

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 13, 2008**

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, March 13, 2008. 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; Phyllis Robinson, Public Affairs Manager; Myles Rademan, Public Affairs Coordinator; Max Paap, Special Events Manager; Brooks Robinson, Planner; and Kirsten Whetstone, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Council comments – Roger Harlan reported on the WALC and Library Board meetings. Liza Simpson spoke about the Planning Commission meeting, specifically her interest in the discussions on the affordable housing projects. Mayor Williams commented on the Council's field trip today to Silver Star to look at the affordable housing component of the project which is spectacular. He met with Ken Davis and the organizers of PSSM during the week about arriving at solutions with regard to revised hours of operation.

2. Legislative update – Gary Hill reported that the water forfeiture bill and the oversight of rentals bill both passed. The building inspector bill didn't pass but may return next year. The forms of municipal government bill passed with several last minute amendments and maintains and clarifies the balance of power. The RAP Tax bill did not pass. Transparency in government finance, requiring cities to post financial transactions on the state data base passed but was amended to the point that it won't affect local governments. The inventory for competitive activities affects only first and second class cities. He explained that enhanced public safety is optional and the minutes bill did not pass. There was discussion about the net metering legislation and the incorporation bill amendments. In response to a question from Liza Simpson regarding mandating cities to use the state's building permit system numbering, Mr. Hill explained that the bill becomes effective on July 1 and our contract with our software provider Eden is that if there are state-mandated laws that require additional reprogramming services, Eden will cover the estimated \$30,000 cost.

3. Upcoming events – Myles Rademan invited members to media training and to hear Dr. Patty Limerick speak at the annual Leadership lecture at 7 p.m. on Monday, March 24 at the Marriott Hotel. The City tour is planned for September 3 – 7, 2008 to Boise and McCall, Idaho.

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

Park City High School Environmental Club – Student Dolly Duke explained that the Club's focus is banning the use of plastic bags in town and they would like to partner with the City to accomplish this goal. Mayor Williams explained that he encouraged the group earlier this week to establish a relationship with the sustainability team. Jim Hier suggested that the group formulate a cost analysis comparing plastic and corn-based products and visit local markets to assess support. Styrofoam is another material that the group is addressing and Candace Erickson strongly urged the students to contact Recycle Utah so that efforts are not duplicated. Joe Kernan asked that the group Council about other project ideas. Liza Simpson suggested that Ms. Duke contact Zooms Restaurant who is using bio-bags for to-go containers and may have information on costs.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF FEBRUARY 28, 2008

Joe Kernan indicated that he provided the City Recorder with minor revisions to the work session notes, "I move approval of minutes of the meeting of February 28 (as corrected)". Roger Harlan seconded. Motion unanimously carried.

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

1. Consideration of an Ordinance approving the Knoll Estates (aka Deer Valley Club Estates) Lots 17 and 18 Amended Subdivision Plat, located at 7888 Aster Lane, Park City, Utah – Kirsten Whetstone explained that this item has been discussed by the Planning Commission on several occasions and has been disputed by a neighboring HOA who has filed an action in court. She recommended a continuance. The Mayor opened the public hearing and there were no comments. Roger Harlan, "I move to continue the hearing to April 3, 2008". Jim Hier seconded. Motion unanimously carried.

2. Consideration of approving a request for waiver of planning application fees in the amount of \$1,550 to \$2,690 - Habitat for Humanity – Phyllis Robinson explained that Habitat for Humanity will request building permit and impact fees waivers but at this point in the process, the request deals only with planning application fees. The City is retaining title to the property until the project is approved. She explained that the range of fees represents fees for two to four units and fee waivers are provided for in the municipal code. Julie Bernhard, Executive Director of Habitat for Humanity, thanked Council for its consideration. Candace Erickson, "I move approval of the waiver of planning application fees in the amount of \$1,550 to \$2,690 for Habitat for Humanity". Liza Simpson seconded. Motion carried.

3. Consideration of approval of a Master Festival License for the US Freestyle Championships to be held at the Town Lift Plaza with amplified music through March 27 - 29, 2008 – Max Paap explained that USSA filed an application in November 2007 to hold its events. The Utah Olympic Park will host the aerials on March 27, PCMR the half-pipe on March 28, and the moguls will be held at Deer Valley on March 29 and 30. On March 27 through 29, the Town Lift Plaza will serve as a sponsor and awards venue with music provided by Mountain Town Stages. All events will conclude by 7 p.m. each day and MFL approval is required because of the request for amplified music. Roger Harlan suggested marketing the use of our free bus system. Applicant Ginger Reese stated that they still have an opportunity to encourage people through announcements on KPCW and added that no alcohol will be sold by the event organizers. Liza Simpson suggested that there be no parking on the west side of Park Avenue from 9th Street to Heber Avenue and Max Paap noted that the City has been doing this on big ski weekends, and this is a good point. The Mayor opened the public hearing and with no comments from the audience, closed the hearing. Liza Simpson, “I move we approve the Master Festival License for the US Freestyle Championships to be held at the Town Lift Plaza with amplified music through March 27 - 29, 2008”. Roger Harlan seconded. Motion unanimously carried.

4. Consideration of an Ordinance approving the 279 Daly Avenue Subdivision Plat, an amendment to Parcels 1 and 2, located at 279 Daly Avenue, Park City, Utah – Kirsten Whetstone explained that on November 21, 2007, the City received a complete application for a plat amendment for 279 Daly Avenue to combine two metes and bounds properties into one lot of record. An existing historic single family home sits on the front parcel and the rear is vacant. The plat amendment creates one legal lot and the Planning Commission forwarded a positive recommendation on February 27, 2008. No public input was rendered at that meeting. The Mayor opened the public hearing and with no comments from the audience, closed the hearing. Roger Harlan, “I move approval of an Ordinance approving the 279 Daly Avenue Subdivision Plat, an amendment to Parcels 1 and 2, located at 279 Daly Avenue”. Joe Kernan seconded. Motion unanimously carried.

5. Consideration of an Ordinance approving amendments to the Park City Municipal Code to amend the Park City Sign Code - Title 12-6-2 relating to alterations of non-conforming signs in the Frontage Protection Zone – Brooks Robinson explained that the amendment reflects a change in policy with regard to non-conforming signs. There are about five signs in town which were installed prior to the adoption of the frontage protection zone regulations. The amendment would allow updating signs as long as the new sign complies with all other regulations like height, lighting, color, lettering, etc. He added that this legislation is driven by the replacement of the Snow Country Condominium's sign and staff recommends approval.

Mike Sweeney, property owner, complimented staff on the proposal as it is positive and encouraging.

Candace Erickson asked about the status of the Park Avenue billboard. Brooks Robinson explained that unfortunately, it is regulated by different provisions but if it falls into disrepair, it can not be replaced. With no further input, the public hearing was closed. Joe Kernan asked why the sign could not be moved back to comply with the ordinance. Mr. Robinson explained that the entire project existed before Deer Valley Drive was built and there is no available area to install a sign unless it is placed against a building wall which is set back one hundred feet. Mr. Kernan felt the reason for the current code provisions is to prompt conformance with a frontage zone 30 foot setback. Brooks Robinson acknowledged that this amendment is a change in policy. There aren't many non-conforming signs but one that comes to mind is the Anderson Lumber sign which under the proposed ordinance could be placed in the same location but would have to meet height and size requirements.

Jim Hier, "I move approval an Ordinance amending the Municipal Code of Park City to revise Section 12-6-2, alterations of non-conforming signs". Liza Simpson seconded. Motion carried.

Candace Erickson	Nay
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Nay
Liza Simpson	Aye

6. Consideration of an Ordinance approving amendments to the Land Management Code - Title 15-15-1 relating to the definition of Maximum House Size and Title 15-12-2 regarding Planning Commission terms – Kirsten Whetstone explained that staff is proposing an amendment to the section on Planning Commission terms so that January references are changed to July and the second change is adding a definition of house size to the LMC definitions. The Planning Commission recommends adding a maximum house size definition which is a measurement of gross floor area. The Planning Commission forwarded a positive recommendation from its February 27 meeting where there was no public input. The Mayor opened the public hearing.

Mike Sweeney, developer, indicated his support.

With no further input rendered, the public hearing was closed. Joe Kernan, "I move approval of the amendments amending the Municipal Code with the definition of maximum house size and the change in the term of the Planning Commission, as written in the staff report". Jim Hier seconded. Motion unanimously carried.

VI ADDITIONAL DISCUSSION – AGENDA ITEMS

Planning Commission stipend – Mayor Williams pointed out that he understood the Planning Commission members have not been paid since October, but aside from this issue, he asked if other Council members support discussing a raise. Planning Commissioners are asked to do a lot for \$100 per meeting, but are not paid for extra meetings. He suggested paying them monthly and the City Manager interjected that it has been a couple of years since this was last discussed and the timing may be good to discuss during the upcoming budget review. Members agreed.

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 4:30 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; Mark Harrington, City Attorney; Kathy Lundborg, Water Manager; Tom Daley, Deputy City Attorney; and Jerry Gibbs, Public Works Director. Jim Hier, "I move to close the meeting to discuss property". Candace Erickson seconded. Motion carried unanimously. The meeting opened at approximately 5 p.m. Roger Harlan, "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

Janet M. Scott, City Recorder