PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
MARCH 22, 2012

Present: **Mayor Dana Williams; Council members Andy Beerman; Alex Butwinski; Cindy Matsumoto; Dick Peek (participating electronically); and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Rhoda Stauffer, Housing Specialist; Thomas Eddington, Planning Manager; Diane Foster, Interim Assistant City Manager; Sayre Brennan, Public Works Inspector; Bret Howser, Budget Manager; and Phyllis Robinson, Public Affairs Manager

1. Council questions/comments. Liza Simpson reported that the Friends of the Farm are planning their annual Your Barn Door is Open event. She thanked staff for restoring the 10 o'clock whistle. Andy Beerman attended a Recycle Utah, BOSAC, and Thaynes Water Quality Water meetings. He updated members on associated business and felt the neighborhood water meeting was productive. Cindy Matsumoto stated that she participated in the Meals on Wheels Program by delivering meals to residents in the community. The program has diminished within the City limits and she wondered if some sort of outreach is needed or if qualified individuals have moved. Rhoda Stauffer responded that both the Senior Center and Mountainlands actively promote the program and if someone is interested in the service, she felt confident that they are receiving it. Ms. Matsumoto attended a Summit Lands Conservancy meeting where new partnerships were discussed.

Mayor Williams stated that he met with the Advisory Council on Latino Affairs and many ideas were discussed. He received a number of calls this week about the Crescent Tram Trail project and asked for an update. Sayre Brennan explained that the project is intended to better define the trail and the City is currently receiving bids. Thomas Eddington added that the RFP asks for a trail design that clearly distinguishes the pathway on the easement from private property.

2. Legislative wrap-up. Diane Foster explained that part of Park City's anti-idling law was lost with regard to enforcing on private property, which will result in modifications to our ordinance. Also, some changes will need to be made to the taxi ordinance as the City can no longer regulate age of vehicles; however, condition can be addressed. The open carry legislation did not pass but it is expected to reappear next year. She explained that the billboard law did not make it to the floor on time. The resolution for the Interconnect passed and tourism received $9 million in funding. Senator Waddups pulled $1.8 million from the DABC budget but the Governor promised to cover that amount. Ms. Foster explained that Park City is part of the long-range Region 2 transportation improvements which were accelerated and the bus lane on SR224 is now actually funded. She added that air pollution and renewable energy are issues that are high priorities for voters.

3. Quarterly goal reporting format – 2012 Council goals and desired outcomes. Bret Howser explained that this is a continuation of previous discussions and staff is asking for input from members on further edits to the mission, goals and outcome statements. He pointed out identical or similar outcomes for different goals and commented on the format for quarterly goals which is considered a living document.

The Mayor stated that he likes the format for the posters and the connectivity with visioning and with the goals of the community. Andy Beerman agreed but suggested a variety of minor, primarily grammatical edits. Discussion ensued on the description for police under quality of life, recognizing that the goal is maintaining a safe community and it was decided to list that separately. With regard to setting goals, Alex Butwinski reminded members that *if it can't be measured, it can't be evaluated*. The ways goals are achieved should be clear. Liza Simpson also liked the posters. However, she continues to feel that *The best led and managed resort town in America* sounds like bragging and she doesn't like the exclamation points. Ms. Simpson suggested the wording, *The best resort town in America* and other members agreed because the statement is not a goal but a philosophy.

Ms. Simpson expressed that she liked the new goal reporting format but asked that it be modified so it can be easily read on an iPad. Alex Butwinski pointed out that projects and programs are not identified as operating or capital and asked where he could track the operating plan, for example. Ms. Robinson explained that they are operating items versus capital items so there isn't an operating plan associated with them. Mr. Howser clarified that these are operational items on the action plan checklist.

4. Event center update. Bret Howser stated that CSL provided a study on an event center, specifically looking at the Bonanza Park area. The executive summary is attached to the staff report. Staff is not recommending pursuing an event center there because in order for it to be successful, CSL recommended there would need to be a publicly financed hotel product associated with it. A hotel seems inconsistent with the neighborhood plan and a publicly financed hotel competing with the private market did not seem consistent with economic development goals. Staff will continue to consider opportunities for an event center that might arise. Alex Butwinski pointed out that staff disagreed with CSL on some matters; he agreed with staff's analysis and felt the report was well done.

5. Coalition of Mayors against Illegal Guns Resolution. Mayor Williams explained that Mayor Bloomberg's Office contacted him about Park City supporting the Resolution. He spoke about researching this matter by reading blogs, articles and the NRA's position and found nothing in the statement of principles that violate the Second Amendment. The Chief of Police reviewed the proposal and has no issues. The last shooting in the Park City limits was committed with an illegal weapon. The Mayor was not aware of any legislation being proposed on this matter.

Police Captain Phil Kirk added that over the last seven years the City has been working with the US Attorney's Office and Adult Probation and Parole Services to make sure that criminals don't have weapons. Captain Kirk expressed his wholehearted support of the Resolution as does Chief Carpenter.

Alex Butwinski acknowledged the public input members received on this. Most supported the Resolution while some were concerned about the City spending time on this and taking time from other responsibilities. He emphasized that this is not detracting from or adding to anything the City is doing already.

The Mayor invited public comment; there was none. The Resolution will return for formal action. Ms. Simpson felt that the Resolution supports what the Police Department is already doing and is worthwhile to pursue.

Since the work session ended earlier than expected, the Council reconvened in closed session to discuss unfinished business.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 22, 2012

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6:15 p.m. at the Marsac Municipal Building on Thursday, March 22, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, and Liza Simpson. Dick Peek was absent and excused. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Sayre Brennan, Public Works Inspector; Thomas Eddington, Planning Manager; and Mat Evans, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

None.

IV VISIONING SESSION MINUTES OF FEBRUARY 3 AND 4, 2011; AND WORK SESSION AND REGULAR MEETING MINUTES OF MARCH 1, 2012 AND MARCH 8, 2012

Liza Simpson referred to the note on the Visioning Session Minutes about transcripts being done for the Visioning Meetings and asked how they can be obtained. Jan Scott explained that a request would need to be directed to Sharon Bauman because the transcripts are not on-line.

Liza Simpson, "I move we approve the Visioning Session Minutes of February 3 and 4, 2011". Andy Beerman abstained from voting on the 2011 Minutes. Alex Butwinski seconded. Motion carried.

Andy Beerman	Abstention
Alex Butwinski	Aye
Cindy Matsumoto	Aye
Dick Peek	Absent
Liza Simpson	Aye

Liza Simpson, "I move we approve the work session and regular meeting minutes of March 1 and March 8, 2012 – Cindy Matsumoto 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")***

1. Consideration of a construction agreement for the Payday, Lucky John and Monitor Drive Culvert Replacement Project with Morgan Asphalt, Inc. in the amount of $65,953, in a form approved by the City Attorney – Sayre Brennan confirmed the numbers in the staff report for the benefit of Alex Butwinski. See motion to approve under Item 2.

2. Consideration of a service provider agreement with Gateway Planning for the preparation of a form-based code and traffic analysis in the amount of $141,500, in a form approved by the City Attorney – Mr. Butwinski asked if the deliverable will be *plug and play*. Thomas Eddington replied yes which is one of the reasons Gateway Planning is recommended. Unlike other planning firms, Gateway can do character zones in addition to transect zones, better fitting into the Bonanza Park area as a neighborhood form-based code which means it is plug and play. Gateway Planning has special expertise and its proposal went above and beyond others. Mr. Butwinski pointed out that the word *typically* should be removed from the scope of work and Mr. Eddington agreed.

Andy Beerman asked if this study is general enough to apply to other districts. Mr. Eddington advised that it will be specific to Bonanza Park but may be used as a template for other areas. Katie Cattan interjected that Lower Park Avenue may be a good candidate but a different formula will be used for Park Avenue than for Iron Horse. Cindy Matsumoto understood that this approach will eliminate a cookie cutter result and staff agreed. Ms. Simpson proposed that if the product is used as a template, whether the work would be done in-house. Thomas Eddington believed it could be done in-house but it might be more cost effective to contract the work.

In response to a question from Council member Beerman, Mr. Eddington stated that the price was negotiated down to $141,500. The other six firms did not have transportation expertise and staff did not negotiate with them. Three firms were interviewed and Gateway was felt to be the best fit. Andy Beerman confirmed that this was the only firm with a transportation background because it is definitely higher than most of the bids. Mr. Butwinski trusts that Gateway will not return asking for more money and Mr. Eddington affirmed.

Liza Simpson, "I move we approve the Consent Agenda". Alex Butwinski seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Aye
Dick Peek	Absent
Liza Simpson	Aye

VI NEW BUSINESS

1. Consideration of an Ordinance approving the First Amended Ridgepoint at Deer Valley Condominium Plat located at Ridgepoint Lane at Woodland Drive near Royal Street, Park City, Utah – Mat Evans explained that the request is to convert 926 square feet of limited common area to private ownership. Four property owners within the development have converted their entry ways into livable space which prompted the applicant to amend the plat, allowing 26 of the 38 units to convert these areas into habitable space. The other issue is changing the language on the plat to identify the balcony as limited common space. Staff has analyzed the application and determined that no non-conformities will result in regard to the request and staff is recommending approval.

The Mayor opened the public hearing; there were no comments from the audience and the public hearing was closed. Andy Beerman, "I move that we approve the Ridgepoint at Deer

Valley plat amendment based on findings of fact, conclusions of law and conditions of approval". Alex Butwinski seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Aye
Dick Peek	Absent
Liza Simpson	Aye

2. Consideration of an appeal of the Planning Commission's decision to approve the request from North Silver Lake LLC of an additional one-year extension of an approved Conditional Use Approval for a 54 unit development at North Silver Lake 2B - Appellant Lisa Wilson - Bob Dillon, resident, advised that Lisa Wilson had a ski accident today and will not be able to attend the meeting. Mark Harrington advised members to continue the matter in order to provide Ms. Wilson another opportunity to address the Council.

Rich Lichtenstein, representing the applicant, expressed that the appeal didn't make much sense and the Planning Commission did not find a reason to discuss it at length at its hearing. The materials submitted by Ms. Wilson do not seem to merit a hearing and he respectfully requested that the matter be heard tonight as this is not the first time the project has been before the Council. He added that Mr. Wilson could have communicated earlier that his wife was not going to be here and could have sent a representative.

Mark Harrington acknowledged that the applicant may have evidentiary issues regarding Ms. Wilson's submittals which can be weighed but as a matter of common courtesy, he felt the appeal should be continued for a week or so. However, members may view the appeal as primarily procedural which would not be benefited by any further oral argument. He stated that she has a responsibility to contact the City about her absence but has passed along word through Mr. Dillon, and it is up to the City Council to decide to continue.

Rich Lichtenstein asked that by postponing this a week or to some other meeting, whether her appeal will still be heard within the Code required time. Mark Harrington felt it fair to require no more emails or submissions in the interim from Ms. Wilson. Mr. Lichtenstein understood the appeal must be heard within a certain number of days. Mr. Harrington stated that is true but the Council has the ability to grant a continuance. Mr. Lichtenstein pointed out that that is not fair to the applicant and believed that is the reason the Code suggests a time limit to be fair to both parties. Mr. Harrington indicated that this objection can be raised formally.

Mayor Williams emphasized that the applicant flew in for the meeting. It was pointed out that Ms. Wilson does not have an attorney representing her on this matter. Liza Simpson recognized the time and money spent by the applicant to attend the hearing but out of courtesy, she indicated she was prepared to make a motion to continue the appeal. She would like it scheduled as quickly as possible and in a way that works for the applicant. Andy Beerman supported the motion adding that it is unfortunate but the decent thing to do is to continue but the date should be at the applicant's convenience. Alex Butwinski agreed.

Rich Lichtenstein stated that he will work with staff to find a mutually acceptable date. After discussion, Mark Harrington suggested April 5. Liza Simpson felt that continuing it once is a courtesy and if Ms. Wilson cannot attend that meeting, a representative could be sent in her place.

Bob Dillon was asked to phone Ms. Wilson about her preference for a hearing date. He advised that she will be in town on April 5 but out of town after that date. Rich Lichtenstein encouraged the City Attorney to review the Code in terms of the hearing taking place within the 45 day period.

The Mayor requested a motion to continue to April 5. Alex Butwinski, "I so move". Andy Beerman seconded. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Aye
Dick Peek	Absent
Liza Simpson	Aye

VII 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 2:30 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek (participating electronically), and Liza Simpson. Staff present was Tom Bakaly, City Manager; Linda Tillson, Library Manager; Craig Sanchez, Director of Golf; Diane Foster, Interim Assistant City Manager; Jonathan Weidenhamer, Economic Development Manager; Thomas Eddington, Planning Manager; Jim Blankenau, Environmental Regulatory Analyst; and Mark Harrington, City Attorney. Liza Simpson, "I move to close the meeting to discuss property, personnel and litigation". Andy Beerman seconded. Motion carried unanimously. The meeting opened at approximately 4:30 p.m. Alex Butwinski, "I move to open the meeting". Cindy Matsumoto seconded. Motion unanimously carried.

The City Council met again in closed session after work session and before the regular meeting. Liza Simpson, "I move to close the meeting to discuss property, personnel and litigation". Alex Butwinski seconded. Motion carried unanimously. The meeting opened at approximately 6:15 p.m. Alex Butwinski, "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, City Recorder

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