



**PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060**

February 14, 2019

The Council of Park City, Summit County, Utah, met in open meeting on February 14, 2019, at 2:00 p.m. in the City Council Chambers.

Council Member Henney moved to close the meeting to discuss property and personnel at 2:00 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

CLOSED SESSION *

*Council Member Ware Peek was recused from the first property item on the Closed Agenda.

Council Member Gerber moved to adjourn from Closed Meeting at 5:52 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

WORK SESSION

2019 Legislative Update:

Matt Dias noted a bill tracking list was distributed to Council. He indicated staff was working with the County and Chamber of Commerce with regard to bills currently at the legislature. One bill back this year was the ban on the plastic bag ban. Other cities were contemplating banning plastic bags, and there were many lobbying against this bill.

Dias stated another bill that should come out today would lower the sales tax by taxing services and noted outreach was going on in the business community to inform them of the proposed legislation.

Council Member Joyce asked if there was going to be a redistribution of sales tax. Dias stated he was waiting to hear more about that, but currently the distribution was 50% of the revenue went to the point of sale and 50% of the revenue to population.

Discuss Potential Criteria for Accepting Property Donations to the City - Platted/Residential Lots:

Heinrich Deters, Trails and Open Space Manager, was present to facilitate the discussion with Council on land donations to the City. It was indicated that each transaction was so different that it would be difficult to have a broad policy. Council Member Joyce stated the last donation was a done deal before Council even heard about it, so Council's decision-making ability had been taken away. He preferred not to accept parcels unless there was a value to the community that would be gained.

Council Member Gerber asked if there was something else that would be meaningful or in memory of family, such as affordable housing, buying a deed restriction, etc., that could be offered to interested individuals. Council Member Joyce suggested having a 20 year easement on some of the donated parcels instead of a perpetual easement. Mayor Beerman asked what the cost was in association with the parcel donated in December. It was noted there would be a cost for weed abatement, but weed abatement was already being performed in that area so the cost would be minimal. Mayor Beerman thought accepting the donation in December would probably prevent a second home and the use a lot of energy.

Council Member Henney noted other benefits to having that open space, such as no construction noise and additional green space. He thought there would be cases in the future where a donation to the City would not be optimal. Council Member Worel agreed but thought if development rights were extinguished, it was a win for the community.

Deters suggested the donation requests go through the COSAC Council liaisons before being presented to Council. Discussion ensued on Council preferences for land donations. Mayor Beerman thought the first thing to consider when presented with a potential donation should be the HOA fees or other costs associated with the parcel. Deters stated another option would be to have land donations go to a land trust. Council Member Gerber asked that Council members receive a notification on each donation request before the final approval went before Council.

Mayor Beerman summarized the direction to follow the guidelines, that Council or at least COSAC Council liaisons hear about the proposed donation prior to Council final approval, have a cost analysis of HOA fees or other significant property or staff fees, and that Council would look at each donation request and evaluate it based on its merits.

Council Questions and Comments:

Members of the Council reviewed the events and meetings they attended since the last Council meeting.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Council Member Lynn Ware Peek Council Member Nann Worel Diane Foster, City Manager Matt Dias, Assistant City Manager Mark Harrington, City Attorney Michelle Kellogg, City Recorder	Present
None	Excused

II) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Reports:

1. Sundance 2019 Event Debrief Preview: Overview and Timeline
2. Special Event Department 2019 Preview

III) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Beerman opened the meeting for public input. No comments were given. Mayor Beerman closed the public input portion of the meeting.

IV) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from January 15, 22, and 29 2019:

Council Member Gerber requested the closed captions attachment be removed from the minutes for the January 29th meeting. Kellogg agreed but noted the disclosure in the captions which explained the reason for errors and gaps in the document.

Council Member Joyce referred to the January 29th minutes, Page 5 Line 35, and asked that the south line be corrected to read the south side.

Council Member Gerber moved to approve the City Council Meeting minutes from January 15, 22, and 29, 2019 as amended and without the captions for January 29th. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

ABSTAIN: Council Member Ware Peek for January 29, 2019

V) NEW BUSINESS

1. Public Hearing to Receive Comment with Respect to the Proposed Issuance of the City's Approximately \$32,000,000 Sales Tax Revenue Bonds, Series 2019:

Nate Rockwood stated this was the last public hearing required for the Sales Tax Revenue Bonds. He explained the process of selling the bonds on the market.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

2. Consideration to Approve Ordinance No. 2019-10, an Ordinance Approving the King's Crown Workforce Housing Condominiums, Located at 1293 Lowell Avenue, Park City, Utah:

Francisco Astorga, Senior Planner, presented the proposed amended plat for affordable housing units.

Council Member Worel asked if the City would receive annual monitoring reports since this affordable development was from a private developer. Harrington stated the developer would give an annual update.

Council Member Gerber asked if the City got the first right of refusal. Harrington stated yes, but that question would be discussed further when the subdivision was brought back to Council.

Council Member Joyce disclosed he worked on this project when he served on the Planning Commission. He also reminded Council that the developer gave the City twice the required number of affordable units in their development.

Council Member Ware Peek thought the name of the plat "workforce housing" implied it was only for the development's workforce. Astorga stated they could have named the

plat anything and that was the name chosen. He indicated the City and County had some say in the name of the plat. There was some discussion on the terminology.

Council Member Henney stated in Exhibit B, in the letter from the applicant to him, the second page identified unit A203 as being 150% of AMI and noted that in reality it would be in the 80% range.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Gerber moved to approve Ordinance No. 2019-10, an ordinance approving the King's Crown Workforce Housing Condominiums, located at 1293 Lowell Avenue, Park City, Utah. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

3. Consideration to Authorize the City Manager to Execute a Waiver of Construction and Development Impact Fees for the Park City Golf Course Maintenance Facility in an Amount Not to Exceed \$182,135.71:

Nick Graue stated the building permit had been obtained and construction had begun. He requested a fee waiver for the impact fees since this was a City-owned facility.

Council Member Worel asked what LOD Trust Agency stood for. Michelle Downard stated the Limit of Disturbance (LOD) was a bond and it covered the area that would be disturbed. If for any reason the project wasn't completed the money would be used to reseed and restore the area to its original form.

Council Member Joyce stated waiving the fees changed the actual cost of the building, and he didn't understand why it was written off. He thought it was bad policy. Foster stated staff was tracking the true full cost even though the fee was waived. Waiving the fee saved the City time and money, but she understood Council Member Joyce's point of keeping the accounting. Council Member Joyce stated there was so much work involved in the Building, Planning, and Engineering Departments, but noted the money would eventually be added back in at a later date. Mayor Beerman suggested that Council Member Joyce discuss this with Anne Laurent and Budget Department and noted those departments didn't receive their budget based on the fees they collected. Council Member Joyce stated he heard reasoning on how it was figured, but not why it was figured. Foster stated the "why" of fee waivers would be added during the budget discussions.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Henney moved to authorize the City Manager to execute a Waiver of Construction and Development Impact Fees for the Park City Golf Course Maintenance Facility in an amount not to exceed \$182,135.71. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek, and Worel

VI) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

2019 LEGISLATIVE BILLS TO WATCH								
Category	Bill #	Short Title	Bill Sponsor	Bill Summary	Status if Known	ULCT S/N/O	PCMC S/N/O	Pass/Fail
ALCOHOL	SB 132	Beer Amendments	Rep. Jerry Stevenson	allows the alcohol content of beer sold for off-premise consumption to increase from 3.2 to 4.8 percent by weight	2/8 - Senate/placed on 2nd reading calendar			
BUILDING								
SUSTAINABILITY	HB 148	Vehichle Idiling Revisions	Rep. Patrice Arent	Amends provisions to enact vehichle idiling restrictions. Limits a local highway's authority to enact restrictions	2/5 Motion to recommend failed; 2/11 2nd House reading			
	HB 78	Federal Designations	Rep. Carl Albrecht	addresses a political subdivision's official support of land use designation proposed in proposed congressional land use legislation & the process for review, approval, & disapproval	2/7 - LFA/fiscal note publically available ; 2/13 2nd House reading			
	HB 320	Plastic Bag Ban	Rep. Michael McKell	prohibit a municipality from creating and enforcing a ban on plastic bags	2/13 - 1st House reading/intro'ed			
	HB 143	Water Conservation Plan Amendments	Rep. Suzanne Harrison	asks water suppliers to assess what it would take to reduce their municipal water use to 175 gpcd when drafting future water conservation plans	2/6 - House comm held			
HOUSING	SB 34	Affordable Housing Modifications	Sen. Jacob Anderegg		2/14 - House/to standing committee			
LOCAL GOVERNMENT								
PROPERTY								
TAXES	HB 266	Resort Communities Transient Room Tax Amendments	Rep. Bradley Last	allows a county legislative body to use a portion of the county's transient room tax revenue to pay for emergency medical services in a town that is a resort community and makes technical & conforming changes	2/14 - 2nd House reading			
TRANSPORTATION	SB 139	Motor Assisted Scooter Amendments	Rep. Kirk Cullimore	addresses definitions, prohibits certain activities w/ regard to an alcohol product, clarifies that a scooter is a vunerable user of a highway, a scooter is subject to provisions of a bicycle, prohibits operating a scooter on public property posted as an area prohibiting bicycles and not skateboards, permits a scooter to be operated on a highway w/ specified speed limit, exempts certain equipment requirementss	2/6 - 1st senate reading/introd'ed; 2/7 to standing committee; 2/7 Senate comm favorable recommend; 2/8 Senate received fiscal note from Fiscal Analyst; 2/8 Senate Committee report favorable; 2/8 placed on 2nd reading calendar			
WATER								