

**PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
FEBRUARY 12, 2009**

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Wade Carpenter, Chief of Police

1. Council questions/comments. Roger Harlan reported that he attended the Art Advisory Board meeting where proposals were reviewed for bus shelters. Mountainlands Housing Trust is providing funding for infrastructure for subsidized housing like Park Place and Holiday Village Apartments. He spoke about potential legislation that would adversely affect the Park City School District's capital funding. Liza Simpson thanked the public, Planning Commission and staff attending the Planning Commission meeting on Treasure Hill. There were about 200 members from the public; the meeting was well run with a great presentation from Katie Cattan. The public was organized, articulate and polite. She also attended the Historic Preservation Board visioning meeting which was very successful. Jim Hier stated that he was impressed by the number of people at the Planning Commission meeting which seemed like many more at this stage of the game than even Flagstaff. This project will have repercussions throughout the community greater than Flagstaff. He and Candace Erickson met with staff on the special service grants. Candace Erickson disclosed that she received a complaint from a citizen about taxis idling in the handicap parking zones at the grocery stores and various other locations. Mayor Williams stated that he is proud of the community its engagement in the Treasure Hill project and spoke about collecting idling ordinances from other cities. He stated that he wrote a letter expressing his concerns to Representative Mel Brown because the House is considering a resolution that would stop Utah's participation in the Western Governors Climate Exchange Initiative. He expressed his frustration about derogatory statements about the work of the Governors Blue Ribbon Committee on the environment. The Peace House is looking to restructure its board. He and Pace Erickson attended the Mosquito Abatement meeting and the Mayor explained the goal of using of biological controls on mosquitoes as opposed to pesticides which has largely been achieved. The biological approach is unique to mosquitoes and nothing else is harmed. Candace Erickson commented on Senator Bennett's town meeting which could be listened to by telephone and listeners could weigh in with questions and participate in the meeting.

2. Legislative update. Tom Bakaly stated that the City is opposing HB 3, the climate initiative mentioned by the Mayor. HB 64, deterring illegal immigration, may end up as a compromise that would create a multi-agency strike force to combat violent and other major crimes associated with illegal immigration and human trafficking. The League's position is neutral. Chief Wade Carpenter pointed out that HB 64 and SB 81 are tied closely together. Senator Griner is the Police Chief of Ogden and he asked him specifically how this bill would affect law enforcement. Essentially, if there is a

violation, police enforce the law and if it is suspected that that person is illegal, he would be taken to a correctional facility placing the burden on the jail to check for immigration status which is no different than what Park City is doing now. Chief Carpenter expressed concerns about creating a special task force because resources are already stretched and officers can be better utilized. There should be local control of police departments and this is an unfunded mandate. He would rather focus efforts on a drug task force or something else. The Utah Police Chiefs Association, however, is neutral on the bill and waiting for the ULCT to voice a position. Tom Bakaly pointed out that the ULCT is neutral and waiting to see what the Chiefs will do which is indicative of what's going on with this issue. The City will need to watch this issue closely as the session winds down. It was decided to remain neutral. HB 66 is proposing to change the way school funds are allocated and currently capital funds within school districts are not equalized. This bill would equalize capital funds and it is estimated that the Park City School District would have to recover \$8 million. It is recommended to oppose this legislation and actively support the School District with other affected communities. Members agreed to *strongly* oppose. Roger Harlan discussed inequities that will occur if this is passed and specifically addressed Alpine where there is a wealthy tax base that chose not to fund capital improvements for its schools but will be the beneficiary of equalized capital funding.

Tom Bakaly discussed HB 68 and HB 241 dealing with water. As written, the City opposes HB 241. He briefly covered proposed cell phone legislation and state budget impacts, including discontinuing no interest water development loans. The City recently received approval for a \$10 million loan which has been pulled back and slated to be used to help balance the state budget. The City's rate for borrowing for the pipe line and treatment plant will have to be considered in the budget process.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 12, 2009**

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Library and Education Center on Thursday, February 12, 2009. 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; Matt Cassel, City Engineer; Tom Eddington, Planning Director; Kent Cashel, Streets and Transportation Manager; and Kayla Sintz, Planner;

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Treasure Hill meeting – Liza Simpson commented on the well run and attended Planning Commission meeting. She was impressed by the civility of citizens who were informed and articulate.
2. Open house for Bonanza Drive Project – Matt Cassel reported that there will be an open house on Bonanza Drive February 17 from 5 p.m. to 7 p.m. here in this room.

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

School District legislation - Mike Boyle, Vice President of the School Board, expressed his appreciation of the Council's support to strongly oppose HB 66. The impact, as described in work session, is tremendous.

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

1. Consideration of an Ordinance approving the 395 Centennial Circle plat amendment located at 395 Centennial Circle, Park City, Utah – Tom Eddington explained that approval would consolidate Lot 69 and Lot 70 of the American Flag Subdivision. Currently a structure sits on the existing lot line and this would create a 30,000 square foot lot that accommodates the existing structure and provides for adequate set-backs. The Planning Commission forwards a positive recommendation; there was no public input. Staff has determined there are no significant environmental or fiscal impacts. The Mayor opened the public hearing; there were no comments and the hearing was closed. Jim Hier, "I move we approve the 395 Centennial Circle plat amendment based on the findings of fact, conclusions of law, and conditions of approval as found in the draft Ordinance". Roger Harlan seconded. Motion carried unanimously.
2. Consideration of an Ordinance approving the Park Meadows No. 5, Lots 1 and 2 amended plat, Park City, Utah (2001 and 2009 Lucky John Drive) – Mr. Eddington explained that the request is for a lot line amendment to better reflect the existing

structures on these two properties and removes a lot line from under a house. Lot 2 will maintain a 15 foot wide utility and access easement for Lot 1. The Planning Commission forwards a positive recommendation and staff recommends approval based on the findings of fact, conclusions of law, and conditions of approval. The Mayor opened the public hearing and with no comments from the audience, closed the public hearing. Liza Simpson, "I move we approve the Park Meadows No. 5 Lots 1 and 2 amended plat based on the findings of fact, conclusions of law and conditions of approval as found in the draft Ordinance". Jim Hier seconded. Motion unanimously carried.

3. Consideration of a Resolution adopting the SR248 Corridor Plan for Park City, Utah – The Mayor commented that he received a flyer at his house last night and assumed that many in the audience from the Prospector neighborhood also received the same flyer which is inaccurate. The City did not hire the consultants to look at bus routes to Heber or to Kamas; however, expanded service is under consideration. The approach is to restripe existing SR248 for four lanes and two bike lanes and the proposal is not to widen the road. The alternative of changing the Rail Trail for vehicular access was not supported by members because it would box both sides of the neighborhood with traffic on both sides. The flyer mentions that more noise and air pollution will be generated with the plan which is untrue. Mayor Williams explained the concept of creating two high vehicle occupancy lanes and two regular lanes which would lessens the project's carbon footprint because cars are not stopped and idling in traffic.

He emphasized that if the traffic becomes too backed up on SR248, UDOT will dictate a plan and the City is trying to be more proactive in terms of arriving at long term solutions. It is also advisable to present a plan to UDOT now for improvements slated for future years. The Council made it very clear that before the plan is implemented that the Park and Ride is operating and the tunnel constructed in the Comstock area to assess the effectiveness of these measures. He again stressed that the width of the road will not be expanded and the idea of cutting into the hillside or into the wetlands was not supported by the City Council.

Kent Cashel announced that there are graphics of the project available to the public at the meeting and distributed comments received on-line from the public on the plan to Council members. There is no strong central theme in the comments, other than concerns about widening SR248 in a manner that would induce traffic growth and there were many comments based on misinformation. The Mayor interjected that the flyer indicates that the plan will prompt more traffic in Prospector neighborhoods but the plan decreases the ability to turn into neighborhoods other than Comstock. Mr. Cashel continued to explain that the City has been working on this well over a year. Six individual studies were conducted on SR248 which provided the foundation for the initial look at this study. That information was consolidated and the consultants presented eight alternatives that could be utilized to address traffic growth along the corridor. When the first phase was completed early summer, the Council directed staff and the

consultant to explore four alternatives including (1) no build, (2) full four lane widening, (3) widening within the existing footprint, and (4) integration of HOV lanes and directional lanes. These alternatives were studied for four months and the plan returned to Council in November after holding public and stakeholder meetings. City Council members narrowed the alternatives to three and removed the full four lane widening as an option which would require encroaching in the wetlands and PC Hill.

Mr. Cashel pointed out the bottleneck created in front of the schools and the section between Wyatt Earp and Sidewinder Drive. No matter what alternative was explored, without doing something to address this, the plan turned into essentially a no build option in terms of providing any remediation to the traffic that models show will exist over the planning horizon to 2020. He stated that there will be four lanes in front of the high school and some expansion of the asphalt there to accomplish this; the graphic displays the footprint. The added capacity is intended to accommodate turn movements in and around the schools, not to encourage more traffic to flow. He explained that in order to protect the hillside and wetlands, the recommendation heading east is to stay within the existing footprint by narrowing lanes, removing the planter, and integrating five foot bike lanes. The engineers looked at a variety of criteria like the carbon footprint, traffic growth, cost and impacts to transit and the Park and Ride. Mr. Cashel noted that the recommendation for four lanes within the existing footprint and minimal widening at the school section was the most viable alternative both environmentally and economically and from a traffic management standpoint.

In response to a comment from the Mayor about the widening in front of the schools, H W Lockner Consultant Gene Cline advised that the lanes could be narrowed somewhat but if full 12 foot lanes are added, there is the potential of cutting into the buffer adjacent to the Prospector neighborhood by 12 feet or by eight feet if the width of the lanes is narrowed. Mr. Cashel reiterated that the plan was reviewed with the stakeholders group and at work session last week by Council and staff made an effort to ensure that the media got the message out about the public hearing tonight. Candace Erickson stated that the widening by the schools was something she was not aware of and asked about the length of the section. Mr. Cline explained that there are two lanes in each direction from Park Avenue to Sidewinder. Between Sidewinder and close to US40, there is one lane each direction plus a center turn lane. This alternative would add a lane in each direction from Sidewinder all the way to the schools out to Wyatt Earp which is a narrower section but still four lanes and once out of the barrier area, SR248 is wider and four lanes. Liza Simpson emphasized that the Council is in the planning stage of developing a plan for the corridor and in no way is near the engineering phase of determining the exact pavement width. There are still many opportunities to adjust the plan.

Kent Cashel stated that this is an important point. This is a plan that provides staff with the ability to get a project into a funding cycle which could be as far away as five to seven years out. During that time, the plan can change but without a plan, the project is not identified for funding and what stands between the plan and the pavement is the

funding cycle and the UDOT process. UDOT needs to review and approve the plan but has been participating as a member of the steering committee and helped finance a portion of this study. A public involvement program will be established during the design stage. Laney Jones of H W Lockner pointed out that SR248 is UDOT's road and the state has its own process for implementing improvements. When a project is slated for funding, UDOT will initiate public participation through its own process. Roger Harlan asked if UDOT has been historically accepting of narrowed lanes as opposed to following strict engineering standards and Ms. Jones replied that it is becoming more common for UDOT to be more flexible. It is common for UDOT to narrow a 12 foot lane to 11 feet if there is a benefit or a need but 10 feet would not be typical. The Mayor mentioned that when the City was considering directional lanes, UDOT actually traveled to other sites to observe how these worked. He again discussed the importance of making the Park and Ride and HOV lanes feasible and creating incentives to get people out of their cars. Kent Cashel believes that UDOT is amenable to a lane width reduction and added that it is not very common for a Utah community to attempt to articulate a vision in advance of UDOT stepping in; this is a proactive step for Park City. Additionally, he felt the plan has been well received. The Mayor invited public input.

Tim Snyder, Doc Holiday Drive, asked what HOV meant and Kent Cashel advised that it is an acronym for high occupancy vehicle which now means more than one person in the vehicle. Laney Jones further explained that HOV can be redefined to manage traffic by the designation of number of occupants, but the big benefit is buses using the HOV lane to and from the Park and Ride. Mr. Snyder stated that this is a better plan than he originally expected, but hates to see the planter box go away because the stretch is so dangerous. In response to a question from Mr. Snyder, Kent Cashel explained that the widened section is from Sidewinder to Wyatt Earp. Ms. Jones indicated that both the four lane and directional concepts have four lanes in front of the high school. Council has expressed an interest in working with UDOT on speed limits. It was pointed out that narrower lanes and shoulders provide a traffic calming effect. The Mayor added a jersey barrier is proposed in place of the planter. Mr. Snyder felt that there are minimal traffic problems when the schools aren't in session. The school zone speed of 20 mph contributes to traffic backing up and four lanes may not make a difference but Kent Cashel believed that the Comstock tunnel will make a difference in traffic flow. There was discussion about medians drawn on the plan which could be used to prevent left hand turns or planted for the sake of aesthetics.

Mike Boyle, School Board member, expressed his appreciation of Messrs. Cashel and Cline meeting with him and several school administrators. He stated that he has shared information with the rest of the Board who understands that the plan is a concept and in general, they approve the plan as presented. They had the same concerns as probably a lot of people in attendance tonight about impacting the trails along the highway, but understands that they may have to be moved. Mr. Cashel has kept them involved and they approve of the plan.

Helen Stanley, Doc Holiday, suggested bus only lanes as opposed to HOV lanes and Ms. Jones explained that this doesn't have to be decided at this phase of the study and the lanes can be managed accordingly. Ms. Stanley insisted they should be bus only lanes. She complained about flashing signs being placed on SR248 directing people to Salt Lake and asked how this happened and if it will be continued. Kent Cashel explained that it was a trial program intended to run for a few weeks only to measure the effectiveness of the route to out-load the ski areas. It was run from 3 p.m. to 7 p.m. on peak ski days in order to move some of the traffic off of SR224. Ms. Stanley asked why we are directing drivers to SR248 because people that never traveled that way to Salt Lake will continue to go that way. Ms. Cashel responded that staff is sensitive to that issue. Ms. Stanley assumed that if the lanes are narrowed on SR248 that all wide loads will travel on SR224. Mr. Cashel noted that wide loads mean that the vehicle is already exceeding the lane width so it probably doesn't matter. A very wide load requires pilot vehicles but he didn't feel SR248 will be restricted. Ms. Stanley felt that this should be considered. Laney Jones explained that the reason UDOT is comfortable with an 11 foot lane but not 10 feet is because 11 feet will easily accommodate a truck. In response to another question from Ms. Stanley, it was explained that there will be room between the trail and the road and enough area for snow storage, however, the trail between the schools may have to be moved somewhat.

Kurt Benson, Doc Holiday Road, felt that the proposal is better than he anticipated. He suggested building the Park and Ride and requiring anybody that does not have a permit to park there and take transportation into town like Zermatt or Vail. This would mitigate some of the traffic. Kent Cashel explained that the 750 space Park and Ride lot is being completed at Richardsons Flat. Employee parking and carpooling are strategies that will be promoted to limit traffic along the corridor. Mr. Benson felt that there should be a policy of not allowing anyone on SR248, except for residents with permits. He wasn't convinced that carpooling will be successful; people like their cars too much. More lanes create more traffic side by side and speeds increase with familiarity. He agreed that traffic is congested but only two times a day, and implementing any plan with a 20 mph speed limit in place is a waste of time. Traffic signals also back up traffic. Diverting traffic to a residential area from SR224 is inappropriate. He urged Council to consider not allowing cars into town. Laney Jones advised that SR248 is a state-owned public facility and UDOT would not be comfortable restricting a public roadway and that is why this is not included as an alternative.

Faye Malnar, Sidewinder Drive, congratulated Council on a good plan but the only problem she has is expecting the Park and Ride will be used. As a retired employee of USSA, she polled employees from Heber and Kamas about parking at the Park and Ride and taking a bus, and there were no positive comments. She did not feel a permit system is appropriate because Park City invites people to visit our community. It would be helpful to get trucks off of SR248.

Margaret Hyatt, Butch Cassidy Road, commented on the removal of the planter box, which she understood made the section safer. It was explained that a jersey barrier

would be installed and that some separation is needed. She was pleased to learn that the Comstock tunnel will be constructed this summer. The Mayor reiterated that the plan is three to seven years out and there other improvements the Council would like to get done in terms of the tunnel and the Park and Ride facility before any other improvements are considered. She felt that the no build alternative is most appropriate.

Colin Jackson, Sidewinder Drive, agreed with Mr. Benson and stated that he didn't feel we have a road problem but a too many vehicles problem. He spoke about the daily regional transportation systems operating in Aspen, Telluride and Crested Butte while Salt Lake, Heber, Coalville and Kamas have nothing to offer. The model of moving people around needs to get away from cars and building more lanes by offering the Park and Ride, buses, and making it difficult to bring cars into town. There is a lot of parking and pavement here making it attractive to drive into town. The no build alternative, making mass transit available to Salt Lake and other places, and making it difficult to bring in cars, will manage traffic. The Mayor referred to Mr. Jackson's flier which he addressed before Mr. Jackson arrived at the meeting. Mayor Williams emphasized that the Council is interested in pursuing all alternatives before the plan is considered for implementation. The plan is being created so it is identified in a funding cycle and is three to seven years out into the future. The Mayor further explained that the Park and Ride road will go all the way through to SR248 where the new lumber store is located so someone coming from Kamas can get off of SR248 at the lumber yard and travel directly to the Park and Ride.

Jill Orchel, Prospector resident, stated that she grew up in Aspen and rode the bus everywhere and when she moved here 18 years ago, she recalls seeing flowers on the side of the road in memory of accident victims. When the planter was installed on SR248, she was relieved and would hate to see that work undone.

David Orchel expressed concerns about the Wyatt Earp intersection because it may be difficult to enter into traffic and the no left turn into Wyatt Earp will cause more traffic to travel through Prospector. He felt the intersection, especially with planters, will create a need for a traffic light causing more delays. Liza Simpson stated that she participated in all of the WALC meetings and there is funding reserved for important projects yet to be defined, i.e., Park Avenue, SR248. At some point in time it was felt that there would likely be a need for a light at Wyatt Earp and possibly another tunnel.

Michelle Rainer, Doc Holiday Drive, felt that most of the comments have dealt with safety and quality of life. We all moved here to live in a mountain town and not to be splitting our town up with highways and promoting congestion. When does it end? If we invite traffic to come, it will. Narrowing lanes is great, but on I-80 a lane was narrowed and semis were asked not to drive on it but they do. It is a huge safety concern and even with a tunnel there are four lanes of traffic. The commuter lot is a good idea as well as the tunnel but she is against widening the road and suggested making the center lane the HOV lane. SR248 should be no engine brake zone; there

are other viable options and SR224 should be looked at again. Ms. Rainer acknowledged that this is a long term plan but 2020 is not that far away.

Helen Stanley pointed out that building a tunnel is very costly but the idea of constructing a bridge was rejected. In these economic times, maybe it is time to reconsider a pedestrian bridge and evaluate the effectiveness of diverting pedestrian traffic. This would be an interim cost effective solution.

Sam Constanza, Buffalo Bill Drive, stated that he can barely turn on SR248 in the evening now and asked if crossing two lanes will make it more difficult to make a left hand turn. The Mayor replied that at peak times, he travels to streets with lights. Candace Erickson interjected that it depends on the management and use of the HOV lane and turning may actually be easier.

Wes Garrett, Prospector resident, felt that the real problems only occur three hours a day and the rest of the time traffic flows smoothly. School traffic is the real problem plus motorists can not travel over 25 mph through the school zone. There is going to be a lot of asphalt that is not going to be used most of the time. Adding traffic lights is expensive and interferes with traffic flow. Four lanes seem like too much and accommodating cars does not help meet the goal.

Max Doilney, Prospector resident, stated that he agrees with Mr. Garrett 100%. There is just a small chunk of the day that we're dealing with and the best way to make SR248 safe should be the ultimate goal. Adding pavement will result in another SR224 with traffic lights backing up traffic.

Andre Dumas, Cochise Court, felt the plan is not a good idea because it is helping commuters and no one here and Park City residents are paying for it. He suggested installing gates in neighborhoods and closing them at peak times. Moving school starting times could be helpful in the morning.

Marion Melnar, Sidewinder resident, stated that he likes the gated concept. Eliminating truck traffic is not realistic but truck traffic can be controlled from turning to keep trucks on state roads. The same applies to Bonanza and the Mayor indicated that this is an element of discussion on the rebuild of Bonanza Drive.

Kurt VonPuttkammer stated that a little less than nine years ago, he approached Council members about the SR224 expansion but was told with bodily threat not to object to this project because it was the one time we had UDOT money to do something. Mayor Olch gave him his word that the median would not be removed and it is now being removed. He referred to his letter distributed to members regarding the use of the Rail Trail for vehicular access. There is only one good solution. He referred to his written request of March 28, 2007 that this option be reviewed and asked why this has never been discussed. Why can't we look at this option? It solves every one of these problems by directing all traffic onto Deer Valley Drive. No one is willing to talk

about this. Mayor Williams stated that the Rail Trail alternative has been discussed with the stakeholder group and many residents objected to another road in the back of their neighborhood. Residents were not interested in converting a safe recreation area to another mode of transportation into town. In fact, there are associated comments in the public input report received tonight. Kent Cashel added that this is also addressed in the study. Mr. VonPuttkammer pointed out that it wasn't included in the walk-ability study. One decision can improve the quality of life for generations to come. He asked why they chose the Rail Trail when they had all the land to pick from and an analysis should be done. Candace Erickson clarified that she made it a point after receiving his letter to talk to Prospector residents, explaining that Mr. Von Puttkammer's proposal was to divert traffic from the location of the Old Dump Road, turning the Rail Trail into a two lane road connecting into Deer Valley Drive. The response she received from residents was that they didn't want traffic on both sides of the neighborhood.

Andre Dumas felt that the Rail Trail makes sense because it eliminates the bottleneck problem at the schools and SR248 could remain as it is.

Sloan Reed expressed her support for the Park and Ride and getting people to use public transportation.

Joanna Kahn, Prospector resident, asked whether studies have identified the types of drivers. Kent Cashel stated that there is some data on this and the majority of drivers or about 74% are single occupant commuters. There is no information on where people work or the destination. Staff will continue to look at the mix and also measure vehicle occupancy. She stated she supports no more asphalt and green alternatives.

Howard Silverman, Sidewinder Drive, stated that he is an avid cyclist and is concerned about narrowing shoulder widths. Gene Cline explained that the stretch between the Wyatt Earp and the Old Dump Road is the only section affected. Mr. Silverman expressed that if the road is wider, the traffic will come. People will not likely use the Park and Ride because many people like to run errands during the day. No one wants to carpool because there's no flexibility. Kent Cashel felt it important to note that no element of the plan will be implemented until there is an opportunity to evaluate the effectiveness of the tunnel and other measures. In order for the Park and Ride to work, transit needs to be able to move efficiently in and out of town and the design balances these interests. In particular, through the wetlands and PC Hill area, there will be narrower lanes and restrictions on traveling in the HOV lane that should have the effect on reducing traffic. Mr. Silverman asked about the status of the option of directional lanes. Gene Cline advised that the reversible lanes did not work as well because the only place the HOV lane could be placed is in the center lane, creating an access problem to the Park and Ride because buses would have to pull into the general purpose lane. Mr. Cline mentioned that large overhead directional signs are required by UDOT with the operation of reversible lanes adding expense and visual impacts.

In response to a question from the City Attorney regarding the location of rumble strips, Laney Jones advised that this will be determined when UDOT conducts its study, but Lockner is recommending is that the five foot lane be dedicated as a bike lane. Currently, it is not a bike lane but a shoulder. The advantage of adding another stripe designating the area as a bike lane is that cars are allowed to be on the shoulder of the road but not within the bike lane section. Typically, UDOT will not install rumble strips in a bike lane.

With no further public input, the hearing was closed.

Jim Hier pointed out that members are not that naïve to think that because the City builds a Park and Ride that people are automatically going to park there and take a bus into town. It's going to take some force and in his opinion most of the traffic problems are created by construction traffic. The City can require any large project, as a part of a construction mitigation plan, to require employees to park outside of town and have those employees shuttled into town either on City buses or a shuttle similar to what Talisker has been doing for Empire Pass construction. If construction worker traffic is addressed, it should make a difference in the mornings. With regard to building a bridge versus a tunnel, the City Council deferred the decision to WALC who discussed this at length. He suggested building a separate bike lane next to the Rail Trail, acknowledging that it is not a recommendation from Lockner but it would be beneficial to take a look at the cost. Discussion ensued about lighting the Park and Ride lot during the past week. Jim Hier added that if and when PCMC and Deer Valley develop their parking lots, it would be to everyone's advantage that resort employees park at the Park and Ride so that parking is available to resort patrons. This could make a huge difference in decreasing traffic in consideration of one employee in individual cars. The City has leverage to require the use of a satellite lot during the review processes. Mayor Williams added that with the City's acquisition of the PRI property, a Park and Ride could be built at Kimball Junction. It is important to get the large employers in town to buy into the program because it's not going to work without their participation.

Mayor Williams thanked the audience for attending and reminded them that there are concepts that need to be submitted to UDOT for its review regardless. He encouraged Council to consider the expansion of the bus system before the plan is implemented. Jim Hier felt that Council continually examines the bus system and regional transportation which only be accomplished with the cooperation of the other communities. The ski areas run buses to Heber and Provo with some success.

Roger Harlan relayed that the obvious problem is having three schools on SR248 which can not be relocated and appreciated the input from residents to alleviate existing challenges. The Mayor noted that many people moved to Prospector because it is close to the schools. SR248 and SR224 are state highways and before improvements were made to them, there were many more accidents. Joe Kernan stated that if traffic continues to grow as has been trend, the City will have to implement this type of plan. The additional lanes are HOV lanes which will be faster which will provide the incentive

to use them. Everyone will need to make sacrifices to reduce traffic. It would be very helpful if school bus service was expanded, acknowledging that it would be costly, but it would significantly lessen congestion in the morning. If the community is not willing to spend the money, or do anything different, UDOT will determine how and when to widen the road.

Candace Erickson stated that when this plan was first reviewed, Council favored the no build option hoping that people would change their driving habits so the plan would not be needed. The reality is that this probably won't happen and she pointed out that local businesses are dependent on outside workers. Quality of life is a priority and that is the reason the Rail Trail access road was eliminated as an alternative. All Council members are concerned about the well being of the neighborhood. Liza Simpson felt that everyone needs to do their part. One day she observed the crossing guard stopping the traffic signal for one child at a time which dramatically disrupted the flow of traffic and pointed out that the tunnel may make a real difference. She thanked the public for valuable input.

!

Joe Kernan, "I move we approve the Resolution adopting the SR248 plan for Park City". Liza Simpson seconded. The Mayor reiterated that the effectiveness of the tunnel and the Park and Ride will be evaluated before the plan is implemented. Jim Hier believed that statement should appear in the Resolution and asked that the motion include all of the criteria included in the staff report as an addendum to the Resolution. Joe Kernan and Liza Simpson accepted the amendment. Candace Erickson asked if Park City's plan is accepted by UDOT, whether the City is forced to proceed. Laney Jones explained that the City would need to contact UDOT about getting the plan in the transportation improvement program and into the queue for conducting a study. UDOT would then assign a project manager, conduct an environmental study, review these options again, and gather public input again. UDOT does not have excess funds currently and when communities decline to move on projects, the state would not likely object if there are no safety issues. Kent Cashel emphasized that this is a state highway which UDOT is monitoring in terms of planning. If the City is proactive and successful in providing an acceptable level of service on SR248 that the community supports, he felt confident that the City could back out of implementing the plan if desired. Motion unanimously carried.

V OLD BUSINESS

Consideration of an Ordinance approving amendments to the Park City Land Management Code clarifying Financial Guarantee language to Chapters 1, 7, 11 and 15
– The Mayor disclosed that the Council received a letter from Craig Elliott expressing concerns about the potential burden to the public of having to provide a financial guarantee. Planner Kayla Sintz explained that in reviewing the LMC and Historic District Guidelines, and issues involving non-compliance and non-completion of additions and reconstructions of historic structures, staff saw a need to clarify and expand the ability of the City to guarantee completion of public and site improvements

and compliance with the historic preservation plan. This item was heard by the Planning Commission on January 7 and January 28, 2009. Direction was given on January 7 for additions to Chapter 11, Historic Preservation, dealing with the effect of non-compliance, amount of guarantee, release of guarantee, and terms of guarantee. With regard to Mr. Elliott's comments, staff and the Planning Commission are very aware of the economic downturn right now and the Commission added the option of a lien on the property to the types of guarantees allowed. Others include escrow deposit, cash deposit or letter of credit. In consideration of the City moving forward with rewriting the Historic District Guidelines as well as adopting the Historic Sites Inventory, staff felt that it made sense to codify guarantee language. Ms. Sintz emphasized that there have been problems with saving historic material, not only for panelization projects but also replication and/or reconstruction approaches and this legislation ensures compliance with the preservation plan.

Ms. Simpson asked if placing a lien on the property would negatively impact the owner's ability to obtain a construction loan. Should the lien be placed at the time of occupancy or inspection? By way of example, Ms. Sintz pointed out that the guarantee for a 456 square foot historic property is \$250 per square foot plus an additional \$50 per square foot for a 75 square front porch for a total financial guarantee of \$132,500. However, a considerable addition to the historic structure is proposed. The City Attorney acknowledged that this exaction is on the high end and there may be some difficulties for the owner with the lien option in this instance, depending on his financing. The City uses the lien method or trust deeds for the preservation grant program for five years and then the property is released. The grants tend to be much less money but the City is always last in position in the event of foreclosure and other options may provide higher levels of security. Mr. Harrington pointed out that it is another tool in the tool box. Ms. Simpson feared encouraging replication over renovation and is sensitive to Mr. Elliott's concerns. Ms. Sintz explained that the Planning Commission was concerned about people developing properties any way that they want and throwing historical material in dumpsters because the amounts in place currently were a slap on the hand.

Mark Harrington stated that at the same time the Ordinance gives the Chief Building Official final determination. He encouraged starting with these standardized numbers and if prohibitive, they can be adjusted without coming back to Council and amending the Ordinance. Liza Simpson stated that she has no problem with the high numbers unless it prevents somebody from actually doing what the City wants them to do. Mr. Hier asked if letters of credit and deposits with the City are drawn down as construction proceeds. Ms. Sintz referred to language on the section on the release of the guarantee, *or at the discretion of the Chief Building Official, Planning Director, or their designees*. Mr. Harrington suggested adding language, *in accordance with the work performed* or some other standard. Jim Hier expressed concerns about the guarantee making a preservation project prohibitive for some property owners, not necessarily developers, and there should be some way to draw down on the funds as the project is completed. He suggested adding wording based on construction progress. Tom Eddington suggested, *at the discretion of the Chief Building Official, Planning Director,*

or their designees based on construction progress in compliance with the historic preservation plan. Members accepted the wording.

The Mayor opened the public hearing; there were no comments from the audience.

Liza Simpson, "I move that we approve the proposed amendment to the Land Management Code for Chapters 1, 7, 11 and 15 as amended by the Planning Director's sentence". Roger Harlan seconded. Motion unanimously carried.

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 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; Jerry Gibbs, Public Works Director; Tom Daley, Deputy City Attorney; Diane Foster, Sustainability Manager; Jon Weidenhamer, Project Manager; and Mark Harrington, City Attorney. Joe Kernan "I move to close the meeting to discuss litigation and property". Roger Harlan seconded. Motion carried unanimously. The meeting opened at approximately 5:30 p.m. Jim Hier, "I move to open the meeting". Roger Harlan 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