PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
FEBRUARY 5, 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; Kirsten Whetstone, Planner; Kent Cashel, Streets Manager; Max Paap, Special Events Manager

Laney Jones and Gene Cline, H W Lochner Inc; and Michael Watson, Basin resident

Jewels Harrison, Park Silly Market; Jeff Ward, Mike Sweeney, and Sandy Geldorf, HMBA; and Mark Spencer, Spencer Barbecue

1. Council questions/comments. Roger Harlan thanked staff for organizing a very productive Visioning Session last week. He attended an IHC luncheon where health reform was discussed. Joe Kernan referred to the museum tour offered to Council members during the week. Candace Erickson stated that more jail space was discovered during the renovation of the Old City Hall Building and reported that the tentative opening of the museum will be in July. She discussed a project of the Prevention Awareness Coalition relating to drinking and driving and participating in the legislative session this year. Ms. Erickson also met with the Summit Land Conservancy group on protecting newly acquired properties and commented on the Racquet Club remodel and added that Ron Ivie is recommending that the tennis building be razed which may result in a better design in less square footage. The Historical Society decided to express its position to the City regarding the Treasure Hill Project. Liza Simpson discussed her experience at the legislature and also thanked everyone responsible for producing the Visioning Session. She reported that the Historic Preservation Board formally adopted the Historic Building Sites Inventory which is timely because the temporary zoning ordinance regarding demotions expires this week. Friends of the Dog Park will have a booth at the Pedigree International Dog Sled Race this weekend. Jim Hier discussed the desire of the Peace House to increase the membership of its board, and attending the museum tour and the Chamber Board meeting. The Chamber is experiencing a reduction in the transient room tax and Mr. Hier commented on the economic forecast luncheon. The Mayor noted an initial meeting on the City's upcoming quasquicentennial and the City's participation in the Colorado Association of Ski Towns challenge to encourage the use of reusable cloth bags. He added that our local groceries are on board and reported that the sale of cloth bags has been significant locally. The Mayor thanked the public participating in the discussions on the Historic District Guidelines and Treasure Hill for their civility which he hopes will continue as the projects unfold.

Kirsten Whetstone stated that the Planning Department has received three applications for 333 Main Street (aka Main Street Mall) for revisions to a design review application approved last year. Adjacent property owners have been noticed and the property has been posted. She spoke about meeting with people, mostly tenants, about a variety of issues. The design review is administrative but there is an appeal process. There are also opportunities for public comment relating to the second application which is a plat amendment because the Mall sits on 18 Old Town lots and as is, is a non-conforming building because it was built over the property lines. The plat will be heard by the Planning Commission on February 25, 2009 and if recommended for approval, heard by the Council on March 12, 2009. She indicated that staff is working on conditions relating to construction mitigation and a parking analysis. Liza Simpson asked if the application is subject to the old or new guidelines and Tom Eddington stated that it will be reviewed under the old. The Mayor discussed the new layout of the interior which will potentially provide for retail spaces and his fear of attracting chain stores. Staff relayed that spaces range from 2,800 to 7,500 square feet and there is also lower level space. Ms. Whetstone agreed the proposed spaces are probably larger than they are now and staff is researching the market. However, the revisions are not changing the configuration approved in the previous design review. Staff has not received a condominium plat application but three residential units are shown on the top floor which would probably be condominiums.

Tom Bakaly announced that the Treasure Hill Planning Commission meeting has been moved to The Yarrow at 5 p.m. on Wednesday, February 11, 2009 because of the large attendance expected and a conflict with the Santy Auditorium schedule.

2. SR248 corridor plan. Kent Cashel stated that this is the culmination of more than a year of work of studying SR248 to develop a vision to address growth and traffic along the corridor in the future. He requested direction from Council on the draft plan which will be considered for action on February 12. Six prior studies on the corridor were analyzed and information was integrated into one document and numerous alternatives were explored. Phase 1 of the study was presented to Council in May and members narrowed alternatives to explore four lane capacity, directional lanes, dedicated high occupancy vehicles lanes, and convenience dividends for users of the Park and Ride. He commented that in July, Council directed staff not to pursue a full scale four lane widening and in the meantime staff met with residents and stakeholders. On January 28, staff met with a large group from the School District who were supportive of the engineer's recommendation or Alternative 3. Mr. Cashel also asked for input on pursuing alternative corridors.

Consultant Gene Cline displayed a rendering of SR248 in its present condition from Park Avenue which begins as a five lane section up to Sidewinder when it drops to three lanes then two lanes and when approaching US40 changes back into a five lane section. Because of this design, there is a bottleneck effect and two options include the reversible lane alternative and the four lane design with a HOV lane. Both designs are about the same with the exception of the stretch from Wyatt Earp to the Old Dump Road or the access to the Park and Ride. It is necessary to widen the corridor one lane each direction from Sidewinder out to at least Comstock and probably Wyatt Earp. They looked at scenarios that placed a reversible lane past Comstock and even to Bonanza but in order to place the reversible lane within the existing footprint; the center lane is used as a through lane in each direction, which would interfere with turning movements into the high school. Both alternatives are four lane sections from Park Avenue to Wyatt Earp and the area between Wyatt Earp and the Old Dump Road is modified in each alternative. From the Old Dump Road to US40, the alternatives are the same with two lanes in each direction plus a center turning lane.

Mr. Cline expressed that advantages of a reversible lane in the area from Wyatt Earp to US40 include the potential for wider shoulders and providing two lanes in the peak direction. The disadvantage deals with the placement of the HOV lane which would be in conflict unless placed in the center lane when then creates problems for buses merging into the general purpose lane. Also, the HOV alternative requires large overhead signs which are posted every quarter mile along the area which may total five or six from Wyatt Earp. He indicated that they would cost about $400,000 installed. Gene Cline stated that reversible lanes are not user friendly because they are not intuitive and that is why H W Lochner is recommending four lanes with a HOV lane which fits in the same footprint. Additionally, this approach is less expensive than the reversible lanes.

Mr. Cline emphasized the importance of providing a physical separation between the eastbound and westbound lanes in the planted median area and pointed out that there is an additional three feet than anticipated so a barrier is possible. Ms. Erickson expressed concerns about removing the planted median because it slowed drivers down and added greenery and the proposed concrete barrier will be unattractive. Mr. Cline explained that the planted median was contemplated to be removed in either alternative and could only be accommodated in a fully expanded project. Mr. Hier suggested just double striping the road and Gene Cline clarified that this was the option originally presented but the lanes and shoulders are narrow and the speed is posted 50 mph. Mayor Williams felt that installing a barrier would be safer and asked if UDOT would lower the speed from the ice rink into town. Mr. Cline explained that UDOT is required to conduct a speed study to warrant a change in the speed, but the narrow lanes together with a concrete barrier would serve as traffic calming. Installing guard rails was discussed and Kent Cashel explained that it is a trade-off in trying to fit capacity within the existing footprint and the planter space is needed. However, planted medians could be installed in front of the schools which could also control some left hand turning activity. Liza Simpson suggested lowering the speed limit in the area to 40 mph eliminating the need for a barrier; it seems like a more natural speed. Kent Cashel explained that these are details that can be worked out in the next phase.

Roger Harlan pointed out that Alternative 3 provides for a lane for bicycles and a HOV lane promoting goals that are important like using public transportation or carpooling. Joe Kernan stated that he favors installing a barrier and leans toward safety over aesthetics. Jim Hier did not believe that the barrier will be very noticeable because they are so commonplace and supports just striping the road. He favored the four lane alternative and feels it is appropriate to implement a HOV lane; Liza Simpson agreed.

Candace Erickson stated that she is not happy with four lanes in front of the school and is irritated that the safety of children is compromised by accommodating traffic. Residents are not creating the traffic, it is our workers and replacing the current planted median with a jersey barrier is not the appropriate entry statement for our community. She asked when construction will take place. Kent Cashel stated that there is no plan and no identified funding and this is the first step of creating a design. A very aggressive schedule is outlined in the staff report for October 2010 but securing funding drives the time line. Ms. Erickson felt that if the tunnel at Comstock is installed within the next year, she would like to evaluate conditions on SR248 during peak times and pointed out that last year's traffic projections were probably met, but this year could be very different. Acknowledging that the study forecasts to 2014 to 2020, the state projection on our population is 5,000 higher than it is now. Ms. Erickson reiterated that she would like to evaluate the Comstock tunnel and Park and Ride projects before committing to a plan. Liza Simpson agreed that information would be helpful and emphasized that the Park and Ride needs to make sense by getting people into town faster as an incentive to use it. She wondered if a slightly better traffic flow could be accomplished without moving on to this plan. Kent Cashel advised that this project is five to seven years out and is considered a mid-term strategy. Without an adopted plan, it will be difficult to get a placeholder for the project in the budget and ultimately built in the future. Mayor Williams suggested monitoring the Park and Ride and the tunnel for a year or two and Kent Cashel advised that they are scheduled for construction this year. Ms. Erickson felt that the wide open four lane design invites more traffic problems which will penalize area residents. Kent Cashel pointed out that there is a "no build" alternative but staff felt it important to conduct a study so conditions and solutions are framed in a plan.

Joe Kernan asked if the HOV lane extends between Wyatt Earp and the Old Dump Road and Mr. Cline responded that this is the identified section because there are no turning movements there but there may be an opportunity to extend it further into town, but probably not past Comstock. There was discussion about the benefits of the use of the HOV lane for buses. Jim Hier stated that he understands Ms. Erickson's concerns but does not support *burying our heads in the sand* and not looking forward. He felt the approach should be intentional and the plan identified in the budget and pursued when it is needed and in the meantime conduct the analyses required by UDOT for future improvements. Roger Harlan pointed out the efficiencies of operating an express bus in the HOV lane but pointed out that there are currently three bus stops located in the proposed lane area. Joe Kernan predicted that Prospector residents will not be happy with the reconfiguration but felt the Council has a responsibility to make SR248 as safe as possible.

Liza Simpson stated that she was excited to read about the alternative entry corridor option and the BRT on the Rail Trail and asked if this should be pursued in the interim. Putting BRT into town from the Park and Ride would immediately encourage people to use the Park and Ride and not their cars and the four lane project would not be needed. Ms. Erickson stated that citizens in Prospector are not supportive of motorized vehicles on both sides of the neighborhood and the Rail Trail is now considered a safe haven. Joe Kernan felt it worthwhile to look at. Roger Harlan emphasized that although it is four lanes on paper, because of the HOV lane, it is regulated and most traffic will be in one lane; there was discussion about the use of HOV lanes. The Mayor invited public input.

Michael Watson, Basin resident, expressed his support of Alternative 3 because of the designation of 5 foot bike lanes. Bike lanes are important to Park City residents, visitors, and for special events. The City and County should set an example by building more trails and he pointed out that separated multi-use trails are not adequate for bicycle commuters, especially traveling at higher speeds. He stated that he is an advocate of promoting cycling as a transportation option and recreation activity for our town.

The Mayor asked members if there is consensus on Alternative 3 as presented, understanding that it is a couple of years out. Liza Simpson expressed her support. Candace Erickson agreed that the City needs to plan long-term but clarified that she is reluctant to commit to something before some of the other alternatives are implemented. All members expressed support.

3. Park Silly Sunday Market – 2009 programming of upper Main Street. Max Paap explained that the purpose of this discussion is to review the progress of Council's direction since the November 20, 2008 approval of the 2009 Master Festival License for the Park Silly Sunday Market. This granted approval for 15 Sundays from 10 a.m. to 4 p.m. from June through September on lower Main Street. A cooperative effort on product mix and programming the entire Main Street was pursued since that time and weekly meetings have been held with staff and both groups. He pointed out, however, that there is no consensus on a couple of items and more time is needed to work through solutions.

He explained that six groups of vendors were identified: farmers market, jewelry, art, photography, beverage, and food. Food is broken down into two categories, snack and on-site cooking. He stated that the Park Silly Sunday Market has reached out to over 190 farmer and produce vendors and provided free booth space. Jewels Harrison added that it is their goal to secure at least ten farmers which will be marketed. These vendors must commit to 10 of the 15 Sundays. Max Paap continued that the Market has agreed to conduct a jury process to select hand-crafted items in response to complaints that merchandise was mass produced. Jewelry booths will be limited to 13 per Sunday and all applications are due to PSSM by February 15. Ms. Harrison commented that this is the most radically affected category and one that was addressed the most by the HMBA in previous meetings. Last year the number of jewelry vendors may have seemed high but there were clothing booths also selling some jewelry and this year, an application must be made for each category including the jury process, if applicable.

Max Paap commented that art and photography are limited to 60% of the total amount of booths. Both parties agreed to keep the beer garden but a compromise has not been reached on food. Jeff Ward explained that the HBMA feels there is enough food in the district already. The Board is concerned that the Market is satisfying all of the needs of the people coming to Main Street on Sundays and capturing activity and revenue. The net result is that people are not experiencing the whole district because there is no need to walk up the street. If the Market were restricted to Festival to-go type foods, patrons may go to Main Street restaurants. There was discussion about outdoor dining on the sidewalk and providing incentives for moving patrons up the street.

In response to a question from Candace Erickson, Ms. Harrison explained that she has been reluctant to move any further on reducing food. The feedback she has received from many restaurants, not only surrounding the Market but up the street, is that their Sundays are great and some of the best in terms of lunches. In fact, some restaurants stopped closing during the gap between lunch and dinner last summer. Ms. Harrison expressed her frustration of being asked to change something within their event without factual evidence of it being negative. She feels that Main Street restaurants could add more energy and excitement to the street and with some programming mixed in, a festive environment up and down the street could be achieved. She did not feel it necessary for PSSM to eliminate food, explaining that there were eight food vendors in 2007, ten in 2008 and five food vendors are proposed for 2009. Ms. Erickson felt that PSSM invested money and created the event and brought life to Main Street and as much as she doesn't want to hurt the Main Street merchants, she also wants make sure that their demands do not diminish the ability to hold the PSSM. Ms. Harrison explained that food vendors equate to two booth spaces and reiterated that they will be decreased to five this year as a compromise. Liza Simpson hoped restaurants would participate by doing something outside and was disappointed that there hasn't been resolution in this category, acknowledging the 50% reduction in food vendors from the first year. Mr. Ward stated that it came down to trying to get the flow moving throughout the street and it could have been another type of business like jewelry. Sandy Geldorf pointed out that jewelry is not a necessity like food and drink and if they are only available up the street, people will have to move around. Joe Kernan asked how the HMBA will alert people to go up the street and Jeff Ward suggested a map or a sign. Joe Kernan stated that he is pleased that PSSM reduced food vendors to five to create a reason for people to move up the street. Jewels Harrison explained that the goal is to seek out ethnic cuisine not found in Park City and the second objective is to provide booths to local businesses. The Mayor invited public input.

Mark Spencer, Spencer's Smoke and Grill, stated that he is a business owner, taxpayer, resident and Park Silly Sunday Market vendor and has a lot of experience with these types of events. He spoke about a variety of events he has hosted and noted that he has had a booth at the PSSM since the very beginning. Over the last couple of years he has participated in over 110 outdoor events. The PSSM is one of the best one-day run events that is available and was very disappointed to be told by Jewels Harrison that she couldn't accept his 2009 application. It seems like the compromises demanded of the PSSM is from a minority of the HMBA membership. He pointed out that Council members are his elected officials and not the HMBA's and is curious why the Council has empowered the HMBA to this degree. The PSSM has been great for all of Park City and only represents 15 days out of the year. Mr. Spencer indicated that it is time to stop letting this minority group of the HMBA hijack the PSSM with outrageous demands. This Council does a great deal for Main Street and he does not receive the same benefits as a business owner in the NOMA District. Main Street businesses have had opportunities to participate in the event and even for free while he has to pay. He pointed out the hundreds of thousands of dollars spent on marketing Park City and asked why the HMBA has the right to determine who participates in the PSSM. In this current economic downturn, it is time to thank the PSSM for holding a great free event for our community.

Mayor Williams expressed that he is not convinced of the HMBA's logic and agrees with some of Mr. Spencer's comments. Many of the restaurants on Main Street are not open during the day and although he appreciates PSSM's willingness to cut the number of food vendors, he is not sure any should be eliminated. He didn't feel the PSSM should be required to cure all of the issues associated with upper Main Street. Adding farmers and produce is a good idea but it seems like the compromises are all one-sided. Jim Hier believed that the HMBA was proposing offering fast food on upper Main Street to attract PSSM patrons. He felt that it is appropriate that the HMBA weigh in on impacts of the event because it is held on Main Street and this dialog is part of the master festival license process. Candace Erickson stated that many Main Street businesses have been there for years and pay property taxes, etc. Some track their sales and found an anomaly on some Sundays and were asked to express their concerns through the HMBA. There are no viable numbers to determine if the Main Street businesses or the City are benefitting from the event and permanent businesses should not have to suffer because of a temporary event. Mark Spencer interjected that the majority of the members of the HMBA believe the PSSM is a benefit. Jeff Ward agreed but clarified that the majority does not believe it is a finished product and there needs to be an on-going dialog between everyone.

Max Paap commented on discussions on the cost and types of programming for upper Main Street. He hoped that the groups can work out funding and perhaps apply for a grant through the Chamber. There is the ability to hold sidewalk sales every Sunday which is a good way to get the HMBA membership involved. Programming the Miners Park and the Brewpub location is possible but comes at a cost. Jeff Ward explained that Mountain Town Stages produced music in Miners Park last year and it is hoped that will be continued. He added that the HMBA asked if there was a way to move some booths up to the post office area with no additional fees to PSSM. Ms. Harrison advised that she met with staff on this and concluded that by shutting off the area between Cows and 4th Street create safety issues because people walk into the street thinking it is closed which already happens on Heber Avenue. Also, most complaints are from merchants further up the street. With this concept, some of the positive changes like bringing the trolley up the street would no longer be as effective. Ms. Harrison stated that they will continue to work with the HMBA on programming upper Main Street and pursuing funding for activities. In addition, they will be producing a monthly newsletter for Main Street businesses alerting them of the efforts that PSSM is making during the season and opportunities for participation. PSSM cares about the well being of all businesses in town, not just Main Street, and their research revealed that in 2008 the national average sales for retail businesses dropped 34% and in the state of Utah 31%.

Jewels Harrison stated that there are 198 businesses on Main Street and 164 of those are retail, galleries, etc. and out of those there is an average of 15 to 20 people who attend HMBA meetings which essentially works out to 12% of the street which is the voice of the Street. There were 40 to 50 responses to the survey that was distributed which represesnts only 25% of the total number of Main Street businesses and out of that number, 13 responses were negative but 64% were in favor of the Market. In conversations with businesses, they are hearing different comments and feared that the *squeaky wheel* is the only argument being heard. She hoped this information offers some balance in terms of the message.

Roger Harlan discussed the difficulty and challenges of Main Street businesses accepting the paid parking program in the downtown core ten years ago. He appreciates PSSM's compromises and commented on the potential of losing sales tax dollars because of cash transactions conducted at the booths. He felt that a lot of progress has been made and there are probably areas that could be improved. Joe Kernan stated that he appreciates everyone's hard work and agreed that the Market will never be perfect or equitable for everybody. Liza Simpson thanked everyone for regularly meeting the past couple of months and for their commitment to the process.

In response to a question from Jeff Ward about an economic study, Roger Harlan recalled that at the last meeting members were not supportive of funding an analysis. Jim Hier clarified that the Council postponed the $10,000 study to be conducted by Wikstrom because it was felt that the effort would be inconclusive and a more in-depth study identifying trends and establishing base lines for the entire City would be a more worthwhile approach. Mr. Hier expressed that both groups have met his expectations and pointed out that there's give and take on both side and challenges in working with a large and diverse group like the HMBA. He stated that he is in full agreement with staff's position and all members agreed. Candace Erickson stated that Council is not setting a date certain to solve outstanding issues, but has no doubt that both parties will reach agreement.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 5, 2009

I ROLL CALL

Mayor Dana Williams was excused for a portion of the meeting and Mayor Pro Tem Candace Erickson called the regular meeting of the City Council to order at approximately 6 p.m. at the Library and Education Center on Thursday, February 5, 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; Brooks Robinson, Planner; Tamara Lindsay, Water Analyst; and Matt Cassel, City Engineer.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Brooks Robinson announced that the Planning Commission meeting on the Treasure Hill Project will be held at The Yarrow on Wednesday, February 11, 2009 at 5 p.m.

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

1. <u>333 Main Street, Main Street Mall Renovation</u> – Jeff Ward asked that the HMBA be able to comment on this project's construction mitigation plan and Jim Hier believed that a condition can be added to address his concern.

Mike Wong, business owner and tenant of the Main Street Mall, asked that the Council consider the economic impacts of construction on other businesses on Main Street. He spoke to some Planning Commission members about the redevelopment project and it appears to be a massive undertaking and economic impacts could be significant, especially if it takes one to two years. There are over 100 people employed by businesses in the Mall and he asked what impact the renovation would have on the community.

Mr. Hier stated that the Council will review the plat amendment but didn't believe it is within the Council's jurisdiction to monitor its economic impact. Mark Harrington interjected that the Chief Building Official has a fair amount of flexibility in terms of assessing the construction mitigation elements. He added that Mr. Hier is correct that determining direct economic impacts as far as occupancy is not a charge of the Council, but rather ensuring structural integrity of the building and public improvements. Staff will follow up with a report on the approach for construction mitigation.

2. <u>Historic Sites and Landmark Inventory</u> - John Stafsholt, 633 Woodside Avenue, thanked Council members for their proactive stance taken on the temporary zoning ordinance to help stop the demolition of historic buildings in Old Town. He was pleased to report that the Historic Sites and Landmark Inventory was adopted last night by the Historic Preservation Board two days before the temporary zoning ordinance expired.

There are more buildings on the Inventory protected from demolition and he thanked everyone for their hard work.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JANUARY 22, 2009

Joe Kernan, "I move we approve the work session notes and minutes of the meeting of January 22, 2009". Roger Harlan seconded making a correction to the work session notes. Motion unanimously carried.

V OLD BUSINESS *(Continued items)*

1. Consideration of an Ordinance approving the 2300 Meadows Drive subdivision plat – Brooks Robinson explained that the applicants are no longer proposing a land exchange and will return to Council after the amended application is noticed and heard by the Planning Commission. Objections were raised at the Planning Commission public hearing by adjacent neighbors about the shifted location of the building pad. Discussion ensued about the understanding that the location of the building pad was designated in the annexation agreement but it could not be found. The applicant has reverted to the original concept which will return to Council to determine the easement location. Jim Hier recalled direction to be that the lot bisect as little open space as possible and yet exit onto Meadows Drive where the existing curb cut is located. The Mayor Pro Tem opened the public hearing.

Marianne Smail, Lakeview Court resident, stated that she will be impacted if the house is moved from the original location. This property was part of the exchange with the Osguhorpe Family to obtain the Barn and open space which was worthwhile so the initial proposal was acceptable and she encouraged Council to support the original concept. Candace Erickson interjected that members have not seen the more recent application.

Valene Quinn, Lakeview Court, pointed out that the proposed lot location would potentially block views. She encouraged Council to keep the meadow open and advised that it is her observation that people do not use the trail intersecting the lot but use the more gradual trail from the parking lot.

Martin Pace, resident, agreed with the comments made by Ms. Smail and Quinn.

With no further comments, the Mayor Pro Tem closed the public hearing. Roger Harlan, "I move to continue the item until a date uncertain". Candace Erickson seconded. Motion unanimously carried.

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

1. 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 opened the public hearing; there were no comments. Jim Hier, "I move that we continue Item 1 under New Business to February 12, 2009". Joe Kernan seconded. Motion carried unanimously.

2. Consideration of Resolution authorizing the submittal of an application for a grant from the U.S. Bureau of Reclamation to assist in funding the installation of a fixed base automatic water meter reading system – Tamara Lindsay explained that the purpose of the funding is to encourage water entities to implement projects that conserve and protect the nation's water supply through efficiency improvements. Four different task areas define eligible projects and the automatic meter reading program qualifies. She stated that regulations provide 24 months to complete the project which is well within the City's schedule. This is a $300,000 matching grant and scheduled to be awarded in May 2009 and City Council approval is needed before proceeding. Jim Hier, "I move we approve the Resolution authorizing the submittal of an application for a grant from the U.S. Bureau of Reclamation to fund the installation of a fixed base automatic meter reading system". Roger Harlan seconded. Motion unanimously carried.

3. Consideration of an Ordinance approving a one-year extension of the Boothill Parcel Plat, located near the corner of Monitor Drive and Kearns Blvd., Park City, Utah – Brooks Robinson explained that the approved application platted a metes and bounds parcel into one lot of record. There is an access issue across the adjoining Boothill Condominium Parcel and the Snyderville Water Reclamation District which is still being worked out and more time is requested to record the plat. In response to a question from Jim Hier, Mr. Robinson explained that the most logical alternative is for the applicant to acquire the small sliver of land along Monitor Drive from the Boothill Condominium Association. Jim Hier commented that delays could go on for years and Mark Harrington reminded members that the expiration dates are not set to address unintended delays as much as they are to monitor deadlines on projects so that approvals are not hanging out there forever without progress. He felt that the owner is working diligently to acquire the utility corridor and staff recommends allowing an additional year to resolve this matter. This process was created so that the same project wasn't required to go through the same review process as a matter of efficiency. Discussion ensued on the 1986 sales agreement. The Mayor returned to the meeting and opened the public hearing; there were no comments from the audience, and the hearing was closed. Liza Simpson, "I move that we approve the extension of the Boothill Parcel Plat based on the findings of fact, conclusions of law and conditions of approval as found in the draft Ordinance". Jim Hier seconded. Motion carried unanimously.

4. Consideration of Professional Services Agreement, in a form approved by the City Attorney, with Horrocks Engineers for the design and construction management of the SR-248 Pedestrian Crossing in the amount of $286,101 – Matt Cassel explained that this is a higher priority walk-ability project and is being funded with associated bond

revenue. The selection committee chose Horrocks Engineers out of the 11 firms who responded and the final scope and fee were negotiated and finalized. It is staff's recommendation to award the contract and in a few months, determine when actual construction should commence. In response to a question from Roger Harlan, he indicated that Horrocks was the lowest bidder but the scope and price was later renegotiated. Mr. Cassel pointed out that bids ranged from $89,000 to $495,000 for the project and he feels it important to meet with contractors to make sure that the scope of the project is understood. Jim Hier asked about the timing of the bond issuance and the City Manager advised that the City would proceed with a reimbursement resolution within the next several months and would be considering half of the walk-ability funding this spring or $7 million. This will result in a jump in City taxes this fall and there is an additional open space issuance. The Mayor invited public comment; there was none. Roger Harlan, "I move approval of a professional services agreement in a form approved by the City Attorney with Horrocks Engineering for the pedestrian crossing in the amount of $286,101". Jim Hier 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 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; Jeff Schoenbacher, Environmental Specialist; Phyllis Robinson, Public Affairs Manager; Tom Daley, Deputy City Attorney; and Mark Harrington, City Attorney. Roger Harlan, "I move to close the meeting to discuss property and litigation". Liza Simpson seconded. Motion carried unanimously. The meeting opened at approximately 4 p.m. Candace Erickson, "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