PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MARCH 6, 2008

Present: **Mayor Dana Williams; Council members Candace Erickson; Roger Harlan; Jim Hier; Joe Kernan; and Liza Simpson**

Tom Bakaly, City Manager and Mark Harrington, City Attorney

Insa Riepen, Executive Director and Board Member President Jeremy Lund, Recycle Utah

1. Council questions/comments. Liza Simpson discussed the WALC meeting held during the week. Jim Hier reported that staff and the City Council liaisons met with Talisker this week to actively work toward solutions on the affordable housing issue. Joe Kernan stated that a Chamber employee relayed to him that she is receiving complaints about increased traffic in Park City. Candace Erickson reported on Recreation Advisory Board and Historical Society programs and business. Roger Harlan reported on WALC and School District meetings. It is contemplated that the high school will be completed by October 1. He noted that he visited Silver Star and commented on the quality of the project. Mayor Williams spoke about a trip to Utah State to learn about its sustainability efforts; he and members of staff met with a delegation from Beijing on the Olympics over the weekend. He stated that he witnessed inappropriate aggressiveness of Westgate salesmen on Main Street. This is trash-selling and he would love to pull Westgate's business license. The City Attorney advised that the best approach is to catch them in the act and then to contact dispatch. A record can not be created by just observing misconduct. If there are specific complaints, he encouraged to pass those along as it is helpful when dealing with Westgate management.

2. Recycle Utah update. Insa Riepen presented her information through a PowerPoint presentation. She thanked Council for its support, which she hoped would continue at even a higher level. There are many public facilities in town, but none are used more used on a daily basis than the Recycle Center. An automated car count was conducted in 2006 with totals of 300 to 500 vehicles a day, 30% represents businesses. On a busy Monday last fall, 60 vehicles dropped off materials in two hours. Thirty cars an hour sharing a fairly small parking lot is a challenge. Companies support the bin program because the Center is good for the community and the environment. Residential recycling contributes to the majority of the materials dropped off at the Center. Ms. Riepen stated that a questionnaire was mailed to 1,500 households where half lived in Park City. Most Park City residents have curb-side service but use Recycle Utah as well because of its unique programs. It is the only facility in Utah who collects ewaste every day and the Center is in need of more space for this growing program. No one accepts EPS white packing foam which doesn't biodegrade in the landfill and about 100,000 cubic feet has been collected to date. The hazmat collection days have been a huge success and the Center will accept CFLs, batteries, and mercury products and she detailed ewaste collection numbers. The lodging community has added or expanded recycling programs and PCMR is now recycling on the mountain. She spoke about three carbon footprint workshops held during the year, which were co-sponsored with the Park City Board of Realtors. Visitors can now recycle on Main Street. Ms. Riepen spoke about the Center's Pride in your Park Day, and its continued support of wind power. Earth Day is celebrated with a week of events called Sustainability Week. The green book is published every year for newcomers with the help of the Board of Realtors and green building consultants are available to the public on a monthly basis. Ms. Riepen spoke about educational programs in the school. She stated that composting is the wave of the future and she hopes that a municipal composting facility will be added to operations.

Jeremy Lund pointed out that last year program revenues represent 61% of incoming funds, individual and corporate donations at 23%, and government support at 16%. Over 80% of revenues are produced or raised by the Center so the City is essesntially getting a 4:1 benefit on public grant dollars. Fund-raising, bin sponsorships, donations, and private grants continue to increase significantly. He discussed expenses which break down as programs at 82%, administration at 13% and fund-raising at 5%. He emphasized that the Center needs continued support to offset expenses but with the City's commitment, the future is exciting. Ms. Riepen felt that the success of the Center is due to its central location and urged the City to provide a centrally located home with a state-of-the-art education center.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 6, 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 6, 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; Lloyd Evans, Chief of Police; Bret Howser, Budget Analyst; Pace Erickson, Operations Manager; Jerry Gibbs, Public Works Director; and Tom Daley, Deputy City Attorney.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Swearing-in of Police Officer Mike Carrillo – Chief Lloyd Evans introduced Officer Carrillo and the Mayor administered the oath of office.

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

Request for one-way on upper Woodside Avenue - John Ray, 249 Woodside Avenue, expressed his desire to change upper Woodside to one-way in the winter and was unclear about the process, but has been gathering signatures in support. He described the narrow unsafe conditions because of the snow banks and his dog was hit by a car, but fortunately is okay. It is a challenge traveling upper Woodside Avenue in the summertime and he is concerned about the ability to accommodate emergency vehicles. Snow removal was a big issue this year and the street is barely passable for one vehicle because of parked cars. He also asked that Council consider under-grounding utilities on the street.

Tom Bakaly explained that the City has a neighborhood traffic management plan which may be the appropriate way to handle his request and he offered to meet with Mr. Ray. With regard to undergrounding utilities, conduit has been installed as part of the Woodside reconstruction project. The policy has been to split the costs with the neighborhood if a special improvement district is formed. Mayor Williams noted that the City sponsored state legislation to streamline the process for undergrounding utilities which just passed this session and expressed that members are willing to consider the request. The City Manager added that Public Works will follow up on clearing snow from the street to widen it.

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

1. Consideration of approval of a professional service provider contract with the Historic Main Street Alliance, in a form approved by the City Attorney, in the amount of

<u>$40,802</u> – Bret Howser explained that approval of the contract is the concluding step in establishing the Main Street Business Improvement District. Ordinances have been passed establishing the District and another creating fees to be charged to businesses for the purpose of promotion. Staff conducted an RFP process and received one bid from the HMBA in November. In response to a question from Liza Simpson, Mike Sweeney explained that the $13,000 allocated to the website is an annual budgeted amount. He added that it is their intention to replace the kiosk. Joe Kernan asked if the HMBA is exploring recycling infrastructure, like installing compactors. Ken Davis stated that they have made little progress on a plan because they are picking up the pieces of having to manage the solid waste trash removal which was dumped in their laps. There have been discussions about installing a cardboard compactor on upper Main Street but this is not an easy problem for them to solve. The Mayor asked if the HMBA will continue with Holidays on Main and Halloween. Mr. Davis responded that the HMBA is doing Halloween but the approach for the holiday event has not been determined. The HMBA has to be fugal with funds.

Adam Strachan, attorney, stated that he reviewed the contract which is acceptable. There were minor issues with conflicts in the indemnification provision and insurance, which can be worked out. Mark Harrington advised that this is the reason the wording for contracts on the agenda include verbiage *in a form approved by the City Attorney* so that minor adjustments can be made without bringing it back to Council. Jim Hier, "<u>I move we recommend the City Manager to execute a service provider agreement with the Historic Main Street Alliance in the amount of $40,802</u>". Liza Simpson seconded. <u>Motion unanimously carried</u>.

2. <u>Consideration of approval a professional service provider contract with IBI Group, in a form approved by the City Attorney, in the amount of $82,295 for design and engineering of neighborhood parks</u> – Matt Twombly explained that in October 2007, Council directed staff and the Recreation Advisory Board to develop construction documents for the Old Town Park and to proceed to explore parks improvements on the Holiday Ranch Loop site or the dirt bike park. The City conducted a RFP process, received eight proposals, and interviewed the top four firms. Based on the proposals and interviews, the selection committee is recommending the award to the IBI Group. The contract is for design and engineering services through design development and construction cost estimates for both parks, however, the Holiday Ranch Loop Park is not proceeding through construction and bid documents because of timing. A conceptual master plan and the public input process have only been conducted for the Old Town Park. Based on previous Council direction, staff recommends the award of the contract to IBI Group.

Jim Hier asked the meaning of a 90% construction drawing and Mr. Twombly explained that the process is design development and a 90% construction drawing is a plan that is far enough along to obtain permits. At this point however, the plans can be changed in the event the Building Department makes further recommendations before the project elements are finalized. Jim Hier expressed his confusion because the percentages do not coincide with the projected costs and Mr. Twombly explained that the 90% represents the point where the plans are far enough along to be submitted to the Building Department for review. Mr. Hier also expressed confusion about the $10,000 construction phased services budget, acknowledging that it not being authorized now. He is very concerned about paying $80,000 to design a park. Mr. Twombly explained that there are other engineering issues relating to the Old Town Park because of the flood hazard area and ADA access and utilities from Main Street. The Holiday Ranch Park contemplates building restrooms and a parking lot and engineering and design solutions relate to drainage, privately owned irrigation ditches and the creek. Mayor Williams also expressed concerns about paying $30,000 for construction drawings which seems exorbitantly high. Mr. Twombly noted that engineering relating to the flood area and creek drive costs. In response to a question from Joe Kernan, he explained that the Old Town Park is estimated at $400,000 including design and engineering and the final cost for the other park is unknown because its components have not been finalized. Joe Kernan felt it would be helpful to provide public support and/or benefit information during the budget review on these projects and the City Manager felt that the concept design work will provide additional data. Roger Harlan pointed out that the bids ranged from $33,700 to $295,000 and Mat Twombly again explained narrowing proposals to four and making sure that they met RFP requirements. Liza Simpson, "I move that we authorize the City Manager to enter into a professional services provider contract for the neighborhood parks project in a form approved by the City Attorney's Office to IBI Group in the amount of $82,295". Joe Kernan seconded. Motion unanimously carried.

3. Consideration of approving an agreement, in a form approved by the City Attorney, with 21st Century Equipment Co, for the purchase of a Bagela Asphalt Recycler in the amount of $99,490 – Pace Erickson explained that Council approved an asphalt recycler in the last budget review. The City produces about 100 to 300 tons of millings per year and patching material is currently being deposited in the landfill. This equipment would allow the City to reuse those materials, which will not require adding rejuvenators to the mix to meet the needs of Park City. Ms. Simpson asked if more oil is added to the mix and Mr. Erickson indicated that it isn't required, because the asphalt goes into the same hopper and ten minutes later hot reusable asphalt is produced. This equipment will also allow the City to patch streets in cold weather. Roger Harlan, "I move approval of an agreement, in a form approved by the City Attorney, with 21st Century Equipment Co, for the purchase of a Bagela Asphalt Recycler in the amount of $99,490". Candace Erickson seconded. Motion unanimously carried.

4. Consideration of approving a Resolution adopting a Neighborhood Traffic Management Policy for Park City, Utah – Jerry Gibbs spoke about bringing the policy to the January 31, 2008 where a number of comments were made and appear in the draft policy. The policy provides criteria and metrics to evaluate requests for traffic calming. The original policy was adopted in 2002 and based on experience and comments from Council, adjustments were made to better reflect types of requests and practices. There are some requests that can be handled immediately without involving the neighborhood process. Joe Kernan referred to the second phase of Phase 1 which doesn't include citizens; he suggested that the applicants or representatives from the neighborhood participate on the committee. Mr. Gibbs explained that the public is invited to participate in Phase 2 and meetings where the data is discussed. He didn't feel that the technical traffic calming committee where traffic and engineering standards are applied is designed for public participation. The neighborhood is invited to Phase 2 and all following meetings are open. In response to a question from Joe Kernan, Mr. Gibbs stated that the program has about $50,000 remaining in the budget and additional funding is not requested this year. The strategic plan identifies additional officers and speed trailers which were acquired. Hiring a traffic engineer is recommended for the next phase. Mr. Kernan pointed out general guidelines and specific directives which are much stronger. He feared that some language prevents new ideas from being explored because it is limited to certain criteria and he referred to emergency response times. Jerry Gibbs explained that emergency access is a high priority and the Fire District is included on the committee. Public safety entities are extremely concerned about negotiating traffic calming devices that impact response time. Jim Hier felt this is an appropriate approach. Joe Kernan continued that the statement that *transit service access, safety and scheduling should not be adversely impacted* is very broad and could exclude an innovative solution. The Mayor invited public input. Candace Erickson, "I move we approve the Resolution adopting a Neighborhood Traffic Management Policy for Park City, Utah". Roger Harlan seconded. Motion carried.

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

5. Consideration of an Ordinance amending Title 8, Chapter 2 of the Municipal Code of Park City, Utah to include the prohibition of reckless skiing at ski resorts and snowboarding within Park City's boundaries - and

6. Consideration of an Ordinance amending Title 8, Chapter 2 of the Municipal Code of Park City, Utah to include the prohibition of skiing and snowboarding in closed

areas within ski resorts – Tom Daley explained that the first ordinance deals with reckless skiing while the second with trespass in closed areas. Summit County updated its trespass ordinance on the books since 1978 and reckless skiing since 1980. He explained that the reckless skiing ordinance language contained archaic language regarding responsibilities caused by reckless skiing. This has been revised so that it reads to provide *reasonable* assistance, including warding off other skiers to protect the injured person. The trespass ordinance is similar to other jurisdictions. Summit County has adopted and Wasatch County is in the process of adopting similar ordinances. Mr. Daley explained that a series of meetings were held with the ski resorts who are supportive. There was discussion about the meaning of providing *reasonable* care to the injured person. Mark Harrington explained that this statement deals more with not allowing a person to just ski away from the accident. It doesn't mean to go beyond your capabilities in providing medical assistance, for instance. Mr. Daley explained misdemeanors, felonies and infractions for the benefit of Joe Kernan. Violations of this ordinance are Class B misdemeanors. The Mayor opened the public hearing and with no comments from the audience, the hearing was closed. The Mayor disclosed that he received a letter from a student at Rowland Hall opposed to the adoption of the ordinances.

Joe Kernan, "I move we approve the two ordinances regulating reckless skiing and skiing in closed areas, as written in the staff report". Roger Harlan seconded. Motion unanimously carried.

V ADDITIONAL DISCUSSION – AGENDA ITEMS

VI 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; and Mark Harrington, City Attorney; Dave Gustafson, Project Manager; Jon Weidenhamer, Project Manager; Alison Butz, Environmental Specialist; Tom Daley, Deputy City Attorney; Lloyd Evans, Chief of Police; and Kim Leier, Human Resources Manager. Roger Harlan, "I move to close the meeting to discuss property". Liza Simpson seconded. Motion carried unanimously. The meeting opened at approximately 5:15 p.m. Jim Hier, "I move to open the meeting". Candace Erickson 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