

**PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UT
DECEMBER 10, 2009**

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

**Tom Bakaly, City Manager; Phyllis Robinson, Public Affairs Manager;
Kent Cashel, Transportation Manager;**

**Ron Whaley, 819 Park Avenue; Danny Timken, Park Avenue resident;
Jesse Shetler, Park Avenue business owner; John Trujillo, Davanza's
Pizza; and Nick Hewlett, Utah Ski and Golf**

1. Council questions/comments. Joe Kernan reported that the inter-agency task force met this week and the lobbyist shared by the City and the County was discussed to assist the School District with upcoming legislative issues. Liza Simpson thanked Phyllis Robinson and Rhoda Stauffer for organizing the affordable housing round table with lenders. The focus of the meeting was to examine deed restrictions as they relate to minimizing challenges to obtaining loans. Joe Kernan felt it possible to limit appreciation to 3%, protect the lender, and remove barriers for buyers. Candace Erickson stated that she was re-elected to serve on the ULCT legislative committee and reported on potential legislation. She commented on the success of the Christmas event at the rink last night which was very well attended and attending a party at the beautifully renovated High West Distillery.

Jim Hier discussed Summit County's participation at inter-agency meetings and hoped that Wasatch County will begin attending meetings. He thanked Cindy LoPiccolo for organizing a lunch with the election judges and relayed that the Leadership Class potluck was another nice event. Roger Harlan commented on the St. Regis grand opening. Jim Hier shared concerns expressed by Planning Commissioners regarding the height of the recreation building and encouraged the new council to pay attention to Commission deliberations. The Mayor reported on a meeting he attended on micro-hydro power as a renewable energy source and that a state-wide group will be meeting regularly on this technology.

2. Visioning debrief. Phyllis Robinson relayed that the report provides good information for the City and community organizations. She reported that 227 people attended community gatherings, 183 comment cards were collected, and 534 ideas, concerns or issues were identified. Four hundred and fifty interviews were held and 396 of those were one-on-one in-person interviews. There are a couple of ways to look at the information and she focused on frequency of response because the questions were open-ended and there were multiple responses to the same questions. She pointed out that the interview responses and the answers to the questions matched.

Skiing was the number one answer to the question of what brought people here but one out of two people stay here because of the community. Respondents like the way things are and too much change or growth is the reason one out of three people would leave. If they did leave, one-quarter would go back home to extended family or inexplicably go to Colorado. Responses show that we are very proud to have hosted the Olympics at 38.99%, but 46% indicated that their workforce is being pushed out of Park City. Two out of three said they hoped Park City would remain the same with a small town feel, sense of community and uniqueness. Some key elements emerged including the preservation of the natural environment, promoting balanced management of sustainable growth, preserving a strong sense of place, character, heritage, community, vitality and vibrancy, and supporting and promoting diversity and a diverse and sustainable economy. The quality of interaction is compromised when Park City gets too big.

Ms. Robinson discussed updating the General Plan and aligning it with community values and goals which will be discussed during the Visioning Session in January. The economic and environmental strategic plans will be integrated into a sustainability strategic plan. Visioning findings can be used as a tool to formulate programs and policies within the City and four elements emerged from the exercises including quality of life, economy, environment and equity. She spoke about people being attracted to our small historic town and the arts and cultural component. The third attraction identified is unparalleled property ownership opportunities acknowledging that the terminology is somewhat unclear. She felt that with ownership comes a group of amenities that aren't often found in a town this size, like excellent schools, health care, infrastructure and proximity to an international airport. Joe Kernan suggested replacing *opportunities* with *amenities*. She spoke about staff applying these values when making recommendations to Council.

Roger Harlan pointed out that responses did not seem to be driven by fear of the unknown like the community anxiety which occurred about the development of Flagstaff and hosting the Olympics years ago. Ms. Robinson again discussed an open-ended approach, free of issues or topics, and agreed that many people did not think the Olympics was a good idea at first but ultimately embraced the Games. The Mayor invited input.

Ruth Meisma, resident, felt the report findings should guide the General Plan. She questioned including the wording *unparalleled property ownership* and *incomparable* should be replaced with *all* arts and cultural. Park City is not known for its arts and culture like Paris, New York or Santé Fe, for instance. Park City's economic driver may change and she recommended using terms like winter and summer outdoor recreation rather than skiing. *Unparalleled property ownership* seems off track and wording like quality of life may be more appropriate. The Mayor thanked Ms. Meisma for participating in Community Visioning and for her comments.

Jim Hier felt it important to recognize that Park City is a world-class community which drives the largest component of our economy currently. Changes can be made as they occur.

3. Park Avenue parking regulations. Kent Cashel explained that the parking regulation issue deals with the area between Heber Avenue and 9th Street. If Council decides to change the regulations, formal action would be needed to amend the Code. Residents and businesses have been contacted but no formal noticing was done. He illustrated a map showing the street width changes ranging from 34 feet up to 40 feet. The segment of street at hand consists of about 50 parking spaces and approximately 24 residential units. Nine businesses and the Town Lift are located in this Park Avenue stretch. Mr. Cashel stated that there are two hour time limits to encourage turn-over and no overnight parking. There is currently no permit parking on Park Avenue and these regulations have been in effect since 1998. At that time, parking meters were installed but later removed and the two hour time limit was reinstated. He emphasized that the purpose of the regulations is to promote turn-over and discourage long-term parking. Traffic circulation is critical because it is a high volume street, including transit. Maintenance includes snow removal and street sweeping. Snow removal can not be planned but Park Avenue is swept two times a week and more if needed. He again emphasized the varying widths of the street and through illustration of a graphic, pointed out the challenges of negotiating the Town Lift corridor, especially for transit buses.

Kent Cashel noted that residences in the area are located in a transition zone between the A and C parking zones and are eligible to receive an A Permit, allowing overnight parking anywhere but Park Avenue, or a C Permit which allows access to overnight and long-term parking in either the Gateway or the China Bridge Garage. The two hour time limits do not apply north of 9th Street. Within the regulations, it is feasible to allow some overnight parking in the summer but not the winter and there are private parking options in the area. The off-street parking is heavily used and time limits are in place to support the businesses. He added that businesses have access to employee permits which allow them to parking for longer than four hours in the China Bridge Parking Structure. From an operational standpoint, it is important to keep regulations as simple as possible; the parking staff and police both monitor parking. Alternatives include keeping the regulations the same, allowing 2 a.m. to 6 a.m. parking, except Wednesdays and Fridays during the summer, allowing 2 a.m. to 6 a.m. parking during the summer, providing special parking exemptions for those who do not have off-street parking, and hybrids of the aforementioned. Mr. Cashel stated that staff's recommendation is to leave the current regulations in place because it provides turn-over, circulation, and a balance. Staff feels that reasonable accommodations have been made to residences and businesses. Although it is not perfect, the regulations work. He read an email into the record from Nancy Ellison of Destination Sports expressing opposition to creating more residential parking because of nimbyism.

Candace Erickson brought up the fact that many residential units have provided two parking spaces per unit as required by the LMC, and she is not inclined to provide

additional off-street parking. Mr. Cashel advised that the parking code authorizes up to five permits per unit which she felt was excessive. The Mayor invited public input.

Ron Whaley, 819 Park Avenue, explained that he has been meeting with staff over the past seven months regarding his issue of having no off-street parking. He asserted that he is the only resident in the area between Park Avenue and Deer Valley Drive between Heber Avenue and 9th Street which is unbelievable in consideration of the high density in Old Town. He has lived at this address for 35 years. Mr. Whaley clarified that he is not asking to park overnight in the winter and spoke about being issued a Permit A sticker some ten years ago. After receiving parking tickets he visited with the parking staff about his unique situation of not being able to park in front or behind his house on Woodside. Staff agreed to waive tickets and during the summer he had 24 hour parking until two years ago. He returned to staff asking for his parking back and as far as he knows he is the only full-time resident in the area. It is odd that the City mandates parking and then allows the parking not to be used by charging for it, forcing an incredible demand on free parking. Mr. Whaley stated that his request is to consider giving him 24 hour summer parking and the forbearance of the two hour parking limitation in front of his house.

Danny Timken, 631 Park Avenue, complained about the parking signs being very confusing even to our Police Officers. He spoke about paying for five citations on behalf of his guests. The signs have to be fixed. He agreed that the Town Lift corridor is very narrow and prone to accidents and suggested that buses turn up 9th Street to Main Street rather than traveling this stretch of narrow roadway.

Jesse Shetler, Butcher's Chop House, expressed compassion for Mr. Whaley's situation and suggested just giving him a parking pass but supported staff's recommendation of leaving the parking regulations alone. He referred to Mr. Timken's suggestion of rerouting buses so they don't have to travel through the Park Avenue Town Lift corridor section.

John Trujillo, Davanza's Pizza, encouraged Council to leave the parking regulations alone. Some good ideas have been generated regarding the buses and he understood there have been discussions about one-way during Sundance which avoids two buses meeting. Perhaps this could be implemented on a seasonal or year-round basis.

Nick Hewlett, Utah Ski and Golf, suggested giving Mr. Whaley his pass but not changing the residential parking regulations because they have been working for 15 years.

Ms. Simpson asked about the regulations north of 9th Street on Park Avenue and Mr. Cashel explained that the same year-round no overnight parking restrictions exist on both sides of the street but there are no two hour time restrictions. The Code allows for creating a transition zone where the overnight restrictions could be lifted for residential permit holders. He believed that the no overnight parking restrictions on Park Avenue probably date back to when it was a state highway. Staff offered to create a transition zone between 9th and 10th Streets but this proposal did not meet Mr. Whaley's

expectation. He pointed out that the level of maintenance here is not as intense as in the business district further south.

Candace Erickson pointed out the amount of time spent on Mr. Whaley's issue and hoped there could be a simple solution for one person and Mr. Cashel acknowledged that issuing an unrestricted permit may seem like the way to go but as soon as it is issued, others will want to be accommodated. Ms. Erickson argued that Mr. Whaley is an anomaly because he doesn't have any parking and this is truly a different situation. Mark Harrington expressed that this is where staff has struggled because Council has not delegated its authority to make this type of a decision but the Code can be amended to exempt certain situations which is what he recommends if Council grants Mr. Whaley his request. Staff has explored all appropriate options at this point and a Code change would be needed to act further on Mr. Whaley's behalf.

Ms. Simpson felt that providing permit parking between 9th and 10th Streets may benefit other Permit A holders and she suggested designating one side of the street for Permit A holders, allowing them to park overnight in the summer. She expressed concerns that if an exemption is created for Mr. Whaley, the number of cars may become another issue. Discussion ensued on allowing residents up to five parking passes and Mr. Cashel suggested limiting the number of cars by the number of off-street parking spaces associated with the property. Mr. Cashel emphasized that off-street parking is a privilege and not a given right. This is the first request and if granted, more will likely follow.

Joe Kernan felt that Mr. Timken's comments about confusing signs were pertinent and Mr. Cashel indicated he will follow-up immediately. In response to a question from Joe Kernan about adjudication, Kent Cashel explained that the fine for the first ticket is \$3 which equates to what the person would have paid for parking. A citation can be appealed within 10 days of issuance and an independent adjudication officer reviews the information and makes a determination. More often than not, the first ticket is waived but is kept on record. Mr. Kernan felt the idea of rerouting buses was worth exploring, although it doesn't necessarily address the parking issue. He was uncertain about the level of responsibility on the City's part with regard to Mr. Whaley's lack of parking on his property and pointed out that other neighbors have made expensive improvements to provide parking on their properties. He was unsure if Mr. Whaley has explored building parking on his property, perhaps a pad on Woodside Avenue, and discussed the situation on Sampson Avenue. Kent Cashel pointed out that parking on the downhill side of the street creates problems because snow is pushed in that direction. Mr. Kernan suggested that there may be some consideration given to properties that have retained their historic character in the future but without criteria in place, he supports staff's current recommendation.

Roger Harlan spoke about his experience driving a transit bus through the Town Lift corridor and indicated that he would be very reluctant to alter the bus routing system unless it is highly recommended by the Transportation Manager. He stated that he is willing to support a LMC amendment. Jim Hier agreed with Ms. Erickson about making

a simple exception but also understands the potential ramifications going forward. He suggested allowing summer overnight parking north of 9th Street, acknowledging that this is not what Mr. Whaley requested. Liza Simpson stated that she really hates to create *the one permit for the one guy* because there will be more and she agrees with Mr. Hier about providing residents with Permit A stickers and designating one side of the street for overnight parking in the summer months north of 9th Street to whatever point is deemed safe. Kent Cashel clarified that there is no two hour limitation north of 9th Street and the permit would allow for overnight parking in the summer except for street sweeping.

Prepared by Janet M. Scott, City Recorder

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 10, 2009**

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, December 10, 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; and Cindy LoPiccolo, Senior City Recorder.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

New website - Mike Sweeny, property and business owner, complimented City staff on the website upgrade, specifically getting City Council archived documents on line. Liza Simpson added that staff is working on installing Wi-Fi in the City Council Chambers.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 19, 2009

Candace Erickson stated that she submitted corrections to the City Recorder with regard to the spelling of some names, "I move approval of the minutes of November 19, 2009, as corrected". Jim Hier seconded. Motion unanimously carried.

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

Consideration of insurance placement for 2010 – Cindy LoPiccolo explained that the City places its insurance annually and referred to her staff report. Roger Harlan extended his appreciation of the work devoted to this project. Liza Simpson, "I move to authorize the insurance premium payments for public entity liability, workers compensation, property and crime insurance covering a one year period from January 1, 2010 to January 1, 2011, as outlined in the staff report". Roger Harlan 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 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; and Mark Harrington, City Attorney. Joe Kernan, "I move to close the meeting to discuss property and litigation". Candace Erickson seconded. Motion carried unanimously. The meeting opened at approximately 4:30 p.m. Jim Hier, "I move to open the meeting". Joe Kernan 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.

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