PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JANUARY 24 2008

Present: **Mayor Pro Tem Roger Harlan; Council members Candace Erickson; Joe Kernan; Jim Hier; and Liza Simpson**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jerry Gibbs, Public Works Director; Sharon Bauman, Analyst

Absent: **Mayor Dana Williams**

1. Council questions/comments. Liza Simpson commented on the friendly attitude of Sundance patrons this year and Joe Kernan pointed out the number of employees working the Festival every day. Jim Hier reported on the Interagency Meeting held during the week. He advised that there is a bill being proposed which would eliminate the restaurant tax and accounting for the loss in revenue by increasing sales tax. The redistribution proposal would negatively impact tourist-based counties and he encouraged diligence in monitoring the bill's status. Mr. Hier discussed meeting with Wasatch County on SR224 in the near future. He shared information about the Chamber's incentive program for film makers and a new resource available to subscribers to obtain pacing reports from other communities. He encouraged Council and the public to attend the Chamber's economic forecast event on January 30. Candace Erickson reported on RAB business, specifically the Racquet Club remodel project, dog park, and renaming the old water treatment plant site. She pointed out the number of parked cars on Aspen Springs Road because of the amount of snow, and she urged staff to take a look at it to ensure emergency vehicle access. Ms. Erickson commented on PSAs she is airing on KPCW on the recycling center and another message strongly urging residents to install CO^2 detectors in their homes. Roger Harlan reported on the School District meeting and the appointment of Carol Potter as Chair of WALC. He commented on the celebrity hockey exhibition last weekend which was a great event and activities at the new Sundance event facility on the Anderson Lumber site.

2. Quarterly goal update. Tom Bakaly explained the meaning of the color coding and changes made since Council's Visioning Session held earlier this month. With regard to water, Council member Kernan suggested exploring water rates to better encourage conservation. The City Manager noted that restructuring rates was not contemplated this year, but Jim Hier felt that irrigation is worth looking at again. Jerry Gibbs stated that staff is still in the process of refining applications of Eden software which was installed last summer and it may not be possible to implement new rates as early as next summer. Jim Hier requested an update on the performance of Eden software; it was a significant expense. In response to a comment made by Mr. Hier, Jerry Gibbs clarified that Kent Cashel is planning on hiring an engineering consultant to consolidate the studies made on the SR248 corridor.

3. Art Board interviews. Council members interviewed three applicants for two positions on the board. Sharon Bauman explained the status of the vacancies and stated for the benefit of Candace Erickson that all applications met the deadline.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JANUARY 24, 2008

I ROLL CALL

Mayor Pro Tem Roger Harlan called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, January 24, 2008. Members in attendance were Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Mayor Dana Williams was absent and excused. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Gary Hill, Budget Manager, Kirsten Whetstone, Planner; Matt Twombly, Project Manager; Max Paap, Special Events Manager; Eric DeHaan, City Manager; and Katie Cattan, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Legislative update – Gary Hill updated Council on bills tracked by staff. HB290 would eliminate the ability for cities to impose an inspection fee on rental units and exempting owners of buildings with two or fewer rental units from regulatory business licensing. This would prohibit Park City from licensing nightly rentals and the City is very interested in monitoring this bill. HB293 allows an individual to proceed with obtaining a building permit through an independent inspector which is another concern. SB20 is the forms of municipal government bill which has not been heard by committee. HB51, water right forfeiture protection, is being closely monitored. HB54, property taxes revision bill, would allow counties to reassess properties every year and there are several bills relating to government privatization. Mr. Hill described the proposed oversight committees formed to make recommendations on municipal services viewed as competing with the private sector. Mr. Hier again described his concerns about the restaurant tax bill brought up in work session and Gary Hill assured him that staff will work with the Chamber and other resort communities to strategize on opposing the bill.

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

Swearing-in of Police Officer Dustin Brewer – Chief Lloyd Evans introduced Officer Brewer and the Mayor Pro Tem administered the oath of office.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JANUARY 10, 2008

Jim Hier, "I move approval of the work session notes and minutes of the meeting of January 10, 2008". Liza Simpson seconded. Motion unanimously 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 under "Additional Discussion – Agenda Items")*

Candace Erickson, "I move approval of the Consent Agenda, Items 1 and 2". Joe Kernan seconded. Motion unanimously carried.

1. Consideration of approval of the D'Juice Concession Contract Addendum at the Park City Ice Arena – See staff report.

2. Consideration of acceptance of the Mayor's and City Council members' disclosure statements for 2008 – See staff report.

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

1. Consideration of approving an Ordinance approving a plat amendment at 154 McHenry Avenue, Park City, Utah – Kirsten Whetstone explained that this application was continued by the Planning Commission and recommended a motion to continue to February 28, 2008. The Mayor Pro Tem opened the public hearing and with no comments from the audience, closed the hearing. Jim Hier, "I so move". Liza Simpson seconded. Motion unanimously carried.

2. Consideration of approving a second addendum to the Rail-Central Encroachment Permit – Matt Twombly explained that the second addendum is proposed to allow for a time extension for the pedestrian connection. The applicant has requested three years or December 31, 2010. This element is addressed in the Landmark study and staff recommends the approval of the time extension since a final location and design has not been determined. Mr. Hier suggested delaying amending the encroachment permit until there is an integrated plan. Mark Harrington explained that this action creates the expressed avenue for the applicant to request a bridge at a later date, but Council has full discretion to pursue either option. He felt there is purpose to amending the encroachment permit to better facilitate a preferred design in the future. Joe Kernan, "I move we approve a second addendum to the Rail-Central encroachment permit". Jim Hier seconded. Motion carried unanimously.

3. Consideration of approving a Master Festival License for the International Pedigree Stage-Stop Dog Sled Race to be held at the Park City Recreation Complex on February 2, 2008 – Max Paap stated that Bob Kollar of the Chamber is the applicant. The event is the final leg of the seven day sled dog race beginning at Jackson Hole and ending in Park City for the fourth year. The race will be held in Round Valley and Bob Kollar described involving the schools. The Summit Land Conservancy and Mountain Trails Foundation support the event. NAC agreed to share its parking, if needed. The Mayor Pro Tem opened the public hearing.

Carol Potter, Mountain Trails Foundations, expressed her support and noted the excellent grooming in Round Valley this year.

With no further no comments, the public hearing was closed. Jim Hier made a correction to Finding No. 1. Jim Hier, "I move we approve the Master Festival License for the International Pedigree Stage-Stop Dog Sled Race (as corrected)". Liza Simpson seconded. Motion unanimously carried.

4. Consideration of approving an Ordinance approving the record of survey plat for the Tahoma Condominiums located at 650 Rossi Hill, Park City, Utah – Planner Katie Cattan explained the application for a condominium conversion for a proposed triplex and approval would allow for each unit to be sold separately. Staff finds that all Code requirements have been met and the Planning Commission forwards a unanimous positive recommendation. There was no public input before the Commission and staff recommends approval based on the Ordinance. The Mayor Pro Tem opened the public hearing and with no comments from the audience, closed the hearing. Candace Erickson, "I move approval of an Ordinance approving the record of survey plat for the Tahoma Condominiums located at 650 Rossi Hill, Park City, Utah". Jim Hier seconded. Motion unanimously carried.

5. Consideration of approving an Ordinance approving the 61 Thaynes Canyon Drive Subdivision, a plat amendment of Lots 75 and 75A of the Thaynes Canyon Subdivision, Park City, Utah – Planner Kirsten Whetstone explained that the application proposes combining two lots into one lot of record. The interior lot line will be removed and a plat note added that construction is prohibited on the remnant parcel without a CUP and the structure can not be a dwelling unit. The Planning Commission forwarded a positive recommendation on January 9. The Thaynes Canyon HOA President made comments at the meeting regarding the rear setback and Ms. Whetstone explained that the plat amendment was driven by remodeling plans. In response to a question from Jim Hier, she stated that a similar plat amendment was approved in 1994 for Stein Eriksen who constructed a garage on Hidden Splendor Court. Jim Hier felt that the intent of the subdivision was to create open space with a restricted lot attached to an existing lot and allowing the construction of a non-dwelling structure like a garage seems reasonable. Related conditions are included in the conditions of approval . In response to a question from Candace Erickson regarding increasing house size because the lot is larger, the City Attorney explained that it is possible. The Mayor Pro Tem opened the public hearing and hearing no input, closed the hearing. Jim Hier, "I move we approve the Ordinance approving the 61 Thaynes Canyon Drive Subdivision, a plat amendment of Lots 75 and 75A based on the findings of fact, conclusions of law and conditions of approval as outlined in the staff report". Joe Kernan seconded. Motion unanimously carried.

6. Consideration of approving an Ordinance approving the First Amended Anderson Re-Plat, a re-plat of Lot 1 of the Anderson Replat of Lots 24 of Block 55 of the Park City Survey, 439 Ontario Avenue, Park City, Utah – Kirsten Whetstone explained that there are three Old Town lots, and it is proposed to combine two lots and maintain one single lot. A house was built on the double lot and it is now desired to designate it as the single lot and convert the other two lots into one lot. In other words, it is a change in configuration and the development of Lot 2 requires a steep slope CUP and Historic District Design review. She explained the area to the south served by an existing driveway and the plat dedicates the easement for public access. There are findings and conditions of approval addressing the shared driveway. She reported that adjacent property owners rendered input at the Planning Commission level regarding access to their properties and were pleased with the condition to dedicate it to the City. Mayor Pro Tem Harlan opened the public hearing and with no comments, closed the hearing. Joe Kernan, "I move we approve an Ordinance approving the First Amended Anderson Re-Plat, a re-plat of Lot 1 of the Anderson Replat of Lots 24 of Block 55 of the Park City Survey, 439 Ontario Avenue, Park City, Utah". Jim Hier seconded. Motion unanimously carried.

7. Consideration of approving a Resolution adopting a 20 year corridor and pedestrian plan for Bonanza Drive, Park City, Utah – Eric DeHaan explained that this plan was reviewed by Council members two weeks ago. He discussed the extensive public input process designed to include a variety of stakeholders over the past several months. Mr. DeHaan pointed out the intent to maintain capacity while providing a safe roadway for all users. WALC recommends the expenditure of $1.15 million from the $15 million walkability bond to construct a tunnel under Bonanza Drive. This project is identified in the Landmark Study as well. The tunnel, however, will not fit within the 66 foot right-of-way and affected property owners have been contacted about the possibility of acquiring additional space. There is conceptual agreement from affected property owners to cooperate on the alignment for the tunnel. Mr. DeHaan spoke about some pedestrians choosing the tunnel and some the at-grade surface intersection with the hawk beacon signal.

He suggested that the traffic signal infrastructure be installed in 2009 but not the signal until it is explored further with UDOT. Bi-lingual directional signs are proposed for the Poison Creek Trail and sidewalks on both sides of Bonanza Avenue. The document is purposely specific for coordination with the 2009 water line construction project while the 20 year plan provides a great deal of flexibility. Mr. DeHaan emphasized that capacity is a major concern and new driveways will be prohibited and left-hand turns restricted on Bonanza Drive. He expressed that approving the resolution will help keep the City on track with the 2009 project and the potential redevelopment of the area.

At this point in the meeting, the Mayor returned to preside. There was discussion about the pull-out on Bonanza Drive which will remove buses out of the flow of traffic. Jim Hier felt that eliminating truck traffic on Bonanza Drive may solve problems and Mr. DeHaan pointed out the difficulty in enforcing the prohibition. Candace Erickson expressed her support of the plan but does not agree with bi-lingual signs in Spanish and English. There are many demographics in the community and she strongly prefers not to select one language over another. Liza Simpson and Jim Hier agreed. Mr. DeHaan explained that the recommendation came from count information; he didn't feel it is a critical element to the plan. Mayor Williams stated that a quarter of the population is Spanish speaking. In this instance, Joe Kernan stated that he did not feel that bi-lingual signs are necessary but agreed that Spanish speaking people represent a significant portion of our community. Roger Harlan believed that signs have not been an issue to this point. Mayor Williams opened the public hearing.

Mike Sweeney, representing property owner Mark Fisher, stated that Mr. Fisher is willing to donate needed land for the tunnel project but has problems with the 2030 realignment plan.

Eric DeHaan explained that it is not a plan but a concept because it would be ideal to line up Munchkin Road with Prospect Avenue. It is also an effort to move Prospect Avenue further away from Kearns Boulevard.

Carol Potter, Share the Road, Mountain Trails Foundation and WALC stated that the diagonal tunnel is brilliant and well supported. She thanked staff for the great job of clearing sidewalks during Sundance.

With no further input, the public input session was closed. Candace Erickson, "<u>I move to approve a Resolution adopting a 20 year corridor and pedestrian plan for Bonanza Drive, Park City, Utah (as amended)</u>". Roger Harlan seconded. <u>Motion unanimously carried</u>.

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 Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Mayor Dana Williams was absent. Staff present was Tom Bakaly, City Manager; and Mark Harrington, City Attorney. Roger Harlan, "<u>I move to close the meeting to discuss property and litigation</u>". Liza Simpson seconded. <u>Motion carried unanimously</u>. The meeting opened at approximately 4:15 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