

**PARK CITY COUNCIL WORK SESSION MINUTES  
SUMMIT COUNTY, UTAH  
FEBRUARY 7, 2013**

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

**Diane Foster, Interim City Manager; Jody Morrison, Assistant City Recorder; Bret Howser, Special Projects Manager; and Mark Harrington, City Attorney**

**1. Council questions/comments.** Dick Peek stated that he attended the Historical Society meeting this morning and the Historic Preservation Board meeting last night. The 100 Marsac Avenue Affordable Housing Project appeal was heard and the HPB was ready to grant the appeal when Talisker withdrew its application bringing the project back to square one. Mark Harrington explained that these units are not currently needed as part of Talisker's obligation and the new application will be reviewed under the current Historic District Design Guidelines. An application will need to be re-filed to proceed with any project in that location.

Andy Beerman spoke about going to the Legislature this week and congratulated former employee Gary Hill who was just hired as the City Manager in Bountiful. Alex Butwinski discussed the weekly ULCT policy meetings and meeting with the County on legislation of mutual interest. The City will also be meeting with the School District and Chamber. He relayed that Allied Waste complimented staff on the City's collaborative efforts during the Film Festival.

Cindy Matsumoto discussed a meeting with the Chamber and staff about problem areas for licensing rentals. She asked if other members are supportive of dedicating staff time to resolve these problems. Liza Simpson felt strongly that rental properties should be inspected and licensed because of health and safety issues. There are many unlicensed properties that use the VRBO website. Ms. Matsumoto felt that the County needs to be on-board as well. She relayed that she has been receiving complaints about speeding on Marsac Avenue. The Mayor suggested increasing enforcement in the area for a while and Ms. Simpson suggested driver feed-back signs which seem to be effective. Ms. Matsumoto stated that she also received a complaint about PCMR's red night lights. Thomas Eddington explained that some filming is going on and PCMR obtained a special event license. Discussion ensued on the outdoor lights being left on overnight.

Liza Simpson commented on attending the first meeting of the Soils Commission where a member of the public attended. She also attended the Recreation Advisory Board, the Lodging Association, the Fire Board, and joint transit advisory board meetings. She reported that Rocky Mountain Power is providing more grants for commercial solar installations. The Park City to Salt Lake City bus route has been tweaked and

weekday ridership increased by 53%. She expressed that she likes the new format for quarterly updates.

Andy Beerman disclosed that he received the same email about speeding on Marsac Avenue where speeding plows were specified. He received a call from Bob Wheaton urging Council to consider legislation restricting illegal ticket sales. Mark Harrington responded that the resorts have been working with the Legal Department and the regulations should be before Council sometime in April. Diane Foster pointed out the City's neighborhood traffic management program, and suggested that Kent Cashel coordinate with the Marsac Avenue residents.

The Mayor spoke about welcoming groups into town. He thanked Larry Warren and Beth Fratkan for inviting him to participate in a radio show on immigration with the Sutherland Institute this morning. The Sutherland Institute supported President Obama's proposal and the Mayor felt the plan is well thought out and seems to have a lot of bipartisan support.

**2. Legislative update.** Diane Foster explained the team approach employed this year including Council member Butwinski as the primary legislative liaison, co-alternates Andy Beerman and Dick Peek, Jody Morrison and Bret Howser. She referred to the *Bills to Watch List* and explained its format. The Building, Finance, Emergency Operations and Planning Departments have also provided input. Mutual issues of interest to the Chamber are included on the list.

Bret Howser discussed SB158 which changes the General Fund reserve threshold from 18% to 25%. Members expressed support. Ms. Foster explained that the ULCT's position on bills will be reported in the upcoming weeks. Staff is working with the sponsor on the fireworks amendments, HB289, and the ULCT is on top of this legislation. The City is now concerned about HB268, disorderly conduct amendments, which began as an acceptable bill defining disorderly conduct. The NRA has now proposed new language which confirms that merely displaying a dangerous weapon in public without other behavior is not disorderly conduct. The ULCT staff unanimously opposes the NRA language.

The Mayor asked about the political subdivision employment revision and Mr. Howser explained that the bill would allow city councils to have a contract with the city manager that automatically renews. This was held in the Senate.

Liza Simpson brought up the property tax exemption and Ms. Foster felt that the current version is not as bad as initial interpretations and it may be more of a clean-up measure. Mr. Howser added that a concern was raised by Brian Head about part-time residents obtaining an exemption and the language will be reviewed so this is not allowed.

Ms. Foster discussed SB120, target shooting and wildfire regulations, which unfortunately looks like it will be withdrawn. Bret Howser explained that SB167, Alcoholic Beverage Commission amendments, creates a master license for full and limited service restaurants and takes away the ability to have multiple retail licenses for the same owner. Liza Simpson further clarified that this is way for the state to free up liquor licenses without changing the population quotas. Multiple retail licenses are allowed in a building if there are different owners.

Ms. Foster stated that she is attending the legislative policy meetings on Mondays and the ULCT staff meetings on Wednesdays and it's great to have staff report. It was pointed out that the legislation on placing sales tax on food is dead. SB158 was again discussed in relation to buffering cities from the *Fiscal Cliff*.

The City Council again convened in closed session.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING  
SUMMIT COUNTY, UTAH,  
FEBRUARY 7, 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 7, 2013. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present were Diane Foster, Interim City Manager; Mark Harrington, City Attorney; Wade Carpenter, Chief of Police; and Heinrich Deters Trails and Open Space Manager.

**II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

1. Tribute to retired Police Sergeant Lynn Nagel – The Mayor thanked Sgt. Nagel and presented him with a plaque in honor of his service. Chief Wade Carpenter stated that he has been a huge part of the Department for the last 21 years and started the Reserve Program. The City hosts over 270 special events a year of which a large number require police services. He has done an excellent job in utilizing multiple agencies to provide security and has saved the City money.

Sgt. Nagel thanked his wife for her support and pointed out that Andrew Leatham was in the first reserve class.

2. Swearing-in of Police Sergeant Andrew Leatham and Police Sergeant Jay Randall – Chief Carpenter described the backgrounds, qualifications and accomplishments of both recruits. The Mayor administered the oath of office.

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

None.

**IV MINUTES OF MEETING OF JANUARY 24, 2013**

Andy Beerman, “I move to approve the meeting minutes from January 24<sup>th</sup>”. Dick Peek seconded. Motion carried.

**V CONSENT AGENDA (*Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon*)**

1. Consideration of a Resolution to appoint a Citizen’s Advisory Committee (COSAC) to advise the Council on community priorities for open space acquisition and methods to permanently preserve open space - and

2. Consideration to Authorize the City Manager to enter into a professional service provider agreement in a form approved by the City Attorney's Office with Blalock and Partners LLC., in the amount of \$214,200 – Cindy Matsumoto, "I move that we approve Consent Agenda Items 1 and 2". Liza Simpson seconded. Motion unanimously carried.

## **VI RESIGNATIONS AND APPOINTMENTS**

Consideration of appointments to the COSAC – Heinrich Deters explained that this body is COSAC IV and the at large group will supplement the stakeholder group. The City received 29 applications, 17 qualified, and on February 1, 2013 a small selection committee met, reviewed applications and recommends the list before Council. The group also provided two alternates to the at-large group.

- Mountain Trails Foundation (MTF)- *Charlie Sturgis/John O'Connell*
- Summit Land Conservancy (SLC)- *Cheryl Fox/ Erin Bragg*
- Utah Open Lands (UOL) *Wendy Fisher/Mark Raming*
- Basin Open Space Advisory Committee (BOSAC)- *Jan Wilking/Tom Brennen*
- Park City Chamber of Commerce & Visitors Bureau-*Rhonda Sideris/Jeff Ward*
- Park City Board of Realtors- *Suzanne Sheridan/Bronson Calder*
- Recreation Advisory Board (RAB)-*Kathy Kahn/Alisha Niswander*
- Park City Planning Commission-*Stew Gross/Brooke Hontz*
- Park City Council- *Andy Beerman/Cindy Matsumoto*

### **At-Large Nominees:**

- Tim Henney
- Cara Goodman
- Meg Ryan
- Jim Doilney
- Judy Hanley

### **At-Large Alternates**

- Bill Cunningham
- Carolyn Frankenburg

Liza Simpson, "I move that we approve the stakeholders, at-large nominees, and at-large alternates to COSAC IV". 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 3:15 p.m. Members in attendance were Mayor Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Diane Foster, Interim City Manager; Clint McAfee, Water Manager; Roger McClain, Water Project Manager; Heinrich Deters, Trails and Open Space Manager; Phyllis Robinson, Public Affairs Manager; Matt Cassel, City Engineer; Thomas Eddington, Planning Manager; Tom Daley, Deputy City Attorney; and Mark Harrington, City Attorney. Liza Simpson, "I move to close the meeting to discuss personnel, property and litigation". Alex Butwinski seconded. Motion carried unanimously. The meeting opened at approximately 5:10 p.m. Alex Butwinski, "I move to open the meeting". Dick Peek seconded. Motion unanimously carried.

The City Council met again in closed session at approximately 5:40 p.m. Staff present was Mark Harrington, City Attorney; and Diane Foster, Interim City Manager. Alex Butwinski, "I move to close the meeting for personnel". Dick Peek seconded. Motion unanimously carried. The meeting opened at approximately 6 p.m. Liza Simpson, "I move to open the meeting". Dick Peek 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, City Recorder

