PARK CITY COUNCIL WORK SESSION MINUTES
SUMMIT COUNTY, UTAH
FEBRUARY 14, 2013

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

Phyllis Robinson, Acting City Manager; Jody Morrison, Assistant City Recorder; Bret Howser, Special Projects Manager; Ken Fisher, Recreation Manager; Mark Harrington, City Attorney; and Matt Twombly, Project Manager

Recreation Advisory Board members: Kathy Kahn, John Halsey, Michael Barrelle, Alisha Niswander, Meg Steel, and Kraig Moyes

Rena Jordan, Snyderville Basin Special Recreation District

1. Council questions/comments. Andy Beerman stated that he attended the Summit Lands Conservancy meeting. He complimented the Leadership 101 Program where participants seemed very engaged and Alex Butwinski agreed. Liza Simpson spoke about the quality of the Soils Commission meetings.

Alex Butwinski stated that the Public Art Advisory Board is updating its strategic plan. He attended the Planning Commission meeting where height was discussed at length. He reported that the General Plan has a hard deadline of March 31, 2013 and holding an extra Planning Commission meeting is contemplated. He and Bret Howser also attended the ULCT weekly legislative session.

The Mayor spoke about the Mosquito Abatement Board and participating in the one billion rising flash mob at noon today organized by the Performing Arts Center and the Peace House. Liza Simpson expressed that she will try to attend the Latinos in Action conference in Salt Lake on March 1 since the Mayor will be out-of-town.

2. Legislative update. Jody Morrison stated that staff is recommending support of HB289, fireworks amendment. She explained that the City is watching SB167, master liquor licenses, and Liza Simpson asked about the exceptions. Staff will follow-up. Bret Howser explained that the bills which are stricken out on the table are considered as not having much impact on Park City. Bret Howser reported on two Mel Brown proposals. SB130 seems to allow amending lot lines without being subject to the local land use authority. SB236 relates to the City’s ability in the LMC to address re-vegetation, landscaping, or managing erosion control on the owner’s property. The Mayor felt that the City should be strongly opposed to these two bills and members agreed. Mr. Howser explained that SB58 is a new bill relating to the allocation of sales tax revenues that the state is not yet receiving, e.g., internet sales. He suggested not supporting this bill.

The Mayor referred to legislation regarding carrying a weapon and disorderly conduct, HB26. Mr. Howser explained that the Police Chiefs' Association worked on the language. He understood the NRA wording has been removed giving more discretion to police officers and he will need to see the amended language before making a recommendation to Council. In response to comments made on legislation for changing the form of government, Mr. Butwinski explained that the ULCT took no position as it doesn't really affect cities. Mr. Howser clarified that raising the limit on reserves is still sitting on the Senate floor after making it out of committee. He indicated that he is following SB181 which would disallow municipalities from selling property at less than fair market rate which would impact the City's ability to negotiate affordable housing and some RDA projects. Phyllis Robinson interjected that when property has been disposed of in the past, a benefits analysis was required which considered qualitative and other non-monetary benefits. Mr. Howser suggested getting more information from ULCT before taking a position on it. The City Attorney added that incentives have been used for historic preservation where the market value is offset with *beyond-regulation* rehabilitation improvements, for example. Alex Butwinski suggested supporting the substitute bill for SB109 on water. Building Code amendments were discussed.

3. Recreation Advisory Board Visioning. RAB members in attendance introduced themselves and are indicated above. Ken Fisher referred to the City Park tennis court expansion project which is hoped to be completed by the first week of July. He discussed the replacement of the seven outdoor tennis courts at the MARC and expanding use by adding court lines to accommodate more players. The City received $450,000 in RAP Tax money last year to help fund this project. There is a shortfall of about $200,000 and RAB is looking to cut back on features of the project, for example to drop the wall to 18 feet decreasing structural costs.

The idea of practice walls was introduced by the lacrosse community and RAB would like to research potential locations and construct these walls during the next year. Locations could include the Recreation Complex or City Park. Andy Beerman pointed out that practice walls are not identified in the recreation survey or in the wants of the community and asked if there is enough demand. John Halsey responded that lacrosse is growing substantially and Kraig Moyes pointed out that the walls can help get players off of the field space which can then be better programmed. Mr. Fisher felt that School District property or City property in the North 40 could be considered. The surface is cement, and the wall is 16 feet high, 20 feet wide with a 34 foot pad.

Mr. Butwinski asked if tennis court surfaces count toward open space as he recalls that the MARC project just met its open space requirements. He asked that staff double check the open space calculation. He questioned some of the indicators in significant impacts section of the staff report.

Mr. Fisher reported that two studies were completed last year. One related to regional facilities which were compared to the mountain resort standard, and the other was a community attitudes and interests survey. This data can be combined together to develop a regional recreation master plan with the Basin and the project is on track to publish a RFP in the next few days, pending Council support. The estimate is $20,000 and members were supportive. He discussed a new idea of *Cardio in the Park* and placing fitness equipment in the parks either adjacent to playgrounds or along trails. The Mayor commented that this amenity is common in Beijing and well used.

Mr. Fisher referred to the dog park survey included in the staff report, pointing out the number of requests for a water feature. This was not included in the list of potential improvements because it didn't seem realistic. The Basin is fencing off a section of the Willow Creek dog park that will include the pond. Ms. Matsumoto pointed out that many respondents commented about the dog park being dusty and wind-blown. Mayor Williams pointed out that when the dog park was approved, there was a commitment from citizens about raising money for improvements which didn't happen but Liza Simpson stated that the group actually raised $10,000. The Mayor felt that the dog park is unattractive but Mr. Fisher pointed out that it is well used. Andy Beerman referred to the recommendation for a shade structure but suggested trees instead but it was pointed out that there is no irrigation at the location. Ms. Simpson indicated that she uses the dog park and based on her experience of using dog parks in other cities, most facilities are very basic. She encouraged replacing the water fountain which doesn't always work. Matt Twombly reported that the area has a ¾" culinary line servicing the water fountain and is equipped for an irrigation system. Ms. Simpson suggested installing a drinking trough.

Alex Butwinski warned members about friends groups who commit to raise money but later approach the City for funding and the Mayor interjected that $10,000 was raised for the dog park. Cindy Matsumoto expressed that dog parks are projects that cities commonly undertake. Kathy Kahn felt that the number of comments about how the dog park looks is partly based on its visibility. She is not in favor of a lot of landscaping around it for security reasons, feels it needs to stay wide open, but supports providing shade. Ken Fisher believed RAB will focus on adding shade, creating terrain features and obstacles. He asked if Council is supportive of submitting a CIP request and felt that improvements could total $50,000. A 10 x 10 shade structure could cost as much as $7,500 and would be taken down in the winter. Liza Simpson was also supportive of planting trees in the area.

Ken Fisher explained that another recommendation is putting a shade structure over existing playgrounds including Creekside, Prospector and Quinns. Two of the three parks already have shade but not the playgrounds. The Mayor pointed out that many shade trees can be purchased for $200,000. Mr. Fisher pointed out that the trees at the Recreation Complex were planted in 2006 and are still pretty small. Andy Beerman asked how often the shade canvasses need to be replaced and the cost. Mr. Fisher acknowledged that he has to research the product more. Rena Jordan reported that it cost SBSRD about $100,000 to $120,000 for a shade structure and commented on the need for massive footings to handle the wind. Liza Simpson emphasized that when

Prospector Park was constructed, the neighborhood did not want shade structures and she asked that more research be done for shade at each location.

The Mayor referred to Council comments last year about security in the parks and Ms. Kahn's comment about safety today. Ms. Simpson agreed and asked that RAB revisit research about emergency stations. Mr. Butwinski felt it would be interesting to know about the incidence of false alarms. Liza Simpson relayed that emergency stations are placed throughout the campus at the University of Utah which could provide data.

In response to a question from Alex Butwinski, Ken Fisher explained that the neighborhood parks bond passed in 2001 for $2 million and there is money available for projects from the interest earned from the bonds when they were sold.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
FEBRUARY 14, 2013

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, February 14, 2013. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Phyllis Robinson, Acting City Manager; Mark Harrington, City Attorney; Michelle DeHaan, Water Quality Manager; and Heinrich Deters, Trails and Open Space Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

355 Woodside Avenue - Ruth Meisma, Woodside Avenue resident, stated that the first project for a Landmark building processed under the new Design Guidelines was disappointing. She has been working with the Planning Department on this project and complimented staff as being committed to historic preservation. The excavation team did a beautiful job and another professional team lifted the house and placed it on cribbing. The construction crew, however, didn't have prior experience with historic preservation. She displayed photographs of the building which was on a perfect site to test the new Guidelines because it is a double lot with large side yards and open space in the back. The second photograph showed the residence collapsed in the excavated hole. She then displayed a Powerpoint illustrating how the building fell and explained that the cribbing and i-beams were removed and the building was supported by jack poles. The combination of wind and lack of lateral support tilted and twisted the building causing the jack poles to fall down and the structure to fall.

She noted that she has seen this same glitch in historic preservation projects in the past. After the building fell, the Planning staff rewrote the preservation plan for the project and was proactive in setting up a site visit which involved the Building Official; the applicant's architect and engineer; the crane operator, planners, and she and her brother were also invited. Ms. Meisma spoke about her interest in watching the project proceed. Her brother has experience in historic construction and preservation and also questioned what was going on at the site. This site visit concluded with the planner in charge, Francisco Astorga, asking for the applicant's representatives, the architect and engineer, to prepare a plan in writing to remove the house from the hole, emphasizing the need to save as much of the house and historic materials as possible. After receiving the requested plans several days later, Mr. Astorga set up a meeting including the Chief Building Official, the Building Official in charge of the project, the planner in charge, the Historic Preservation planner, the crane operator, her and her brother. At the conclusion of the meeting, the engineer's proposal was tossed and after considering several options, the consensus was that the best approach was to *surgically* disassemble the roof to save the valuable 1x8x10 foot one hundred plus year planks and beams for possible reuse in replacing damaged portions of the structure, to remove the north and east walls, and to evaluate and save the damaged, not destroyed, south wall.

After the meeting, she stated that the Building Department dismissed the aforementioned plan and the reasons given was that it was too time consuming and labor intensive to disassemble the roof. The plan written by Planner Astorga was dated January 8, 2013 and this was done 30 days later. The Building Department felt it was too dangerous to work under the roof but she talked to roofing companies who felt that it was safe to work on the roof and disassemble it. Ms. Meisma stated that this is where the process went awry. A new plan devised by the Building Department was to cut free and pull out the north and east walls and let the roof and everything that fell into the hole be removed as waste. This new plan was not sent back to the Planning Department for a preservation overview and the Building Department justified overstepping the Planning Department saying it was not necessary nor required to have the Department's input. If it is proper protocol not having final input from Planning when changes to a historic project occur after approval and after the building permit is issued, then this weak point has and will compromise the preservation process the City is trying so hard to implement to save history. If this is not proper protocol, then the Building Department should have input from the Planning Department on *after-approval* changes and the Building Department needs to be given direction on this all important point.

Ms. Meisma emphasized that the Building Department does not have preservation purview and a gap exists between departments. If Planning had been involved in a look at the second plan, more of the building would have been saved. She understood the mindset of the construction crew but it really doesn't work in saving historic buildings. Ms. Meisma was uncertain if this property can now qualify for the significant list. The house will be reconstructed and the shape will remain but again, it is a sad example for the first Landmark project. She felt there is a missing person in the process and that person is the code enforcement counterpart for Planning who can monitor projects according to the preservation plan. It would be best if this person knows Code and could cite infractions on behalf of the Building Department. There is a void.

The Mayor thanked Ruth Meisma for her presentation. Ms. Simpson asked when the revised preservation plan was done. Ms. Meisma believed it was January 9, 2013. The Mayor summarized her two issues as being the lack of vertical support and the disconnect between Building and Planning.

IV MINUTES OF MEETING OF JANUARY 31, 2013

Alex Butwinski, "I move approval of the minutes of the meeting of January 31, as corrected". Andy Beerman seconded. Liza Simpson disclosed that she will be abstaining as she was not in attendance. Motion carried.

Andy Beerman	Aye
Alex Butwinski	Aye
Cindy Matsumoto	Aye
Dick Peek	Aye
Liza Simpson	Abstention

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)***

The Mayor asked if there are any questions from members. With regard to Item 1, Alex Butwinski asked about the number of pipes in the project and Michelle DeHaan advised that there will be two pipes installed which doesn't affect the scope of work. Andy Beerman referred to Item 3 and asked if the impact fees are one-time and whether the City can be credited if they are not used. Ms. DeHaan confirmed that they are one-time fees and the City can be credited.

Liza Simpson congratulated Ms. DeHaan on the pigging award. Michelle DeHaan explained that the Water Research Foundation is the best within the water industry and the City has been a member for over 10 years. The City has applied for a technical collaboration project specific to ensuring a better understanding of the releases occurring in the Thaynes Canyon neighborhood and the most effective cleaning systems for our system in the future. The project will be moving forward in the next couple of weeks and the cost is about $200,000 with a matching grant of $175,000 from the WRF. The work would likely be conducted during the Fall.

1. Consideration public involvement contract with The Langdon Group in the amount of $108,000, in a form approved by the City Attorney - and

2. Consideration of award to URS Corporation of Professional Services Contract for Richardson Flat Tailings Site OU4 (Prospector Drain) Engineering Evaluation Cost Analysis, in a form approved by the City Attorney - and

3. Consideration of authorizing the City Manager to pay Snyderville Basin Water Reclamation District $327,823 for additional impact fees for discharging solids to the sewer at the Quinns Junction Water Treatment Plant - Liza Simpson, "I move we approve the Consent Agenda". Andy Beerman seconded. Motion unanimously carried.

VI NEW BUSINESS

Consideration of a Resolution updating a strategic plan for City-owned property with development potential in Park City, Utah and repealing and replacing Resolution No. 22-05 in its entirety – Heinrich Deters referred to his staff report and draft Resolution which is an update from the 2005 document. In 2005 there was a concerted effort to collect data on City property and maintain it in a centralized department to gain efficiencies and to a create an information source related to Public Works levels of service and/or planning and budget obligations. The matrix in the Resolution before Council pertains to developable unrestricted property. In response to a question from Liza Simpson about the Mawhinney lots being included in the revised Resolution, Mr. Deters explained that another use, other than parking, may be more appropriate in the future.

The Mayor invited public input. There was none. Liza Simpson, "I move that we adopt a Resolution updating a strategic plan for City-owned property with development potential in Park City, Utah and repealing and replacing Resolution No. 22-05 in its entirety". Dick Peek seconded. Motion unanimously carried.

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 2:45 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Phyllis Robinson, Acting City Manager; Dave Stewart, consultant; Matt Cassel, City Engineer; Nate Rockwood, Budget Manager; Jon Weidenhamer, Economic Development Manager; Jason Glidden, Marketing Manager; Tom Daley, Deputy City Attorney; Brooke Moss, Human Resources Manager; and Mark Harrington, City Attorney. Cindy Matsumoto, "I move to close the meeting to discuss property, personnel and litigation". Liza Simpson seconded. Motion carried unanimously. The meeting opened at approximately 4:50 p.m. Dick Peek, "I move to open the meeting". Alex Butwinski seconded. Motion unanimously carried.

The City Council met again in closed session at approximately 6:45 p.m. Andy Beerman, "I move to close to discuss personnel". Liza Simpson seconded. Motion unanimously carried.

STATE OF UTAH)
ss.
COUNTY OF SUMMIT)

CERTIFICATE OF CLOSED SESSION
CITY COUNCIL OF PARK CITY, UTAH

As presiding officer of the City Council of Park City, Utah, I hereby certify that the second closed session meeting held by the City Council on February 14, 2013, was held pursuant to UCA Section 52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual.

DATED this 4 day of March, 2013.

Dana Williams
Mayor Dana Williams

Subscribed and sworn before me this 4 day of March, 2013.

Janet M. Scott
Janet M. Scott, Notary Public

JANET M. SCOTT
NOTARY PUBLIC - STATE OF UTAH
My Comm. Exp. 03/11/2016
Commission # 652389

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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, City Recorder