PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
MARCH 8, 2012

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Diane Foster, Interim Assistant City Manager; Phyllis Robinson, Public Affairs Manager; Francisco Astorga, Planner; Max Paap, Special Events Manager; and Jon Weidenhamer, Economic Development Manager

Robin Marrouche, Katie Snyder and Chris Crowley, Kimball Art Center; Rick Anderson, HPCA

1. Council questions/comments. Liza Simpson reported on the Lodging Association meeting where Ski Butlers was recognized by the US Chamber as a Blue Ribbon Awardee. Little Feat will be performing on March 24 at the pond skimming event at The Canyons. She shared public input from a RAB meeting about creating an area for small dogs at the dog park. RAB is also supporting the memorial wall project. She thanked HR for its help with the Fire District on compensation and complained about the 10 o'clock whistle. Andy Beerman commented on the community recreation survey and the high use of the PC MARC. Dick Peek stated that the Board of Adjustment reviewed an application for a variance to build a single family dwelling on a lot 46 square feet shy of an Old Town lot, which was granted. Alex Butwinski suggested that members form a list of *study session* topics and suggested considering partnering with the University of Utah on planning projects. The Mayor welcomed KPCW reporter Lynn Weir and spoke about Les Maggots, a citizen group, who meets daily at Wasatch Bagels. He reported that John Yassi is retiring from the Mosquito Abatement District and he spoke about the recruitment process.

2. Legislative update. Diane Foster stated that this is the last day of the 2012 legislative session. She noted that the Governor has committed to cover removed funding from the DABC. On Monday the Chiefs of Police met with the firearms bill sponsor and the legislation has been amended so that officers can question an individual who is carrying, which is significant. She referred to HB104 which affects the City's anti-idling law and eliminates some regulations on taxis. The substitute bill has been softened but still affects Park City and anti-idling cannot be enforced on private property that is not publicly accessible. The City lost the 10 year old limitation on taxis but the ULCT has added a piece so that cities can inspect annually for condition of vehicle. The billboard amendments will be monitored because there is a substitute bill which is considered worse than other iterations and the primary concern is that the conversion to digital billboard is automatic, without conditions, so the Park Avenue billboard is eligible for automatic conversion without local control. Additionally, the billboard company can intentionally let a lease expire and it would become the city's responsibility to move the billboard to a location that the billboard company liked. If the billboard company does not agree with the location, the city is required to purchase the billboard. She stated that Park City was excluded as one of the entities involved in the resolution regarding the concept for interconnecting the seven resorts and the City is now included. The GRAMA bill passed the house and the senate. The transportation bill is back in the Senate.

3. Leadership ICMA. Diane Foster explained that ICMA provides a two year program for young executives who will help produce a strategic plan for Park City. The extent of the City's cost is covering travel expenses and a $5,000 stipend to ICMA. The idea is to create a 2030 Park City Strategic Plan that considers all of the information from Visioning, Council goals and the biennial plans. The work group was immersed in Park City on Monday, Tuesday and Wednesday and met stakeholders. All four participants will be meeting with Council on April 19 and it is hoped to have a draft plan in May.

4. 2012 Council goals and desired outcomes. Phyllis Robinson stated that this discussion is a follow-up to Visioning to confirm goals and biennial plans before they are finalized. Discussion ensued on scheduling a discussion on the future of the library and the building. Ms. Robinson guided members through the goals and targets and minor wording changes were made. The plan for the park and ride facility was discussed. Andy Beerman recalled support for identifying air quality as a priority which was added. Regional water action plan for solutions was added. Alex Butwinski stated that the Osguthorpe purchase is complete but it was pointed out that negotiated improvements have not been installed. Open space maintenance includes weed control. Regional water solutions were moved to long term issues and since the soil repository was listed twice it was decided to identify the project under capital. Ms. Robinson described the changes in the recreation/trails section regarding weed control and the cemetery and the action plan was refined. Osguthorpe *purchase* was changed to *improvements*. Dick Peek pointed out that golf course improvements have been approved. Staffing the PC MARC was changed to evaluating maintenance for the sports complex. The open space maintenance plan is listed in both action and long-term.

Ms. Robinson noted that recycling service levels and developing a tactical plan for interagency relations was added to regional collaboration. Maintaining a good relationship with the federal delegation was added to the long term plan. Diane Foster explained for the benefit of Alex Butwinski the addition of training for Council by attending conference, etc. Training on new technology was added to open and responsive government. The public safety biennial plan was added. Tom Bakaly spoke about members reviewing goals again for consistency in nomenclature and consolidating some of the priorities. This is a good start and will be a work in progress.

5. 2012 Kimball Art Center Arts Festival and debrief on Main Street deck dining. Francisco Astorga reported that there were no problems with the 2011 outdoor dining program which was considered a success. The program began in 2010 with three decks and grew to nine decks in 2011 but the Flanigan's deck was removed during the Art Festival because of a conflict with the operational plan. Staff is looking for policy direction from members on criteria and enforcement.

Max Paap explained his role in monitoring the City services contact with KAC which was signed in 2007 with a five year option for renewal which contemplated moving toward a three day festival. Every year there is the option of presenting a supplemental plan. For the most part, 2011 went very well with some changes to transit, the 9^{th} Street entrance, and the decks. Staff will be working with KAC over the next several months to implement the same 2011 elements into this year's Festival. He elaborated on losing parking on Friday because of the dining decks and he spoke about contacting the School District about using its lots for Saturday and Sunday because PCMR fills up quickly.

Chris Crowley, Festival Director, explained that resort parking has been offered to KAC for free but not all of the parking is used because the resorts have things programmed for the weekend. He pointed out that Deer Valley has to have parking available for its concert series patrons and PCMR wants to preserve as much of its parking as possible for its programs. Ms. Matsumoto pointed out that the schools are not in session so their lots could be a good option. Mr. Crowley interjected that there are more large competing events than before and the parking KAC is utilizing is filling up hours earlier than in the past. Liza Simpson suggested activating the park and ride. Mr. Paap felt it could be an option but providing regular transit service to the park and ride lot would have to be discussed. Jon Weidenhamer felt confident that parking can be worked out and urged members to focus on policy.

In response to a question from Cindy Matsumoto, Francisco Astorga stated that the owners of all nine decks are interested this season and there have been no new applications to date, but there probably will be. It was explained that Flanigan's will need to remove its deck for the Art Festival again this year. The other eight decks are grandfathered and any new decks would have to be removed. Katie Snyder stated that eight decks pushes the operational plan to its max because booths were lost as well as sponsors who didn't like their new placement on the Street. Liza Simpson felt the KAC should always have veto power, but encouraged consideration of new locations that may work with the plan. Mr. Crowley clarified that KAC doesn't necessarily want veto power and will consider new deck locations but redrawing the street plan every year becomes a significant challenge. Andy Beerman referred working closely with the KAC in his former role on the HPCA and commended the KAC staff for their sensitivity and flexibility with the business community last year in arriving at a plan that works for everyone. KAC also worked with the restaurants to sell local food rather than bringing in outside vendors, opening earlier on Friday and staying open later on Saturday, and providing the locals Friday night. Ms. Marrouche noted that the Restaurant Association will partner with KAC this year.

Alex Butwinski recalled that members wanted to revisit deck fees, specifically the cost assessed for lost parking stalls. He relayed that a business owner asked if he could pay for a parking space in front of his business and not build a deck which was not supported by other members.

Ms. Simpson asked the dollar amount waived through the deck program and Francisco Astorga advised about $30,000. She noted that not all decks were removed at the end of the season by October 30 and urged staff to monitor the deadline.

Rick Anderson, HPCA, stated that the group would like up to 12 decks considered as a maximum for Main Street but support eight decks during the Arts Festival. With regard to fee waivers and free parking programs, Jon Weidenhamer explained that the City is not losing money on its parking program but is at the point where not much more can be given away. In response to a question from Ms. Matsumoto, Mr. Astorga explained that owners are not charged a business license fee for additional exterior deck space. She understood that members agreed last year to provide reduced parking fees with an opportunity to review them again and Alex Butwinski agreed. Ms. Simpson also agreed and added that there was interest in making outdoor dining a success and it might be time to take the *training wheels* off. Mr. Astorga spoke about the Building Department getting officially involved with enforcement with clearer criteria.

The Mayor summarized consensus to be that the decks will be limited to eight during the Art Festival and 12 the rest of the year and he affirmed the City's on-going commitment to work with KAC on minimizing impacts. Jon Weidenhamer stated that staff is recommending not changing fees but will follow-up with Council. Andy Beerman agreed with keeping the fees the same for this year but after this year, staff should meet with the HPCA to discuss where the breaking points are and what makes sense. There may be an alternative opinion if the City cannot do any more free parking days, benefitting 250 businesses versus eight businesses. Ms. Simpson pointed out that if decks are limited to 12, they will become more valuable and it would be reasonable to charge higher fees. The Mayor stated that it is fine if the City is breaking even on parking, but if we're going in the red, the program needs to be better balanced. Cindy Matsumoto stated that she is not in favor of raising the rates significantly but felt the Council should revisit this issue this year. The Mayor felt this has been accomplished tonight and asked if there needs to be more follow-up and a majority of members wanted to discuss deck fees again. Francisco Astorga explained that it would have to occur before May when leases are renewed.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
MARCH 8, 2012

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 8, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; and Joan Card, Environmental Regulatory Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Phyllis Robinson advised Council that a Thaynes Neighborhood Meeting will be held at the Santy Auditorium at 6 p.m. next Thursday on water quality.

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

None.

IV 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 – The Mayor opened the public hearing; there were no comments from the audience. The Mayor requested a motion to continue. Dick Peek, "I so move". Andy Beerman seconded. Motion unanimously carried.

2. Consideration to authorize staff to execute an amendment to the Professional Services Agreement with Brown and Caldwell in an amount not to exceed $87,000, in a form approved by the City Attorney – Andy Beerman asked if there is money set aside and the amount. Joan Card explained that there is no line item for this project. During the permit process with the state, it became apparent that the City needed to know more about the Spiro Tunnel water shed, especially downstream. The state does not have much information about Spiro and she spoke about blending water to meet standards but this is not possible without understanding the stream well. The other purpose is a potential site specific standard and since there are fish in the stream it is considered relatively healthy but may not be meeting water quality standards set in the regulations. However, a site specific standard can be formulated recognizing that the stream is healthy. It is a complex water quality model and this contract initiates the analysis.

Liza Simpson, "I move we authorize staff to execute an amendment to the Professional Services Agreement with Brown and Caldwell in an amount not to exceed $87,000, in a form approved by the City Attorney". Cindy Matsumoto seconded. Motion unanimously carried.

V 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 3:30 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Jon Weidenhamer, Economic Development Manager; Diane Foster, Interim Assistant City Manager; Thomas Eddington, Planning Manager; Tom Daley, Deputy City Attorney; and Mark Harrington, City Attorney. Alex Butwinski, "I move to close the meeting to discuss property and litigation ". Andy Beerman seconded. Motion carried unanimously. The meeting opened at approximately 4:30 p.m. Liza Simpson, "I move to open the meeting". Andy Beerman 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.

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