PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JANUARY 26, 2012

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Spencer Lace, IT Analyst, Kay Lynn Stafford, IT Customer Service Specialist; Chad Root, Chief Building Official; Ken Fisher, Recreation Manager; Nate Rockwood, Budget and Grants Analyst; and Jon Weidenhamer, Economic Development Manager

Recreation Advisory Board Members Jennifer Franklin, Paul Anderson, Ray Townsend, Craig Moynes and Meg Steele

Teri Orr, Director of PC Performing Arts Foundation

1. Council questions/comments. Cindy Matsumoto reported on Library Board business, specifically discussion on long range uses for the Library. The phased renovation of the Salt Lake International Airport was discussed at the Chamber/Bureau Board meeting. She reported on Summit Lands Conservancy's successful fund-raising for the Osguthorpe conservation easement.

Alex Butwinski disclosed that American Skiing is a tenant of his and stated that the City didn't mean to dis the snowmakers and groomers at The Canyons Resort which also contributes to the City's economy, by only recognizing the mountain teams at Deer Valley Resort and Park City Mountain Resort.

Liza Simpson announced that the Full Moon Snowshoe is scheduled on February 4 and thanked the School District for inviting members on the space simulator. She attended the Interagency Meeting this morning and thanked Sundance for hosting Council members for the opening night premiere. The Mayor received at least 20 compliments from a variety of people about the free bus system during Sundance.

2. GIS and new City mobile application presentation. Spencer Lace described the difference between GIS and GPS. The services directory is exposed through a web page and he illustrated searching the Park City map, pointing out the different layers that can be applied, like Old Town plats, zoning, etc. It is pretty dynamic and can be accessed by the public. He spoke about different platforms and making information available for both Microsoft and Apple products and staff continues to explore mobile-friendly tools. Over time, map viewers have to be replaced and Mr. Lace spoke about using SharePoint, a product the City already has, to store maps and to use as a tool for staff to update database information which appears as the mouse moves over the map. He suggested replacing an older viewer inside the SharePoint environment so employees have a *one stop shop* and everyone is looking at the same information in the same place. Mr. Lace illustrated searching for attributes on a property.

Mr. Lace stated that staff wants to make information available to visitors over a tablet or mobile phone and GIS will run on a mobile platform. Trail use is important in Park City and staff will continue to refine the trail map. He described what a new mobile trail map would look like. Liza Simpson asked if data can be linked to QR codes and he felt this is possible. Ms. Simpson spoke about several boards' interest getting information to people at a specific site. Mr. Lace described the transit system mobile application. A future project will be Nordic trails.

Kay Lynn Stafford explained that the same company who designed the City's website created the mobile version in December. Some PR on this will air next week on KPCW. The top four hits were maps, employment, recreation and getting around and there is an option to go to the full site. April was one of the City's lower hit months just under 86,000 and of that 5,500 were mobile users. From January 1 to yesterday, the City has had 171,000 hits, over 16,000 were mobile devices. Today there were 4,000 more hits and 1,000 were mobile devices which is sign of the future. She added that a majority of the Chamber/Bureau's hits are driven from the City's site. In January, almost 97% of the hits came from the United States, then Canada, Brazil, Australia, and Russia. The number one hit after the home page is employment, then recreation, and *About Park City* was third.

3. Full building permit application process. Chief Building Official Chad Root explained that the Building Department is considering a policy change to require that full building permit fees are paid for projects up front. Sometimes when partial permits are pulled for foundations for a fee of $75, for instance, work ceases resulting in a nuisance. Many cities require full permits because paying the full cost of the permit including impact fees motivates owners and developers to finish projects. Mr. Root stated that he has received many complaints from residents about unfinished projects leaving holes in the ground or bare excavated areas. Once a permit expires, an associated conditional use permit can be lost and a building permit is good for 180 days, after which an inspection takes place. It is a pretty loose system and after an inspection, the project gains another 180 days.

Dick Peek pointed out that in a hot market, sometimes foundation and grading permits are pulled before the full design and review has been completed. Mr. Root explained that the intent is to demonstrate a commitment to the City by paying the fees in full. He often hears about financing concerns from applicants when requesting a foundation permit which worries him. He acknowledged that there will be exceptions but felt as a general policy, a full set of plans should be submitted with full payment of fees. Large commercial projects will be phased but impact fees paid up front. It was pointed out that subcontractor permits will be handled the same.

Alex Butwinski understood that at every inspection, another 180 days is gained, and paying full building permit fees likely ensures completion of the project. Mr. Root added that the full permit includes a remediation bond for landscaping and erosion control. Mark Harrington explained that properties can be assessed by lien for abatements the City performs. The Mayor invited public input.

Craig Elliott, architect, felt that this is the right thing to do for single family homes but not for large scale projects requiring six months to produce construction documents, for instance. Owners have no control over the scheduling of review processes and there is a short building season. It is important to be able to obtain a footings and foundation permit on a commercial project and there needs to be some clarification on the goals of the policy. He expressed that it makes sense to be able to pull a footings and foundation permit after paying all of the fees. He was against pulling and paying for a full permit.

Chad Root explained that the goal is providing some security for the community and City Council members were supportive.

4. Recreation Advisory Board Visioning. Ken Fisher introduced RAB members who are referenced above and added that the PC MARC has received an overwhelming positive response from the community. He pointed out that Liza Simpson is serving on a Recreation Joint Use Committee and works with the School District and Basin Recreation on the interagency agreement for shared use of facilities. A second representative is being requested and Andy Beerman volunteered until the Council officially designates liaison positions at Visioning.

Replacing the two existing tennis courts and adding a third court is proposed for City Park and there is funding this year of $100,000 and another $100,000 proposed this July through the Lower Park Avenue RDA. He asked if Council is still supportive of the project. Alex Butwinski stated that lighting the tennis courts is an issue for him and there is a disconnect about the lighting in last year's minutes and the staff report which now supports lighting. Ken Fisher believed the comments made last year reflected in the minutes related to the skate park when expanded use was discussed. The Council was clear that lighting the skate park was inappropriate, but the tennis courts are currently lit and court lights were not addressed last year.

Ms. Simpson understood that there is a limit to how late they are lit and lighting is on-demand. Ken Fisher confirmed that lighting is regulated with a timer and lights are off by 10 p.m. Mayor Williams requested that sensitive night sky lighting be considered and felt it is worthwhile to research new technology. Alex Butwinski asked that Council conduct a night sky discussion during Visioning. He feels there are inconsistencies with regard to lighting City projects. The City has a night sky ordinance which should be applied to lighting recreation fields. He commented on neighborhoods being able to see the Quinns Sports Complex lighting from a distance which pollutes the night sky but seems okay for recreation. He felt the ordinance should be enforced uniformly and there should be no exceptions. The Mayor interjected that these are not exceptions as the Code regulates recreation facilities differently. Ms. Simpson pointed out that lighting fields and lighting tennis courts is very different. She is supportive of having a night sky ordinance discussion but recalls from past conversations that the City made a conscious decision to replace lighting as projects arise and will hold ourselves to the same standard as everyone else.

Mr. Butwinski expressed there is anecdotal data that another tennis court is needed but he would like the courts monitored so he has more information to make a decision. Tom Bakaly interjected that prior direction was three courts. Andy Beerman understood that the City Park bike path is proposed to be widened and wondered if it will affect the design of the courts. Mr. Fisher responded that there should be plenty of room and the bike path will be widened at certain segments; these projects will be coordinated. There is no plan to build a street through City Park to Deer Valley Drive. Ms. Simpson relayed that she has lots of anecdotal experience walking and driving by the tennis courts and is comfortable with moving ahead with a third court. Cindy Matsumoto asked about the lighting and Ken Fisher noted that improvements have been made in sports lighting and tennis courts are smaller areas than fields so the light poles don't need to be nearly as high. Members were supportive of the project and the night sky ordinance will be reviewed at a later date.

Ken Fisher stated that RAB feels it important to install signage in City Park for way-finding and safety reasons. In response to a question from Liza Simpson, Mr. Fisher felt it makes the most sense to use the City logo as opposed to the MARC logos. RAB is willing to provide input on private-public partnerships on recreation projects, as needed. The Mayor asked the status of the most recent proposal and Mr. Bakaly advised that Council directed staff to pursue a RFP.

Mr. Fisher discussed meeting with Marianne Cone and a group of residents interested in creating a memory wall at the cemetery. Goals include limited cost to the City as the plaques will be purchased and low or no maintenance materials are proposed with a project cost of $15,000. The Mayor felt this is a great idea especially in consideration of limited burial space and a perceived decrease in perpetual care. He felt it would be helpful to see photos of other memory walls.

RAB has an interest in partnering with Mountain Trails Foundation to work on public awareness of trail etiquette which could include PSAs and a trails host program. Mr. Fisher continued that RAB would like to establish a liaison on the MTF Board. Andy Beerman indicated that he is on the MTF Advisory Board and will bring it up. Cindy Matsumoto expressed her support of a trail etiquette program as she receives complaints about conflicts on Round Valley. Ms. Simpson pointed out the variety of users on the City Park Trail as well.

Ken Fisher remarked on the high use of the Quinns dog park on a year-round basis. The number one request from users is installing play elements and staff is exploring adding some obstacles in the dog park. His research shows that an obstacle can cost anywhere from $700 to $3,000. In response to a question from the Mayor, Mr. Fisher responded that the friends group raised about $10,000 which was spent on the shade structures. The City has expended about $35,000. The Mayor suggested a master plan for the dog park because it looks like it was never finished. He acknowledged that the facility gets used a lot but he doesn't find it very appealing and perhaps improvements to the park merits a budget discussion. The dog park is the entrance to the Recreation Complex. Cindy Matsumoto believed it is a good idea to master plan the dog park and other members agreed.

Mr. Fisher noted that 1% of the MARC project is allocated to public art and RAB has an interest in working with the Public Art Advisory Board to incorporate interactive art in the plaza area. RAB would like to assume a more formal role. Alex Butwinski, liaison to PAAB, expressed his opposition to the proposal as PAAB has its own role as does RAB. He invited RAB members to PAAB meetings where input can be rendered, but he didn't support RAB participating in making the final decision. Liza Simpson agreed in part but emphasized that providing public input can influence decisions. She spoke about serving as liaison to the PAAB when the art work for the Police Building was being selected and input from the users of the building was very helpful to the Board and on-going throughout the process. Alex Butwinski clarified that he is supportive of input but not voting authority.

Dick Peek added that before PAAB was formed, the Historic District Commission reviewed public art in the Historic District and was charged with selecting art for the Transit Center. He acknowledged that the Board was not equipped to handle that kind of responsibility and eventually PAAB was established for decisions on public art. Mr. Beerman asked if RAB had anything particular in mind and Mr. Fisher spoke about an interactive sculpture in the front of the building designed to be sturdy. The Mayor agreed with Mr. Butwinski and felt the roles of boards should be clear and distinct but encouraged RAB to submit suggestions.

The Mayor suggested that RAB again consider installing safety alarm systems in City Park and other areas. Liza Simpson recalled that this was discussed about six years ago and felt the technology has improved significantly. However, the availability and use of cell phones may eliminate a need for these devices or reduce the number of installations. Mayor Williams still requested that RAB explore this.

5. Special service contract extraordinary request – PC Performing Arts Foundation. Nate Rockwood explained that extraordinary requests are considered every six months as a part of the special service contract program. Over the past six months, the PC Performing Arts Foundation submitted a request to fund a student outreach program for $20,000 or $10,000 each year. The budget for this year and next year is $24,000 so there are sufficient funds to cover the request. In reviewing the application, the subcommittee found the application did not meet two requirements specific to extraordinary requests. The applicant must show that the funds requested represent an unexpected fiscal need that couldn't have been anticipated before the deadline and the applicant must demonstrate that all other possible funding sources have been exhausted.

Mr. Rockwood stated that the Foundation's revenues were lower than anticipated but not to the point that the subcommittee felt that it would prohibit funding the program through the next year, until this request could be evaluated together with all of the other applications during the next process. It is the recommendation from the subcommittee to deny the request. However, the City Manager is recommending approval or funding in part due to the fact no one else applied during this time period and he felt the applicant substantially met the requirements of a special service contract.

Jon Weidenhamer stated that the Foundation substantially contributes to arts and cultural tourism and he encouraged Ms. Orr to apply. Mayor Williams referred to funding the Genius Store which was an economic development grant and Director Teri Orr clarified that they have never applied for a special service contract before. Liza Simpson believed criteria changed over the year and performances can now be considered and funded. Tom Bakaly pointed out that the Foundation's revenues were down, there was only one request in the six month period, and funds are available.

It was explained to Andy Beerman that special service contracts are allocated from a discretionary fund. Alex Butwinski asked if the subcommittee was split on its decision and disagrees with the notion of giving money away because we have it. Cindy Matsumoto explained that they had just reviewed contracts six months earlier and felt that the Foundation's application should have been in at the ground level. Additionally, there didn't seem to be a financial hardship and the $20,000 represented a significant chunk of the $24,000. She emphasized that the decision to deny was largely based on not meeting the deadline.

Teri Orr explained that she thought that performing arts could not apply and when the Council did something differently six months ago with another similar group receiving funding; she questioned the change in policy. Liza Simpson stated she is in favor of granting the request and other members agreed.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
JANUARY 26, 2012

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, January 26, 2012. Members in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; and Kirsten Whetstone, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Liza Simpson thanked employees for their hard work during Sundance. Mayor Williams presented leaving Assistant City Manager Michael Kovacs a going away gift which was a rendering of the McPolin Barn. Mr. Kovacs accepted a City Manager position in Galveston, Texas.

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

2012 Sundance Film Festival - Lisa Precious, event producer, stated that this is her 8th year at Sundance and her most successful. Two and a half months ago, however, she wasn't able to lease her usual venue and the City helped her out with actually a better facility. She is familiar with permitting processes and the City's new regulations worked well for her. She volunteered her services if a committee is formed on licensing for Sundance.

Steve McComb, owner of Ciseros and 412 Bistro, stated that his sales figures during Sundance are really bad. In 2008, there were 18,000 visitors and Main Street was crowded but now the crowds aren't on the Street anymore. Parking needs to be opened up to get people on Main Street. He has not been full one night during Sundance at Ciseros which has never happened before. Bistro has done a little bit better but for the last few nights, it has been down. People don't like to be inconvenienced and want parking. He stated that The Eating Establishment and 350 Main Street are also down. Main Street parking needs to open up.

IV WORK SESSION NOTES AND MINUTES OF MEETINGS OF JANUARY 5, 2012 AND JANUARY 12, 2012

Alex Butwinski corrected *monuments* to read *sculptures* in the work session notes of January 5, 2012, "I move we approve the work session notes and minutes of the meetings of January 5th and 12th (as corrected)". Andy Beerman seconded. Cindy Matsumoto disclosed that she will be abstaining from voting on the minutes of January 12th as she was absent. Motion carried.

	01/05	01/12
Andy Beerman	Aye	Aye
Alex Butwinski	Aye	Aye
Cindy Matsumoto	Aye	Abstention
Dick Peek	Aye	Aye
Liza Simpson	Aye	Aye

V NEW BUSINESS

1. Consideration of a Resolution declaring February 4, 2012 as Shen Yun Performing Arts Day in Park City, Utah – Liza Simpson, "I move to approve Item No. 1 under New Business". Alex Butwinski seconded. Motion unanimously carried.

2. Consideration of award of professional services contract with IBI Group in the amount of $281,240 for consulting services for the Historic Park City Alliance infrastructure improvements, in a form approved by the City Attorney – Jon Weidenhamer stated that the HPCA used IBI to prioritize its projects. Six firms responded to the RFP and four firms were selected to be interviewed. Mr. Weidenhamer spoke about IBI's qualifications. Andy Beerman disclosed that he worked on this project as President of the HPCA before being elected to City Council. Liza Simpson, "I move we approve a professional services contract with IBI Group in the amount of $281,240 for consulting services for the Historic Park City Alliance infrastructure improvements, in a form approved by the City Attorney". Cindy Matsumoto seconded. Motion unanimously carried.

3. Consideration of approval of an Annexation Agreement between Park City and Quinns Junction Partnership, as part of The Settlement Agreement for Film and Media Campus between Summit County and Quinns Junction Partnership – For the benefit of the audience, the Mayor explained that a movie studio is coming to the area and this action relates to annexation of the property into the City limits or left in Summit County's jurisdiction. Liza Simpson further clarified that action tonight involves accepting the application; it is not a decision on the annexation. Mayor Williams relayed that public hearings will be held on the project by the Planning Commission and City Council.

Tom Bakaly explained that the annexation agreement is an exhibit to a settlement agreement that Summit County has already executed with the land owner. This is not approving the annexation. The second item deals with accepting the petition for annexation for the movie studio, hotel and entertainment facility which begins the annexation process. Staff is recommending approval of Item 3 so that Summit County can settle this lawsuit and the City is interested in annexing the property and has set parameters with regard to its development. Park City is limiting the number of hotel rooms to 100 and the maximum density amount to 374,000 gross square feet which is clearly defined. Another concern was a facility this size competing with Sundance.

Kirsten Whetstone again emphasized this is not a request to approve an annexation but a request to accept the annexation petition and proceed to process or deny the petition. The City received a petition to annex a 29.55 acre metes and bounds parcel located in the corner of SR224 and US40. In order to accept a petition, property must be located within the Park City Annexation Boundary Area and it must be contiguous. If the petition is accepted, a noticing and protest period occurs. The Planning Commission will then review the plat and make a recommendation to the City Council where final action is taken. Ms. Whetstone stated that staff is recommending that Council accept the petition. The Mayor invited the public to comment on Items 3 or 4 under New Business.

Mike Sweeney, property owner and developer, was directed to the referenced agreements in the meeting packet. With regard to the gross square footage, there is no mention of affordable housing or parking and he wondered if those elements are included in the total square footage number.

Mayor Williams stated that the hospital, the housing project, US Ski Team, etc. stuck to the zoning in Quinns Junction which is 70% open space and 10% to 15% affordable housing, but the lawsuit settlement with Summit County does not require this. Mark Harrington interjected that it does not include any affordable housing requirement and parking is not included in the gross square foot calculation. Mr. Sweeney stated that he supports the project and he encouraged the City to stay positive to figure out how it can work. It can be an asset to the community.

Teri Orr, Director of the Park City Performing Arts Foundation, expressed that protecting Sundance and other non-profit performing groups is important. She understood this project includes both an indoor theater and an outdoor amphitheater. It is difficult in a small town to consistently fill the spaces we have, and she encouraged that consideration be given to this when those facilities come under review.

The Mayor closed the public hearing.

Liza Simpson, "<u>I move we approve the annexation agreement between Park City and Quinns Junction Partnership, as part of The Settlement Agreement for Film and Media Campus between Summit County and Quinns Junction Partnership</u>". Alex Butwinski seconded. <u>Motion unanimously carried</u>.

4. <u>Consideration of acceptance of an Annexation Petition by Quinns Junction Partnership regarding approximately 29 acres of land located generally on the southwest corner of US40 and SR248 in Summit County, Utah [Note: Acceptance of a petition initiates City review of a potential annexation; it is not a decision to approve the annexation.]</u> – See comments under Item 3. Mark Harrington explained that acceptance initiates the 90 day process by which the Planning Commission reviews the annexation petition concurrently with the MPD. A recommendation will be forwarded to the City Council who will take final action. The Mayor opened the public hearing and

hearing no input, closed the public hearing. He acknowledged members of the performing arts community in the audience and hoped that the movie studio will include them.

Alex Butwinski noted that negotiations result in *gives and gets* and the state basically received some economic development, the County settled its lawsuit and Park City gained some control of the project. This was not an easy negotiation and he expressed his appreciation for all of the public input on this matter. Liza Simpson referred to Ms. Orr's comments. It is her fervent wish that as part of the annexation process, that Mr. Erickson, QJP and Raleigh Studios become part of our community and behave like part of our community and if that happens, this will be a success for everyone.

Alex Butwinski, "I move we accept the Annexation Petition by Quinns Junction Partnership regarding approximately 29 acres of land located generally on the southwest corner of US40 and SR248 in Summit County, Utah". Dick Peek seconded. Motion unanimously carried.

VI ADDITIONAL DISCUSSION – AGENDA ITEMS

None.

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, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Jim Blankenau, Environmental Regulatory Analyst; Joan Card, Environmental Regulatory Analyst; Jason Christensen, Environmental Attorney; Tom Daley, Deputy City Attorney; Kent Cashel, Transportation Manager; and Mark Harrington, City Attorney. Liza Simpson, "I move to close the meeting to discuss property and litigation". Andy Beerman seconded. Motion carried unanimously. The meeting opened at approximately 4 p.m. Dick Peek, "I move to open the meeting". Alex Butwinski 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