

**PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MARCH 22, 2007**

Present: Mayor Dana Williams; Council members, Marianne Cone; Candace Erickson; Roger Harlan; Jim Hier; and Joe Kernan

Tom Bakaly, City Manager; Mark Harrington, City Attorney; and Jerry Gibbs, Public Works Director

Kevin Callahan, Summit County Public Works Director; Steve McComb, owner of Ciscero's Restaurant; Mike Sweeny, HMBA; John Yassi, Director of Mosquito Abatement District

1. Council questions/comments. Council members reported on various meetings attended during the week. Roger Harlan highlighted School District business and the progress made by the joint transportation committee, studying issues on SR248. He relayed that the transit celebrated its one millionth rider this week, which occurred earlier in the calendar year than in the past. It is feasible that the City may reach two million at the close of the year. Candace Erickson reported that the Board of Health will be considering a *body art* ordinance, including mobile providers, which she asked to be removed. She added that this ordinance would also regulate *permanent make-up* applications; it doesn't include ear and ear perimeter piercing, but all other piercing. She added that consideration of an ordinance was requested by a local tattoo business in Park City. Other topics discussed included services provided by Valley Mental Health and communicable diseases.

Mayor Williams provided an update on the Governor's Blue Ribbon Panel on Climate Change and the overwhelming number of initiatives to be studied. The 25 member task force is represented by green groups, coal manufacturers, and politicians and it is difficult to reach consensus because of different beliefs and interests. He spoke about visiting China in the fall

2. Solid waste update. Jerry Gibbs explained that the County is changing its solid waste program and these modifications will take effect on July 1. Commercial collection will no longer be provided as a public service, however residential service will be expanded to include multiple family units, which was desired by Council. Summit County is proposing to charge fees for tipping and/or dumping commercial loads, which may represent an additional 30% to 40% on a commercial trash bill. He stated that the City's position on solid waste has been to participate in discussions but not assume an active role. This is a regional issue and pursuing a letter of intent with Summit County is recommended.

Mr. Gibbs suggested that the first step be completing a solid waste master plan which would comprehensively look at all of the issues related to solid waste, not only the landfill, but recycling and goals, etc. For instance, currently recycling is more costly

than handling solid waste and more efficient ways to recycle will be examined. Summit County is contemplating establishing solid waste as an enterprise-type fund, rather than budgeting it in the General Fund, which has been an issue with the City Council. He stated that the Mayor has expressed interest in pursuing a transfer station, where the sorting can be done. A master plan would project a plan for 30 years which is key. He felt that a master plan will cost in the neighborhood of \$80,000 to \$100,000 and the County has performed some work on landfill expansion so the cost may be somewhat less. Mr. Gibbs felt funding the master plan could be equally shared by the City and Summit County.

Mayor Williams expressed disappointment at the low percentage of residents using curbside service and felt that in order for recycling to be successful it should be easier to do. He suggested that sorting and compaction take place at the dump which would promote efficiency, savings, and better participation. Recycling goals will never be achieved on a voluntary basis if it is not easy to recycle. Mr. Gibbs emphasized the importance of setting specific goals like the level of recycling desired, i.e., defined percentage benchmark in a stated timeframe. Jim Hier felt it difficult to establish a goal without the benefit of knowing associated costs and asked that parameters be established for different levels. Mr. Gibbs advised that this type of analysis will be provided as part of the master plan and the public process. For instance, the goal of the 2002 Winter Olympics was to recycle 90%, which is extremely challenging because of contaminated waste. Achieving 10% recycling is more realistic in situations where trash is commingled and likely to become contaminated.

Ms. Erickson asked what the level of recycling would be if everyone who has service available participates and the feasibility of making recycling mandatory. Kevin Callahan responded that implementing mandatory programs is a policy decision and cited Cache and Salt Lake Counties as examples. He estimated that 75% of the homes in the City and Basin are participating, averaging approximately 50 to 60 lbs of recyclables per household per month. The challenge is recycling commercial waste, which represents about 60% of the landfill and at least a quarter of the waste is recyclable. Very few facilities are set up for sorting, especially for restaurant and retail mixed waste. He continued to explain that Allied has agreed to provide annual funding for educational programs, and the County will work with Recycle Utah to target certain market segments. Although a mandatory program could be initiated, there may be opposition since the landfill can be expanded which is less expensive than recycling. However, the tipping fee may motivate people to recycle.

Roger Harlan expressed his interest in promoting recycling construction waste. Jerry Gibbs explained that the County operates two landfills, a municipal solid waste and a construction waste facility in Henefer. Currently, construction waste is not separated. Kevin Callahan stated that a program will be implemented in six months to separate

wood waste, grind it, and reuse it as a landscape product which would be sold. Wood represents about 40% in weight of the volume in the construction landfill. Mayor Williams suggested that contractors separate loads. Mr. Callahan pointed out that there might not be enough room for two dumpsters on a construction site. Resistance to mandates may drain momentum and the Henefer facility is not in a crisis mode. Marianne Cone spoke about the success in other communities where wood chips are generated and used for fuel. Mr. Gibbs acknowledged the many good ideas presented and reiterated that it is critical to participate in a master plan where issues can be analyzed regionally. Joe Kernan commented that having information on alternatives and associated costs is helpful but he also requested an analysis of the carbon footprint for programs. In response to a question from Marianne Cone, Kevin Callahan stated that Park City represents 35% of the waste in the landfill because of the significant number of commercial and rental properties in the community.

Jim Hier stated that he supports participating in a joint study on a long-range solid waste plan and all members agreed. He understood that commercial waste represents 60% and the County has elected not to regulate or provide commercial collections. Mr. Callahan stated that the Summit County Commission decided not to include commercial waste in the contract, but it is likely that regulations will be formulated for commercial haulers. The Mayor asked if there is a corresponding financial consideration to commercial properties for property taxes paid and services not rendered. It was pointed out that businesses have traditionally paid hauling costs but not the tipping fee, which was subsidized by the County. Jerry Gibbs explained that the tipping fee will be added to the hauling costs, which is estimated to be 30% to 40% over and above current fees. Mr. Callahan noted that tipping fee revenues will be allocated toward future capital costs; property taxes were used for current operations.

Jerry Gibbs interjected that there are a number of commercial establishments who provide their own dumpsters and pay a fixed rate. As of July 1, businesses will have to arrange for their solid waste pick-up. There are several City dumpsters and two compactors located on public property; private dumpsters must be located on private property. Mr. Gibbs explained that the billing formula is based on national standards for a variety of uses, i.e., restaurants and bars pay higher rates than office space. Under the current contract, this generates about \$100,000 per year. There are no penalties for non-payment, and uncollected revenues are added to next year's assessment and paying establishments cover the costs; the City may now be *on the hook* for non-payment of dumpster fees. Another option is forming a Main Street special service district for solid waste services and Mr. Gibbs encouraged the City taking a proactive position.

Mike Sweeney, HMBA, stated that the group will meet March 27 on this issue. He suggested expanding the scope of the district and has talked with PCMR, Deer Valley,

and NOMA about this idea because it is important to look at the entire commercial community as a whole. This may cost businesses more per year but will pay dividends in the long term. Mr. Sweeney emphasized that commercial properties paying substantial property taxes are likely to complain about additional tipping fees and the policy in general. He strongly felt it unfair that paying customers cover unpaid bills for delinquent commercial properties.

Joe Kernan understood that the intent of the County is to let businesses hire a hauler; trash bills can be controlled somewhat with recycling efforts. Recycling should be factored into a formula and it is important that haulers meet recycling needs. Mike Sweeney referred to the recent 2,500 acre annexation of PCMR lands and the importance of an effective commercial solid waste and recycling program within the City limits.

Jim Hier acknowledged the complexity of trash-hauling in the Main Street core and is not supportive of consolidating commercial properties throughout the City in the same special district, especially in consideration of the July 1 deadline. This concept can be pursued in the future. Mike Sweeney stated that he has no problem with his comments, but insisted it is important to comprehensively look at commercial properties. Candace Erickson agreed with Mr. Sweeney's comments, specifically controlling rates with a larger contract; perhaps there can be a deadline for returning to the City with needed information. Jerry Gibbs advised that he asked for a response by the middle of April and added that a mutually exclusive contract for solid waste, as suggested by Mr. Sweeney, would not require forming a special service district.

Steve McComb, owner of Ciscero's Restaurant, explained that as a part of his remodel in 1995, he traded three feet of his property and poured a sidewalk for a private pad for his own dumpster. In 2002, the property was taken away from him for the Olympics and a compactor was installed. All of the wiring for the compactor is still there, lying across the pad and part of it is in Poison Creek. He stated that he has asked several times to have it removed with no results. He had his own dumpster on City property for seven years, poured the pad, and felt he was entitled to use it in perpetuity. The area was clean because he could regulate it. When the compactor was removed and BFI was hired, fees tripled in the busy time and tenfold in the off-season which he doesn't understand. Although he is a major user of the dumpster, why should he have to clean it up when his requests go unheeded. Now the area behind his restaurant is a mess. Jerry Gibbs stated that Mr. McComb called him about these issues and he is looking into it. Mr. McComb added that he would love to recycle the significant amount of cardboard and bottles generated daily by his restaurant, but there is no room.

Mr. Gibbs referred to recommendations from Insa Riepen of Recycle Utah included in the meeting packet, and suggested returning to Council when there is more time to

review Main Street recycling. Tom Bakaly stressed the importance of defining the degree of City involvement in the trash and recycling business. For instance, under Mr. Sweeney's City-wide scenario, the City would be in the collection business by way of issuing a contract and collecting fees. On the other hand, forming a special district for Main Street provides more options. He added that the City budgets \$100,000 annually for Main Street trash, Summit County provides the service and has for many years. Increased service represents costs without a funding source. Mayor Williams spoke about the importance of promoting recycling, acknowledging there is no funding. Tom Bakaly added that even if the program is funded, an added service will disrupt the allocation of resources and other programs. Jim Hier recommended beginning with Main Street by forming a special service district, establish boundaries and regulations, and then consider other areas of town. He encouraged focusing on a controlled area to begin with and Main Street is logical. Roger Harlan brought up the fairness issue with regard to paying bills and hoped that practice will be addressed. Jerry Gibbs explained that tipping fees will be based on tonnage and not on volume which will affect fees. Jim Hier asked if there is currently a tipping fee. Mr. Callahan answered that there is a tipping fee in place but it is not in the contract, and about \$700,000 is collected annually at the landfill.

Jim Hier emphasized that the General Fund covers the costs of solid waste and operating the landfill, and as of July 1, there will be a net increase to the General Fund. There will be a net increase in costs to all commercial properties for trash collection over and above property taxes paid. There was discussion about establishing an adequate tipping fee. Joe Kernan interjected that he owns a recycling company and meant to relay this disclosure at the beginning of the meeting.

3. Mosquito abatement update. John Yassi expressed his appreciation of the participation of Mayor Williams and Pace Erickson as members on the Board. He explained that the District was formed about 25 years ago, but with the threat of the West Nile Virus about four years ago, Park City was annexed into the District. Through illustration of a slide show, he discussed cases reported in Utah. There were five deaths in Utah from West Nile Virus last year and it is a very serious illness. There was discussion about anyone at any age becoming infected. He discussed spraying at night, and living up to its commitment to Park City, Swaner Nature Preserve and the Provo Drainage to use natural products, not chemicals.

Mayor Williams noted the effectiveness of the GPS system to clearly illustrate treatment locations, etc. and Mr. Yassi encouraged people to visit the website summitmosquito.com. Mr. Yassi stated that the Tarsalis carries the virus and its numbers have increased in the County over the years because of the weather and the availability of water last summer. He indicated that he responds to all calls. The Mayor voiced his support of the use of natural products and explained that the goal is to

eliminate larvae because they are difficult to kill as adults and chemicals may have to be used at that stage.

Patrick Putt reported on upcoming Planning Commission business items and a joint session scheduled with the City Council on April 5.

4. Public input. The Mayor invited the audience to comment on any matter of City business. Hearing, none, the public input session was closed.

Prepared by Janet M. Scott, City Recorder