the proposed redevelopment of NOMA. The Mayor felt that part of the confusion was the result of changing the plan for the benefit of Mr. Spencer and others and believed that the merge lane from Prospector into Bonanza Drive will be a huge help. Mr. Spencer encouraged not rushing into this project and making sure it is right.

Cindy Matsumoro stated that this has been a long process and there has been opportunity for public input. When the 2006 study was done, times were good but times aren't so good anymore. For some businesses, the project may be more financially impactful.

Jim Hier stated that part of the reason for the timing of the project deals with the installation of the pipe line to deliver water which is a contractual agreement. Liza Simpson suggested installing medians at locations where there are failures of service and install other medians later as needed. Install one at the Maverick and the Prospector intersection and stripe the rest of the project. She supports the pedestrian and bike improvements. Mr. Lucas indicated that traffic data shows that Prospector will be the first intersection to fail but in a few short years most of the driveways and intersections will also fail. Iron Horse and Munchkin both turn into an F Level of Service in 2011. Candace Erickson questioned the growth projections, and Mr. Lucas stated that the number in the 2006 study is conservative. Generally these types of projects are big investments for communities so the pavement is a 20 year design. Mr. Lucas felt that Ms. Simpson's suggestion is doable. Jim Hier asked how long the Iron Horse intersection will be closed and the estimate was a month. Matt Cassel added that a closure is recommended because of all of the utility work contemplated at the intersection making it unsafe to route traffic around a deep excavation.

Tom Bakaly spoke about the goal of balancing safety, traffic flow and access to businesses. From a safety standpoint, staff is not comfortable recommending breaks in the median plan. Roger Harlan suggested beginning to limit truck traffic on Bonanza during project construction. In response to comments made about line of sight concerns, Brad Lucas explained that the Iron Horse intersection will be raised two feet. Liza Simpson asked for additional information on phasing the installation of medians.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 26, 2009

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Library and Education Center on Thursday, March 26, 2009. Members in attendance were Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Kayla Sintz, Planner; Jerry Gibbs, Public Works Manager; Dave Gustafson, Project Manager; Phyllis Robinson, Public Affairs Manager; and Kirsten Whetstone, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Joe Kernan disclosed that Elliott Work Group is among his recycling customers.

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

IV APPROVAL OF MINUTES FROM MEETINGS OF FEBRUARY 26, 2009, MARCH 3, 2009 AND MARCH 12, 2009

Candace Erickson, "I move to approve the minutes of the meetings of February 26, March 3 and March 12". Roger Harlan seconded. Motion unanimously carried.

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

Mayor Williams read a Resolution recognizing Blair Feulner, Item 3, and presented him with a signed proclamation in appreciation of his 30 years of service with Community Wireless. Jim Hier, "I move to approve the Consent Agenda". Joe Kernan seconded. Motion unanimously carried.

1. Consideration of a Resolution declaring April 2009 as Fair Housing Month in Park City, Utah – Staff recommends approval.

2. Consideration of a Resolution authorizing an amendment to a First Supplemental Indenture of Trust dated March 1, 2005 (the "First Supplemental Indenture"), supplementing a General Indenture of Trust, dated March 1, 2005, pursuant to which the City of Park City, Utah issued its Sales Tax Revenue Bonds, Series 2005A and Series 2005B; said amendment to be accomplished by the execution and delivery of an amending supplemental indenture herein authorized, supplementing and amending the

First Supplemental Indenture, and related documents in connection therewith; and related matters – Staff recommends approval.

3. Consideration of a Resolution in appreciation of Blair Feulner's 30 years of service with KPCW in Park City, Utah – Staff recommends approval.

VI NEW BUSINESS ***(New items with presentations and/or anticipated detailed discussions)***

1. Consideration of Ordinance approving the Racquet Club Subdivision, located at 1200 Little Kate Road, Park City, Utah – Planner Kayla Sintz explained that on January 7, 2009, the City received a complete application to create a legal lot of record from a 7.5 acre metes and bounds parcel. The subdivision application will create one lot which currently contains the Park City Racquet Club. This item was heard by the Planning Commission on February 25, 2009, a positive recommendation was forwarded and staff recommends approval based on the draft Ordinance. The Mayor opened the public hearing and with no comments, closed the hearing. Jim Hier, "I move we approve the Racquet Club Subdivision located at 1200 Little Kate Road based on the findings of fact, conclusions of law, and conditions of approval in the Ordinance". Roger Harlan seconded. Motion unanimously carried.

2. Consideration of authorization to purchase 63 radios, accessories and an extended warranty from Motorola Inc., in a form approved by the City Attorney, in the amount of $115,519 for Public Works Operations, Water, Building and Public Works Administration – Jerry Gibbs described the types of radios recommended to be purchased. The Mayor invited public input; there was none. Roger Harlan, "I move authorization to purchase 63 radios and accessories from Motorola Inc., in a form approved by the City Attorney, in the amount of $115,519 for Public Works Operations, Water, Building and Public Works Administration". Candace Erickson seconded. Motion carried unanimously.

3. Consideration of award of contract, in a form approved by the City Attorney, to R & O Construction in the amount of $3,232,490 for the construction of the Snow Creek Cottages, 2060 Park Avenue, Park City, Utah – Dave Gustafson explained that in November 2007, Elliott Work Group was awarded a contract to design the 13 units approved for the project. Construction documents were put out for bid in January and 11 companies submitted bids. Mr. Gustafson stated that R & O was the lowest and is a very qualified company. Roger Harlan asked about construction worker parking and Mr. Gustafson suggested that parking be provided at the project site which will be included in the construction mitigation plan. In response to a question from Jim Hier, Mr. Gustafson indicated that the cost includes infrastructure and the varying sizes of the residences were discussed.

Candace Erickson asked Council members if they would be willing to eliminate the 13th house, requested by the neighbors, but no one supported changing the plan. Dave

Gustafson pointed out that the bids came in significantly less than what was originally anticipated bringing costs down to about $200/square foot. Jim Hier expressed the importance of having a complete summary of the scope of work available in the meeting packet which is more beneficial to members than including the entire contract. The Mayor invited public input; there was none. Liza Simpson, "I move we authorize staff to proceed with the construction of Snow Creek Cottages Project by awarding the construction contract to R & O Construction in the amount of $3,232,490, in a form approved by the City Attorney". Joe Kernan seconded. Motion unanimously carried.

4. Consideration of award of a Special Service Contract, in a form approved by the City Attorney, in the amount of $70,354 to Elliott Work Group for construction administration for the Snow Creek Cottages – Phyllis Robinson explained that this action is the third part of the award to Elliott Work Group for the Snow Creek Cottages Project. The cost includes construction administration services and is a partial reimbursement for additional architectural and engineering costs incurred during the design development and construction document phase largely associated with the appeal last August resulting in the redesign of the units. She pointed out the scope of services section and the additional costs incurred, which was reduced by 30% by Elliott Work Group. The Mayor invited public input; there was none. Roger Harlan, "I move approval of an award of a special service contract in a form approved by the City Attorney in the amount of $70,354 to Elliott Work Group for administration on the Snow Creek Cottages Project". Liza Simpson seconded. Motion unanimously carried.

VII OLD BUSINESS *(Continued items)*

Consideration of an Ordinance approving a plat amendment for the Main Street Mall, located at 333 Main Street, Park City, Utah – Kirsten Whetstone explained that this is a request to create one lot of record for the Main Street Mall, consisting of Lots 7 through 15, Lot 18 through Lot 26, Block 11 of the amended Park City Survey. As a part of the plat amendment, side easements are identified for existing emergency and pedestrian access, utilities and parking as described in the title report and on the land title survey. The purpose of the plat amendment is to remove the interior lot lines and to memorialize the easements for the existing Main Street Mall building. The lots fronting Main Street are located in the HCB Zone and the lots fronting on Park Avenue are in the HR-2.

Ms. Whetstone stated that on December 6, 2008, the applicant submitted an application requesting revisions to a previously approved Historic District Design Review. Staff reviewed the application and made a final determination of compliance with the Historic District Guidelines. On February 25, the Planning Commission reviewed the plat amendment and there was some public input and discussion regarding potential impacts on Main Street businesses and Park Avenue residents during the remodel. On April 8, 2009, the applicant will update the Planning Commission, as requested, on the design. Staff is recommending a condition of approval that a construction mitigation plan be submitted to the City for review and approval prior to the issuance of any building permits. The construction mitigation plan will address staging areas, access, phasing, road and sidewalk closures, timing of utility interruptions, and timing of construction during high activity periods on Main Street. The Planning Commission requested that the applicant meet regularly with neighbors and tenants to keep everyone informed. Kirsten Whetstone relayed that staff finds the plat is consistent with the LMC and the General Plan and there is good cause to combine these lots which resolves property line issues. It was explained that the lot lines will be removed and the delineation of the two zones is found on the Park City Zoning Map.

The Mayor opened the public hearing; there were no comments. Joe Kernan, "I move we approve the plat amendment to the Main Street Mall, located at 333 Main Street, as written in the staff report". Candace Erickson seconded. Motion unanimously carried.

VIII ADDITIONAL DISCUSSION – AGENDA ITEMS

IX ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 1 p.m. Members in attendance were Mayor Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Diane Foster, Sustainability Manager; Phyllis Robinson, Public Affairs Manager; Tom Daley, Deputy City Attorney; and Mark Harrington, City Attorney. Joe Kernan "I move to close the meeting to discuss property and personnel". Liza Simpson seconded. Motion carried unanimously. The meeting opened at approximately 4:45 p.m. Candace Erickson, "I move to open the meeting". Liza Simpson seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott

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Janet M. Scott, City Recorder