PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
March 6, 2014

Work Session
Council Questions and Comments and Manager's Report

Council member Peek attended the Historical Society meeting stating they had board training.

Council member Beerman spent two days at Mountain Accord meetings where they had environmental, economy, and transportation board meetings stating they are off to a great start. Attended BOSAC where they discussed property.

Council member Matsumoto had nothing

Council member Simpson stated that Transportation meeting was great and Leslie, Summit County engineer kept them all on task.

Council member Henney had his first get to know you meeting as the Park Silly Sunday Market liaison. Interviewed Chief Carpenter on the Mountain Life stating it was a nice discussion. Then inquired about the protocol about responding to Council Mail emails. Feels it is hit or miss and just wanted to see what the Council thought about the process. Council member Simpson stated that her thought of the protocol was to reply all or "cc" Council on all of communication with residents. Council member Matsumoto suggested staff bring this item back during a future work session.

Mayor Thomas attended the ULCT legislative meeting with Assistant City Manager Dias and found that City Attorneys and City Managers do not want to run for office.

Legislative Update
Assistant City Manager Dias stated that there are 7 days left and Big five issues continue to dominate. Noted that Jody Morrison, Executive department, updated the tracking sheet with the additional columns requested by the Council. Council member Simpson inquired about a bill that she had brought to Dias' attention. Dias stated that it is on the tracking sheet under the Municipal category. In theory there is time for anything to happen and he will keep Council up to date. Council member Peek inquired why on HB66 is the league supporting the bill and the City opposing. Dias explained that the idea of the bill was to regulate the transfer of monies between enterprise funds, however, the language is written to keep Cities from transferring monies. Park City is already noticing and following the guidelines as is and are not concerned with the new language.

Blue Ribbon Commission Recommendations
Dias stated that staff was directed in the fall to look at the elected official compensation. They then created a Blue Ribbon Commission to discuss these issues. The commission included the following residents: Melissa Band, Andrew Caplan, Becky Kearns, JF Lanvers, Teri Orr and Nancy Dalaska. Dias then introduced Dr. Rex Facer, facilitator. Facer stated the primary issue

was the compensation of the Mayor and Council and the second issue was to look at opportunities to engage the community into participation. One of his observation was the process in Park City was very thorough. He spoke to the detail that the commission delved into stating a broad range of communities were evaluated. Stated a fun experience was the one-on-one interviews with current and past elected officials. The commission was able to ask pointed questions as well as surveying the community through the leadership program. Spoke to the responses that were received regarding the compensation and campaign financial limits. The commission was very surprised in the time commitments of the Mayor and Council. Another factor that came forward during the survey process was that the community was unclear on what it meant to run and be an elected official. There was a strong sense that the compensation should not be the number one factor in running for office. The commission has 5 broad recommendations, the first and second recommendations are directly related to compensation, Facer explained the methodology of this decision. Both recommendations would result in an increase in compensation and includes benefits. The third recommendation was to put a limit on the campaign financials to include term limits to allow more people to serve. The fourth recommendation was to hold a public event to help let the community to know all the ways they can serve by expanding knowledge. The fifth recommendation was to expand the opportunities to serve and connect with past Mayors and Council/Commission and Board members.

Council member Matsumoto thanked the Commission for going through this process and feels that number 4 should be a given feeling it would be a great way to reach out to the community. She would be happy to explore number 5 stating that idea is great but it would be an individual preference. She can see that number 3 escalating so feels that it is a good idea to look at. She felt it is difficult to ask for a higher compensation and inquired if there is a phasing process where this is put into place for a future Council

Council member Henney thanked the commission for all their work and stated he is in favor of all of the recommendations. Spoke to the recommendation of limiting campaign financials and feels that the less is better, it would create opportunities to be creative with less. Feels the community engagement recommendation is a great idea. Stated that this is a job and should replace a second income if needed. If we are trying to expand and get a diverse group the compensation should not a barrier. He inquired about if the group came to these recommendations as a consensus. Commission member Becky Kearns stated that the diversity of the group it brought great and lively discussions. Commission member Nancy Dalaska stated that it was an analytical research process and they did ask staff for more and more information and compiled the data together in a collaborative decision. Commission member Terry Orr stated that it was a very respectful group even with the diverse group.

Council member Simpson thanked the Commission for their hard work. She stated she is astonished and deeply proud of the research and is thrilled with the recommendations stating she has never turned down a raise or money earned.

Council member Beerman also thanked them for the hard work and it was a great idea widening the search of comparable cities. Stated that he is uncomfortable implementing a raise and feels that a step approach is a great idea. Does feel that the campaign financials have gotten out of control and would like to see less money and more sweat. He would like to discuss the term limit issue. He does feel that it can be daunting to run against an incumbent and feels term limits would generate more interest. Feels one role of Council is to bring up the new crop and spend time, would also like to look at a junior council. Commission member Orr stated that a Junior Council was discussed but not found to be as important at this time.

Council member Peek thanked the Commission for giving back to the community. Also feels that it can be an uncomfortable discussing compensation but he concurs with Council member Simpson. Feels it would be helpful to have the campaign financials be tied to AMI with the opportunity to follow the trail of the economy. Feels that the term limits should be based on the votes not an actual term limit.

Mayor Thomas stated that he did not know how much he made as mayor until he was elected and stated that receiving more compensation would make it easier to give the job his full attention. He feels recommendations 1 & 2 are reasonable and the commission was very fair in the determinations. He spoke to spending the highest campaign expenditures in history due to connections and feels that limiting term limits to 2 years would give a fresh outlook for the community. With regard to the committee of elders, he is one and supports that idea.

City Manager Foster stated that the compensation recommendations will come back to Council during the budget process and staff will bring the other recommendations to them as study and work sessions as needed.

Recreation Advisory Board Visioning update

Recreation Advisory board gave an update on the upcoming projects to include a second sheet of ice, indoor aquatics and indoor field space. Ken Fisher, Recreation Director, stated he feels that they will need to issue GO bonds and needs to feel comfortable with the community backing as to how much they are willing to pay for these projects. Staff is working closely with Basin Recreation on these projects to pool funds. Currently there are no funds budgeted and if the Council is supportive then staff would submit 3 CIP funds for each project and begin feasibility studies.

Council member Beerman told the board that he missed them already. He then inquired about why the county wanted to wait for a bond election til 2018. Fisher stated that the County Council was going out for an open space bond and will not be putting any of these larger projects on the bond.

Council member Simpson thanked Fisher for the great scope and stated she supports all three projects.

Council member Beerman inquired what it would cost to replace the sun shades and the life cycle of them. Fisher stated that he would research that information and bring it back as a Manager's report. for Council to review. Beerman stated he also agrees with all the projects.

General Plan Discussion

Thomas Eddington and John Boehm with the Planning Department presented the updates for the General Plan from the last meeting. Council member Simpson asked staff to change the color of the circled areas. Council member Peek stated he would like the boundary word changed to study. Council member Beerman stated he had concerns about this map and would like Council to discuss this sooner than later.

Eddington discussed the parking addition on page 48 stating that this is just a thought and if they moved forward then the LMC amendment it would help to determine if this is feasible. Council agreed to remove the 75-80% and use the word "reduced". On page 49, 6.7 Eddington stated that staff worked with the water department on the wording. Council was in agreement with the proposed language. Council asked for an asterisk on each page of each neighborhood section like on page 51. The final discussion regarded the Thaynes neighborhood language that was brought forth from last week.

Council member Simpson inquired if Mayor Thomas would like to allow public comment at this time. Mayor Thomas opened the floor for public input.

Brad Smith thanked Council and stated that this 4month process has been done very well stating that the language on the Thaynes page is the last point of controversy. He handed out a letter outlining the resident's suggestions. Feels the language "existing zoning should continue to allow" is going back on every step forward the Plan has made. If you do not know the history then if brings in a fogginess that may allow for someone to come in and request those zones. He wants the language to be clear.

Mayor Thomas clarified that Smith would be happy with three options, strike it all together, the Andy version or the Liza version. Smith concurred that yes that is what he is proposing.

Council member Beerman wanted to add the words "year round housing".

Mayor Thomas thanked Brad for being patient through this process.

Council member Henney inquired if the Council were to make a decision on this language now it might help put the residents fears at ease.

Jo Scott stated that she dittoed Smith's comments and requested taking it one step further by removing "existing zoning".

Council member Peek stated he was comfortable with the language City Attorney Harrington suggested from last week. He feels it is in the zone and it is an option.

Council member Beerman preferred to remove "existing zone"

Council member Henney stated concurred with Beerman and Matsumoto.

Council member Simpson also concurred with Beerman and Matsumoto.

Eddington read back the confirmed language: "Additional option for year round multi-generational housing that are compatible with the existing single family built environment".

Main Street Construction Update

Mayor Thomas stated he spoke with Fox 13 today discussing the "gem" of Park City in regards to Main Street. Chad Root, Chief Building Official, stated he has met with Allison Butz, HPCA represented and Jacobson construction twice this week both individually and as groups. The groups came up with three options and will have more information at the next Council meeting. Foster stated that staff has been working diligently since the last Council meeting trying to come to a solution and will have a better plan in place by the 20th.

Council member Simpson thanked Root for all his work as well as the other parties involved for working together.

Council member Beerman also thanked staff for working on this project. Beerman thought that last week that Council wanted to see Council member Peek involved in those conversations.

City Manager Foster stated that staff is already on a path to a solution.

Council member Simpson stated that it seems they are a good path and should see where it leads.

Council member Henney was in favor of Peek attending the meetings.

Mayor Thomas felt that it will not complicate the process and feels that Peek may have solutions or ideas that the current groups haven't thought of.

Council member Matsumoto clarified that even though they are working slowly and diligently to come to a solution she wanted to make sure that the residents/community members knew they could come back at any time.

Root recapped on the partial road closure, that they may close Main Street down while the crane is loading.

Mayor Thomas inquired about increasing construction hours to begin earlier. Root stated that they have asked the construction crews to start earlier and will continue to do so as long as they do not receive any complaints from the neighboring residents.

Ralph, 331 Park Avenue, representing the homeowners in the area, stated he feels that good planning starts with contingencies. He feels that it would be a poor contingency plan to have staging on Park Avenue along with the earlier work times disrupting the residents.

Rick Anderson, the Eating Establishment, thanked Council for giving the staff the time to work with the merchants. He stated that he has lost quite a bit of business due to the construction project and feels that it needs to be done correctly and will set precedence for upcoming projects. Main Street is a different animal and thrives on walk by traffic for business. With future projects it is critical to keep the sidewalks open as well as keeping the parking open as much as possible.

Council clarified that currently none of the impacts are being shifted from Main to Park Avenue.

325 Park Avenue echoed the comments of Ralph speaking to the effects on the residents and would ask that the communications continue.

Council member Henney inquired if they come up with a plan would it have to wait until the 20th for action. City Manager Foster clarified that this would be for information only not a Council decision. Staff and the involved parties would come to a decision and implement the plan as soon as possible.

Regular Meeting

I. ROLL CALL

Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, March 6, 2014. Members in attendance were Jack Thomas, Andy Beerman, Cindy Matsumoto, Dick Peek, Liza Simpson and Tim Henney. Staff present was Diane Foster, City Manager; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager; Chad Root, Chief Building Official; Matt Cassel, City Engineer; Thomas Eddington, Planning Director; John Boehm, Planner; Clint McAfee, Water Manager; Michelle DeHann, Water; Craig Sanchez, Community Engagement Liaison; Spencer Lace, IT; Anya Grahn, Planner; Christy Alexander, Planner; Ryan Wassum, Planner; Francisco Astorga, Planner; Tommy Youngblood, Special Events; Phyllis Robinson, Public Affairs; Heinrich Deters, Sustainability; Marci Heil, City Recorder

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

There were no communications or disclosures from Council or staff.

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

Craig Sanchez, Community Engagement Liaison, introduced Alpaca International CEO Zia Boccaccio stating she has been named Successful Peruvian Business Woman in America 2014 by the Embassy of Peru.

Zia then thanked the Mayor and Council and said she feels Park City is like her home town in Peru. She also thanked the women on the Council in honor of International Women's day.

IV. MINUTES FROM THE MEETING ON FEBRUARY 27, 2014

Council member Simpson moved to approve with corrections suggested by Marci Heil, City Recorder.
Council member Peek seconded
Approved unanimously

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)

1. Consideration of approval of creating a Historic Building Web App using our GIS map data and the Historic District being conducted by CRSA

2. Consideration of approval of the Utah Department of Transportation's (UDOT)/City/County Cooperative Agreement associated with the Highway 40 underpass project.

3. Consideration of authorizing the City Manager to enter into a construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. in the amount of Fifteen Thousand Three Hundred Twenty Dollars ($15,320.00)for the Main Street Improvements Project

Council member Simpson moved to approve the consent agenda

Council member Peek seconded
Approved unanimously

VI. NEW BUSINESS

1. Consideration of a Master Festival License for an Olympic Parade and Celebration, as conditioned, on April 6th 2014

Tommy Youngblood, Sustainability, stated he is proposing the event to take place on March 29th from 4-8 pm with a road closure from Heber to 9th. Christy Dias with the Youth Alliance, stated she is very excited for the opportunity and requested the Council approve a proclamation. Stated that they are inviting Olympians and para Olympians past and present. Council member Peek inquired if they had reached out the USO. Dias stated that she has been in contact will many groups involved with the athletes.

Mayor Thomas opened the public hearing. There were no comments. Mayor Thomas closed the public hearing.

Council member Simpson moved to approve the Master Festival License for an Olympic Parade and Celebration with the date change to March 29, 2014
Council member Henney seconded
Approved unanimously

2. Consideration of a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approved by the City Attorney.

Clint McAfee and Michelle DeHann spoke about the compliance permits that the EPA has given to Park City. McAfee reiterated the changes that have come about since the last discussion regarding the bypass of the Judge Tunnel, the Division of Water Quality will only allow this for 30 days. The second change is a minor code change, third decouples the treatment solution from the current treatment site. Spoke to the need for the site to be at the current location, however, this is allowing the City to look at all the options and not need to keep the treatment facility in the current location. The DWQ and Park City feels there is not an overlap but EPA may come back with changes. McAfee stated that there will be a 30 day comment period following Park City's signature.

Council member Peek moved to approve a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approved by the City Attorney.
Council member Simpson seconded
Approved Unanimously

3. Consideration of Authorizing the City Manager to execute a Professional Services Agreement with CH2M Hill, Inc. for engineering services in the amount of $56,566 for a Well Source Alternatives Assessment in a form approved by the City Attorney.

DeHann and McAfee presented this item as well stating it is regarding the Park Meadows Well, the Department of Drinking Water has indicated that this Well is under the influence of surface water. Staff and DDW initially allowed for the use of chlorine treatments and UV lights, however; DDW is now requiring additional filtration system. They are going to do additional testing to the Wells to see if they do need filtration systems which would need to be executed within 18 months so the Water department is trying to get all the information prior to the order being issued. This study will help staff understand what all the options are.

Council member Beerman inquired if the study would be completed even if the testing is negative.

McAfee stated that even if the test is negative the DDW will be likely to come back every year to keep testing.

Council member Simpson made a comment in honor of the former mayor regarding water under the influence.

Council member Matsumoto moved to approve Authorizing the City Manager to execute a Professional Services Agreement with CH2M Hill, Inc. for engineering services in the amount of $56,566 for a Well Source Alternatives Assessment in a form approved by the City Attorney.
Council member Beerman seconded
Approved unanimously

4. Consideration of approval of the Fluter Subdivision Plat Amendment located at 225 Woodside Avenue, based on the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Planner Alexander stated that the applicant is proposing combining three lots into two lots and spoke to the concerns of the Planning Commission prior to their favorable recommendation.

Mayor Thomas opened the public hearing. There were no public comments. Mayor Thomas closed the public hearing.

Council member Beerman moved to approve the Fluter Subdivision Plat Amendment located at 225 Woodside Avenue, based on the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.
Council member Henney seconded
Approved unanimously

5. Consideration of approval of The Retreat at the Park First Amended Plat Amendment located at 1450 / 1460 Park Avenue based on the findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney.

Planner Astorga stated that the applicant is looking to remove the lot line to accommodate the multi housing plan.

Council member Beerman inquired of staff how this plan works where financing is not secure. Astorga stated that the City is co-owner of the property and have authorized the owner to be the applicant.

Mayor Thomas opened the public hearing. There were no public comments. Mayor Thomas closed the public hearing.

Council member Peek moved to approve The Retreat at the Park First Amended Plat Amendment located at 1450 / 1460 Park Avenue based on the findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney.
Council member Simpson seconded
Approved unanimously

6. Consideration of approval of the 115 Sampson Avenue plat amendment located at the same address, based on the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney

Planner Grahn stated that currently there is a historic structure at 115 Sampson and the building department has issued two orders for repair. This will also allow the City to have a 10 foot snow storage area. She spoke to adding two conditions regarding the surveyor establishing physical corners on this site prior to plat recordation with Summit County and a Final location of the edge of Sampson Avenue will be dedicated based on Emergency Access needs, as approved by the City Engineer. With these additions it will provide a better road and improve safety.

Mayor Thomas opened the public hearing. There were no comments. Mayor Thomas closed the public hearing.

Council member Simpson moved to approve the 115 Sampson Avenue plat amendment located at the same address, based on the findings of fact, conclusions of law and conditions of approval with the addition of conditions #9 & 10 in a form approved by the City Attorney.
Council member Henney seconded
Approved unanimously

7. Consideration of approval of the 1185 Empire Avenue Second Plat Amendment based on the findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney.

Planner Wassum stated that the applicant would like to split the lot at 1185 into two lots for single family homes to be constructed.

Mayor Thomas opened the public hearing. There were no public comments. Mayor Thomas closed the public hearing.

Council member Simpson moved to approve the 1185 Empire Avenue Second Plat Amendment based on the findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney.
Council member Matsumoto seconded
Approved unanimously

8. Consideration of an Ordinance adopting the Park City General Plan.

Boehm went through the changes he discussed during the break with Council member Peek. Eddington discussed the changes made to the definitions section such as floating zone and attainable housing.

Council member Beerman suggested the definition of attainable housing read the same as affordable housing.

Council member Simpson suggested reflecting the current Housing resolution for affordable and use Harrington's language for attainable.
Mayor Thomas inquired if there was a clear outline on how to use this document.

Boehm pulled up the outline and spoke to build out regarding maintaining our core values and growing our resort community stating there will be a day when the water issues etc will affect our core values. Feels that this needs to be weighed over and over and keep the balance. Eddington stated that this will be a biannual plan and this version will be a base line.

Mayor Thomas opened the public hearing.

Hope Melville, Old Town Resident & HPB member spoke to Historic Character section regarding Historic Main Street construction mitigation. Suggested adding language to the strategies section.

Jo Scott thanked the Mayor and Council for giving the General Plan more time and thanked them for the respect given to the residents; she thanked the Planning Staff and the Planning Commission. She feels this was a positive outcome.

Jim Tedford reiterated the suggestions he made last week and wanted to encourage the Council to take a vote.

Council member Henney stated that they received his email and have considered his comments. Planning staff stated that many of his comments have been included.

Rob Sletton thanked everyone for the years that have gone into the General Plan as a resident and business owner feels that it is a good plan and would encourage the Council to adopt this plan.

Mayor Thomas closed the public hearing and thanked staff for all the hard work.

Council member Matsumoto inquired about adding Hope's comments regarding construction mitigation.

Council member Simpson also agreed with adding Melville's language stating that the language proposed is broader and does not directly talk to construction mitigation.

Council member Beerman stated that he would also be in favor of addressing construction mitigation.

Council member Henney inquired if it needs to be called out in the General Plan.

Council Beerman spoke to Council member Henney's comment that it is a very important aspect to the Main Street businesses.

Council member Matsumoto feels that the broad definition does not address construction mitigation including all aspects of the community affected by the construction.

Council member Peek suggested language to adding continuing and evolving impacts.

Mayor Thomas liked Council member Peek's wording to include all impacts.

Harrington stated that the old General Plan had multiple references to construction mitigation and he would suggest that they call out construction mitigation to build upon the old General Plan. Feels that they could add it to 16.1.

Council was supportive of adding it to 16.1

Phyllis Robinson suggested language for affordable housing and Eddington and Boehm read the suggestions into the record to read "Affordable Housing: Affordable housing shall be defined shall be defined by the applicable City Affordable Housing Resolution, currently Resolution 25-12, as amended.

Mayor Thomas again thanked staff and asked for a motion.

Council member Simpson moved to approve an Ordinance adopting the Park City General Plan as amended this evening
Council member Beerman seconded
Approved unanimously

9. Consideration of plat amendment at Snyder's Addition to Park City Amended Lot 1, Block 15, located at 901 Norfolk Avenue

Mayor Thomas opened the public hearing. No comments were heard. Mayor Thomas closed the public hearing.

Council member Matsumoto moved to Continue to April 17, 2014 meeting
Council member Simpson seconded
Approved unanimously

10. Consideration of a plat amendment at the North Silver Lake Condominiums located at 7101 Silver Lake Drive, Record of Survey.

Mayor Thomas recused himself.

Mayor Pro Tem Simpson opened the public hearing. No comments were heard. Mayor Pro Tem Simpson closed the public hearing.

Council member Peek moved to continue to May 8, 2014
Council member Beerman seconded
Approved unanimously

VII. ADJOURNMENT

Council member Beerman moved to adjourn the meeting
Council member Simpson seconded
Approved unanimously

MEMORANDUM OF CLOSED SESSION

The City Council met in a closed session at approximately 2:00 p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Liza Simpson, Dick Peek, Cindy Matsumoto and Tim Henney. Staff present were Diane Foster, City Manager; Mark Harrington, City Attorney; Tom Daley, Deputy City Attorney; Tricia Lake, Prosecuting Attorney; Heinrich Deter, Trails & Open Space Manager; Matt Cassel, City Engineer; Kayla Sintz, Planning Manager. **Council member Peek moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Beerman seconded. Motion carried.**

Council member Peek moved to open the closed session. Council member Simpson seconded. Motion 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 Marci S. Heil, City Recorder

Marci Heil

Marci S. Heil, City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1,
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