PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JANUARY 17, 2002

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, January 17, 2002.

AGENDA

Closed Session

3:00 p.m. Property acquisition and litigation

Work Session

4:00 p.m. Council questions/comments
4:30 p.m. Legislative and Olympic update
4:45 p.m. Review of regular meeting
 Statutory and liaison appointments
 Letter of intent - SBSRD
 Lease of Senior Citizen Center
 Other meeting questions/comments
5:15 p.m. Upper Park Avenue improvements
5:45 p.m. Break

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

Zone change request - Sunnyside Subdivision

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 29, 2001

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving a condominium conversion located at 17and 19 Daly Avenue, Park City, Utah

2. Master Festival License for Paralympics Celebration to be held at the Olympic Welcome Plaza on March 4, 2002 - National Ability Center and Park City Rotary Club

3. Amendments to Land Management Code - Phase 2: Comprehensive and substantive rewrite of Chapter 6, Zoning Administration and Enforcement; Chapter 8, Supplementary Regulations; Chapter 10, Master Planned Developments; Chapter 11, Master Planned Moderate Income Housing Developments; and Chapter 14, Child Care Regulations; additional provisions; to Chapter 1, General Provisions; and Chapter 15, Definitions **(motion to continue to a date uncertain)**

VI CONSENT AGENDA

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2. Master Festival License for Paralympics Celebration to be held at the Olympic Welcome Plaza on March 4, 2002 - National Ability Center and Park City Rotary Club

3. Resolution establishing a regular meeting date, time, and location for meetings of the City Council of Park City, Utah for 2002

4. Lease with Canaid International (Italian Skiing Federation) for the Park City Senior Center during the 2002 Olympic Winter Games in a form approved by the City Attorney

VII RESIGNATIONS AND APPOINTMENTS

1. Appointment of Mayor Pro Tem and Alternate Mayor Pro Tem

2. Appointments of two members and an alternate to the Employee Transfer and Discharge Appeals Board

VIII NEW BUSINESS

Letter of intent with the Snyderville Basin Special Recreation District for joint development of an ice facility

IX ADJOURNMENT

A Redevelopment Agency, Municipal Building Authority, and Water Service District meeting will be held to establish annual meeting dates

Posted: 01/14/02
See parkcity2002.org

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JANUARY 17, 2002

Present: **Mayor Dana Williams; Council members Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones**

Toby Ross, City Manager; Bob Stephens, Administrative Services Director; Frank Bell, Olympic Planning Director; Kim Leier, Human Resources Manager; Gary Hill, OCMB, Tom Bakaly, Assistant City Manager; and Eric DeHaan, City Engineer

Utah State Senator Bev Evans; Tom Hurd, Chris Brand, and Mike Guetschow, Upper Park Avenue Property Owners Association (UPAPA); David Actor, Snyderville Basin Water Reclamation District (SBWRD); Roger McClain, Stantec

1. **Council questions/comments.** In response to a question from Fred Jones regarding a contact for communications during the Olympics, Toby Ross explained that all calls will be handled through a centralized call center. For inquiries from the press, there will be a public information officer designated at all times, but for the most part, the contact will be Myles Rademan. There is also a day officer which is a decision-making contact and an Olympic reference book will be distributed to the Council. There was discussion about working out the glitches in the call center software. Myles Rademan was again identified as the spokesperson for the City and Fred Jones pointed out the importance of establishing a clear procedure for the press. The City Manager continued that there will be two press conference held daily and there is set protocol for communication with SLOC and the FBI. Mr. Jones added that Main Street looks great much to the credit of recent accomplishments, including the installation of the newspaper racks. There has been significant progress in the past year in completing many projects and in preparation of the Olympics. The addition of the transit center and skateboard park, and the acquisition of Round Valley all contributed to a very productive period and Mr. Jones thanked staff and the various citizen groups who worked on these projects. Park City will present itself well during the Games. Candace Erickson agreed and referred to the lighting of City Park trail.

She reported that there have been several meetings on an ice facility, including a field trip to Breckenridge. The facility there was beautiful but costs exceeded the $4 million budget approved by Park City voters. The task force will be working on identifying a site and an RFP has been published to publicly solicit proposals on land.

Bob Stephens discussed the Council retreat to be held March 12 - 15. Mayor Dana Williams recommended that he and Ms. Erickson meet with staff to formulate the details of the retreat and Council concurred. In response to a comment from Kay Calvert about the congestion of buses at the Gold Cup Event, Frank Bell explained that it will be worse during the Olympics as there will be no parking at Deer Valley and there will be about 400 buses an hour on Deer Valley Drive on competition days. Toby Ross clarified that there will be many more bus stop stations. Kim Leier reported that the City has recruited 186 volunteers to date and Myles Rademan discussed the City's Olympic hospitality center. The Governor, members of Utah League of Cities and Towns and members of the Utah State Legislature have been invited by the City. Peg Bodell suggested inviting various state cultural agencies and Fred Jones pointed out the importance of entertaining the Courchevel group who will be in town for the Games. It was reported that staffing the warming fires on Main Street is being organized by Bill Brown and Jane Washington not the City. With regard to Peg Bodell's concern that locals be included, Mr. Jones pointed out that there have been articles in the paper asking for volunteers.

Peg Bodell pointed out that she heard from some Sundance attendees that locals are not very friendly to them and discussed an unfortunate towing incident during the event. She discussed a variety of publications obtained at the National League of Cities held in December and encouraged everyone to participate in the Olympic arts and cultural events organized by SLOC. She suggested that a library be established in the Executive Office so that NLC materials are readily accessible for Council and staff. The annual NLC Congress will be held in March and she encouraged other Council members to contact her if there is interest in also attending. Fred Jones expressed confusion about Council's consensus in supporting Ms. Bodell's participation in the March conference. He understood that the December conference would have completed her commitment for the year as she attended the December and March 2001 conferences. Ms. Bodell clarified that that is what Mayor Olch suggested, but she is a member of various NLC committees with terms expiring in March 2002. Council member Jones recalled work session discussions about the lack of relevance of most NLC programs to small resort communities and believed it was agreed conferences would be attended on an occasional basis. Ms. Erickson expressed uncertainty about the arrangement last year and Ms. Bodell suggested that this discussion be researched in the minutes.

Mayor Dana Williams stated that his first month in office has been extremely busy and thanked staff for its assistance. He spent time with the New York Fire Fighters, National Geographic, and ARD of Germany. He received rave reviews about the hospitality in Park City by a North Carolina family. He opened Home Depot and Key Bank and performed a wedding over the past several weeks. He and Chief Lloyd Evans visited with a delegation from the Peoples Republic of China visiting Utah, and it was a wonderful experience.

He stated that the Council publicly proclaims its enthusiasm, support and appreciation for the ideals of the Olympic Winter Games and thanked all past and present who worked so tirelessly to make this event a reality. The *World Class Experience* has been promoted for almost 40 years and now the community will be welcoming the world to the first Olympic Games of the 21st Century. He recognized the significant efforts of the past Council and the commitment of the newly elected members. Mayor Williams added that they are looking forward to the challenges and the benefits offered by the Games and the future of Park City. He asked all Park City citizens and guests to join them in celebrating this defining milestone as we welcome the world in peace.

2. Staff updates:

Legislative update. Gary Hill explained that he is the City's liaison at the state legislature and introduced Senator Bev Evans who invited the public to contact her about any issues of interest or concern. She explained that this year the workload is lighter and the schedule has been altered because of the Olympics. Proposals that may affect Park City relate to the second home property tax and transit tax and she will provide Council with an update next week. Dana Williams encouraged Ms. Evans to contact the local Board of Realtors who are concerned with proposed legislation dealing with service fees relating to commissions and elimination of vested rights. Jim Hier pointed out that in a non-disclosure state, it is very difficult to administer any type of a real estate transfer tax and the Senator assured him she would closely follow this bill. Mr. Hill discussed the details of Local Officials Day to be held at the Legislature next week.

Olympic update. Toby Ross referred o his staff report, specially how day-to-day operations will be organized. Virtually every City employee is assigned to some type of Olympic task and the operation is 24/7. There has been considerable training and he referred to the call center as employees will not be at their desks. This is an automated system with programmed software where questions and answers are available to trained operators. Volunteers and staff will be trained next Tuesday on a variety of tasks. Traffic management and protecting access to neighborhoods will probably be the most demanding. Managing access passes has been a significant effort. Mr. Ross explained associated tasks of the Main Street logistics crew, specifically deliveries to businesses from 2 a.m. to 6 a.m. Frank Bell added that from midnight to 8 a.m., snow removal, deicing, trash removal, and street clean-up will take place. The delivery community has been extremely cooperative and this plan has been accepted by the Main Street merchants. Mr. Ross continued that the grounds crew for transit will supervise SLOC volunteers. City volunteers have been assigned to a variety of tasks and the City Manager explained the access pass program and process operation. Main Street will be closed on February 6 and preparations will occur as early as January 28. By the Torch Relay on February 7, the Main Street celebration will be fully operational including food vendors and performances. Ms. Erickson thanked Chamber Director Bill Malone for his efforts in arranging the entertainment for the Torch Relay. The hospitality center is reserved on February 24 for employees and volunteers. With regard to revenues, Frank Bell explained that some sponsor contracts have been executed while others are being reviewed by the Legal Department. The lease for the Seniors Center by the Italians will provide revenue that was not projected and there is an opportunity for some last minute exhibits for non-sponsors. He felt that last year's economic downturn and 9-11 did not significantly impact Olympic revenues. The relocation of office furniture and equipment because of leased City facilities was discussed.

Mr. Bell explained activities on Main Street, including the Coca Cola pin trading center at Miners Park and Fifth Street, next to the post office. NBC News will have a consistent presence on the street and monster.com will be located at 556 Main Street and the Library and Education Center campus, where a snow maze will be erected. Swede Alley will basically support the transportation system where the use of the transit center is key. There are sponsor drop-off zones for buses and service to US40. Mr. Bell referred to the General Motors project at the Kimball Art Center and NuSkin will have an interactive motor home by Zooms. There will be three jumbo television screens on Main Street and one at the Salomon/Addidos site at the Miners Hospital. Monitoring private parking lots will be managed by businesses with no City involvement unless parking becomes a commercial venture. Staff will be meeting with merchants next week about traffic management.

Mr. Bell recognized the difficulties for newly elected officials in totally understanding the planning history of the Olympics which began as early as 1995. He thanked Mayor for his kind words at the beginning of work session.

3. Review of regular meeting:

Statutory and liaison appointments. Mr. Bakaly explained that liaison positions to boards and commissions are usually discussed at the Council retreat held in January, but since that will not be held until March, assignments are suggested now, since they can be altered. Changes to the report included in the meeting packet were pointed out. The Mayor asked that he serve on the Mountainlands Community Housing Trust with Ms. Bodell. Peg Bodell suggested that Council take turns attending Mountainlands Association of Governments meetings which are also held on Thursdays. Mayor Williams added that he would like to serve on the Chamber/Bureau Executive Committee. Candace Erickson stated that during her tenure, she felt it appropriate that her appointment to the Mountainlands Community Housing Trust be a non-voting position. Ms. Bodell recommended that the Mayor participate in all monthly inter-agency meetings with Council members alternately attending.

Letter of intent - SBSRD. Tom Bakaly reported that the Parks and Recreation Board and the Snyderville Basin Special Recreation District approved the letter of intent as drafted. This document will set parameters on the development of an ice facility and identifies June as the date to execute an inter-local agreement.

Lease of Senior Center. Frank Bell reported that staff arranged for meeting space at St. Mary's on SR224 for seniors during the Games.

4. Upper Park Avenue improvements. The Assistant City Manager stated that design and engineering includes installing conduit but not actually under-grounding utilities. The last Council discussion lead to bidding the project and completing it in November 2002. Subsequently, the Upper Park Avenue Property Owners (UPAPA) requested that a further analysis be made on the costs relating to under-grounding utilities. Staff is ready to bid the project and a decision from Council is needed tonight.

Eric DeHaan introduced David Actor from the Snyderville Basin Water Reclamation District and Steve Jorgensen and Roger McClain from Stantec. Council approved a $2 million budget for the 2002 project and the Sewer District also committed about $600,000 to replace sewer lines. One of the issues of the current design for UPAPA relates to the sidewalk. Through illustration of a map, Mr. DeHaan explained that a continuous sidewalk is proposed on the east side, taking into account exposure for snow melt. The sidewalk ends at the 300 block because of parking for the TMI and the proximity of abutting stairs and driveways. He continued that a rolled gutter is preferred over a high back curb because of maintenance and snow removal considerations and it better accommodates parking. Through illustration of a map, the City Engineer discussed the location of the *vacant* conduits under the street. The actual under-grounding of utilities would have to occur before overhead lines could be removed and constructing vaults for under-grounding in the future is not part of the $2 million project. He pointed out the location of permanent transmission lines; Stantec's most current estimate to underground distribution lines on Upper Park Avenue totals $700,000, which is outside the scope of the contract. In response to questions from Kay Calvert about disruption resulting from the under-grounding project, Mr. DeHaan pointed out that running the lines to the house may result in intrusive alterations to structures. A more comprehensive under-grounding effort, which has been suggested, including Woodside, Ontario, Deer Valley Loop, etc. would promote economy of scale, but at a huge expense. He again emphasized that under-grounding transmission lines is not realistic. The staff recommends alternative #2 outlined in the staff report which would be to bid during the Olympics, approve a contract in March, with construction commencing as soon as practical.

Another alternative, supported by UPAPA, is to postpone the project to better define costs. Yet another option is to embark upon a City-wide under-grounding analysis. He pointed out that because of the recession, it is a very favorable time to bid the project, which is currently budgeted. There is a risk of a sewer line failure and the Sewer District is anxious to replace these failing lines. Questar Gas is prepared to install new gas lines and laterals designed around the project. Tom Bakaly added that staff is looking for direction from Council because of the need to bid the project immediately for construction in 2002. It was pointed out that information obtained from a City-wide analysis has the potential of affecting the funding for the upper Park Avenue street project.

There was discussion about the difficulty in defining cost estimates as staff will be dealing with utility monopolies. The City Engineer explained that there is no funding to assist in these types of projects as Utah is an overhead power state by state law and local jurisdictions are required to bear the cost.

Because of time restraints the work session concluded and the regular meeting convened. This issue was revisited at the conclusion of the Water Service District, meeting, but the discussion appears here for ease of reference.

Chris Brand, upper Park Avenue resident, emphasized the importance of safety. Because there is a lot of non-residential traffic, he urged Council to consider a trial one-way this summer on upper Park Avenue. Speed bumps and crosswalks at the stairs would also be helpful.

Tom Hurd, upper Park Avenue resident, stated that under-grounding the utilities is the right thing when the street is torn up. Park Avenue is different than Woodside Avenue because power lines were moved from Main Street to upper Park Avenue and no other neighborhoods have three power lines. Because this is a big consideration for the Council, residents are in favor of postponing the project a few years so that there is a comprehensive plan for Old Town. With this method, priorities can be made accordingly.

Mike Guetschow, representing UPAPA, relayed his appreciation of staff rendering a report before the meeting for their review. Kay Calvert pointed out the possibility of Ontario Avenue being rated more critical than upper Park Avenue if a study is performed, and asked how UPAPA would feel about that priority. Mr. Guetschow responded that at a meeting with 22 owners out of 30 lots on the street, people voted unanimously against the current design. They would be willing to pay for relocating utilities from the junction boxes to their houses. UPAPA voted to reassess the project and they want the street done correctly. Ms. Calvert again asked if they support conducting a study that would take into account all of Old Town and Mr. Guetschow indicated they would. In response to a question from the Mayor regarding junction boxes, he reiterated that everything in the City's right-of-way should be the responsibility of the City and the residents would take responsibility for the portion of the project on their properties, consistent with the 1993 Sear Brown study. Jim Hier asked if the property owners have considered participating in a comprehensive special improvement district if the study recommends that under-grounding utilities should include all of Old Town. Mike Guetschow indicated that this is not something he can speak for on behalf of the street and added that the Woodside Avenue project is not acceptable to them. The majority of the people want one-way year-round and a trial conducted this summer. If this traffic pattern is supported, the design of the street could be altered and a sidewalk can be installed on the west side.

He referred to the neighborhood's concern about the cost estimates, and after meeting with Stantec, understands that the high numbers relate to the transmission lines which were moved from Main Street to Park Avenue in 1984. Residents discussed burying all of the cross wires and lower pole wires with the engineer, eliminating 33 of the 37 lines in his view, leaving the top four transmission lines which could be moved later. The City never recognized this option. Besides under-grounding the utilities, Fred Jones asked what other features of the design are unsatisfactory. Mr. Guetschow commented that the sidewalk is not contiguous, and there is two-way traffic and a rolled gutter. A sidewalk with a hard curb was constructed at the Town Bridge as a part of the reconstruction of Woodside, but their request has been denied. With one-way, there can be a sidewalk on the west side with a hard curb and parking. He pointed out the renovation efforts of residences on Park Avenue. Ms. Erickson expressed her confusion about selecting the west side for a sidewalk given the number of houses and demands for parking. Mr. Guetschow replied that currently the east side is used for snow storage and suggested that the sidewalk become a snow shed area for the winter as maintaining it may be too challenging. A sidewalk would benefit tourists who frequently walk the street. Peg Bodell stated that as a Woodside Avenue resident, she is not convinced that a sidewalk in that location will be beneficial. It would be narrow and a hard back curb would interfere with parking and Jim Hier interjected that the curb would only be possible if the street were one-way year-round. Mr. Guetschow suggested a comprehensive traffic plan for Old Town. Council member Hier asked the City Engineer his opinion on one-way. Eric DeHaan indicated that anytime roads are designated one-way, neighborhood impacts are created on abutting streets. Mr. Hier stated that he didn't believe the impact would be that great as it works during the winter time on upper Park Avenue. Mr. DeHaan pointed out the difficulties with construction traffic in the summer and the tendency for motorists to speed. Mr. Hier countered that speeding in the winter is probably more of a concern than in the summer.

He requested clarification on the urgency to replace the sewer system. David Actor, SBWRD, stated that most of the sewer lines have been evaluated in Old Town and they have held off on the upper Park Avenue area because of project delays. Emergency repairs were made in 1999 and the system is functional but the *clock is ticking*. The District sees it in everyone's benefit to replace lines sooner rather than later. Additionally, part of this sewer project solves some problems on Woodside Avenue with the use of common sewer laterals. For the benefit of Kay Calvert, Mr. Actor emphasized that it would be beneficial to complete the sewer project in tandem with the street improvements. Eric DeHaan noted that the City's portion for the project is budgeted at $1.9 million; SBWRD's portion is $600,000.

Discussion ensued regarding the installation of vaults. Roger McClain of Stantec, explained that it is not intended to relocate dry utilities in vaults but rather pull the lines up at intervals approximate to the pole locations which would facilitate a redundant operating system to transfer the power from overhead to under ground. This would include about 14 locations on the east side of upper Park Avenue, eliminating junction boxes on the west side. He further explained that risers at the 14 locations would result in removing only a small paved area for future connections. Pole boxes would be above grade and screened. Ms. Bodell asked about coordination with utility companies. Mr. McClain felt that once the conduit is installed, it is a matter of these companies pulling the wires, which isn't as significant as getting the wiring to the houses. For instance, there are locations where the entry of the house may have to be remodeled to meet current codes and these are aspects of the project that challenge coordination. Ms. Bodell noted that it may be three years before this could realistically be accomplished and emphasized that this is only one street in Old Town.

Jim Hier stated that he understands the issues to include one-way, hard back curbs, and under-grounding, which are not necessarily linked. Mr. Guetschow argued that they are linked with the street design as there will be more room with the elimination of poles. Mark Harrington asked how many poles will have to remain if the high power lines remain and Mr. McClain stressed all of them. Discussion continued regarding the logistics of switching from an overhead to an under-ground system. Mike Guetschow felt that 90% of the lines could be removed, sans the transmission lines, and there may be a cost savings. Roger McClain responded that Stantec can determine the cost of the transmission lines along with the conduit wiring; there would be additional costs to bring the line feeds along the side of the poles into the new system, which would be over and above a turn-over system. Jim Hier emphasized that if the main transmission lines remain, the poles remain and if the power poles are there, the street can not be redesigned which leaves under-grounding the utilities and paving the street. Mr. Guetschow explained UPAPA presents this as an interim solution if the cost of the overall project is too expensive. At least most of the power lines would be eliminated. In response to a question from Peg Bodell regarding timing, Mike Guetschow reiterated that they want the project done correctly and are willing to have it delayed. Mr. Hier posed a five year delay and Mr. Guetschow stated that he would gladly wait five years for a better design.

Council member Candace Erickson voiced her concern regarding the home owner who can't afford to pay for his portion of the project. Mike Guetschow felt that there is a precedent with the City in providing historic grant money. Ms. Erickson pointed out that this source will not be available in a couple of years and this situation needs to be contemplated. Mr. Guetschow assured Council that UPAPA's intent is to make the project successful. Fred Jones emphasized that tonight, Council's decision deals solely with timing and asked if one-way is preferred because it creates more room or because of traffic; Mr. Guetschow responded both.

Mayor Williams understood that there are three issues, including the sidewalk, transmission lines, and regular utility lines. He stated that he would like the lines gone as well and it seems that upper Park Avenue is the most cluttered. He suggested that the utility lines be buried and the sidewalk installed on the west side of the street and that the transmission lines be dealt with at a later date. Roger McClain replied that the scope of that project could not be accomplished this summer and Mr. Guetschow added that the street is not opposed to a two year construction period. Kay Calvert interjected that all of Old Town needs to be analyzed. Mr. Hier posed that if the current design is built, and a comprehensive plan is initiated for under-grounding all of Old Town which doesn't include the high power lines so each neighborhood is equally considered, isn't that similar to what the residents are requesting. He strongly felt that one-way should be considered separately and added that he is having a difficult time understanding opposition to improving the street now and proceeding with formulating a plan for under-grounding utilities, if the high transmission line cost is excluded from the study, as Mr. Guetschow suggested earlier, versus postponing the project until the utilities are under-grounded. Mike Guetschow referred to the Sear Brown study which indicates that the most logical time to under-ground is when the street is under construction. Mr. Hier did not disagree, but given that there is no funding source for under-grounding but a budget now for the street, felt the trade off is not very significant.

Fred Jones understood that the part of the design not acceptable to proceed this year is the sidewalk. If the sidewalk is moved to the west side of the street with a hard curb, he asked if this could be supported by UPAPA. Mr. Guetschow believed it would be too expensive and unrealistic to return to the street to under-ground utilities. Mr. Jones stated that he is very concerned about funding relative to timing. Mike Guetschow described his hope that the money would be earmarked for Park Avenue for several years. Fred Jones relayed that under-grounding represents a substantial amount of additional funds that are unbudgeted. Mr. Guetschow reiterated that the project needs to be done right. Mr. Jones recalled that when discussed two years ago, a special improvement district concept was introduced and rejected by UPAPA. Mr. Guetschow explained that the neighborhood objected to the omission of commercial properties and vacant lots in the staff report. Residents unanimously agree that the City must fund under-grounding in its right-of-way which greatly eliminates the need for a special improvement district. Kay Calvert again referred to a comprehensive special improvement district including all of Old Town and Jim Hier stated that assessments would include under-grounding costs in the City's right-of-way. Mr. Guetschow indicated that Old Town has been ignored long enough and has paid for other City projects through property taxes over the years. Candace Erickson commented that the Council is more than willing to make the street improvements on upper Park Avenue and there are other Old Town streets in dire need for the same street work. If the City spends money on under-grounding for upper Park Avenue, it takes money from improving other streets which is a higher priority to her than visual aesthetics. Ms. Calvert again noted the importance of a long-term plan and Ms. Erickson pointed out that there are no sidewalks on her street in Park Meadows. This is a City-wide issue not just Old Town and cost is a major concern. Fred Jones felt that the City coming up with additional funding to under-ground is the major point of contention and agreed with Ms. Erickson that there are some more pressing needs in the Old Town area than under-grounding utilities. The utility lines may not be visually appealing but they provide service. Some streets can not be ignored while an elective project like under-grounding is being analyzed. The Council will need to assess a comprehensive prioritized street plan. Mr. Guetschow stated that these comments are valid, and the City should postpone the project so these issues can be addressed.

Mr. Hier asked what is driving the City to do the project this summer. Ms. Erickson explained that two years ago, UPAPA approached the City with a request to fix the street and the Council responded immediately. Mr. Guetschow replied that residents thought at the time that the street would be improved *correctly* and from the very start wanted aesthetics considered. They would rather have a better designed street than to do it quickly. Kay Calvert added that the comprehensive study has the potential of being very expensive and this funding may have to come from the $1.9 million. Dana Williams interjected that he received four phone calls this past week from residents who aren't in favor of under-grounding the utilities and felt the lines are historic and part of the charm. However, he agrees that it may be a good idea to take a step back and conduct some community vision meetings in Old Town.

Tom Bakaly reminded the Council that a decision with regard to proceeding with the bid needs to occur tonight for construction this summer. In response to a question from Jim Hier, Toby Ross clarified that all bids could ultimately be rejected but there is a tremendous amount of work involved in a bid process. There was discussion about soliciting input from all areas of the City. Eric DeHaan explained that failing sewer lines on upper Park Avenue is a huge concern. Jim Hier pointed out that the City could spend three years on planning and end up with an identical design, however, there would be more input. Kay Calvert stated that the infrastructure of the streets in Old Town are compromised and need to be studied. Eric DeHaan reiterated that the current design does not include the high back curb for maintenance reasons and the sidewalk is proposed on the east side because of the number of driveways on the west side.

Fred Jones stated that he has consistently been a proponent of proceeding with this project, but if the neighborhood is willing to wait until a comprehensive plan is completed, he will accept their request. Jim Hier commented that if residents are willing to wait a year or two, there doesn't seem to be an impetus to proceed now. He believed that a revision to the General Plan needs to be made; it is an important step in the process to establish a vision for Old Town. The City does not realize a great loss in delaying, except for staff time invested. Peg Bodell agreed with Mr. Hier's comments.

The City Manager understood Council direction to be that the project will not be bid and staff will come back at the retreat with information on the scope of the study. Mark Harrington emphasized that there have been many statements regarding possibilities but clarified that the Council is not committing to anything in the future. The $1.9 million could be reallocated to another priority which is the worst case scenario. A special improvement district could be formed which places the financial burden on the taxpayers, including costs in the City's right-of-way. Future councils can not be bound by financial commitments made by prior elected officials. Council member Erickson stated that it is their road and if they are willing to wait, she will support that decision.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JANUARY 17, 2002

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 17, 2002. Members in attendance were Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Myles Rademan, Public Affairs Director; Manja Jaungnickel, Planning Intern; Meg Ryan, Special Events Coordinator; and Tom Bakaly, Assistant City Manager.

II PUBLIC INPUT

The Mayor invited the public to comment on any business not scheduled on the agenda.

Zone change request - Sunnyside Subdivision - Bill Thompson, resident of Sunnyside Subdivision, urged Council to consider a petition requesting changing the zoning from Residential Development (RD) to Single Family (SF). Residents are committed to preserving the residential character in the neighborhood, but RD allows nightly rentals. There have been problems with one house in particular for the past eight months. It has been used for retreats and a day spa, creating noise and parking problems and zoning the Subdivision to SF would eliminate nightly rentals and prevent the use of houses for quasi-commercial purposes. He continued that Sunnyside residents are not interested in monitoring and reporting illegal activities to the City. There are 20 lots and of these one has been dedicated as open space; of the 19 remaining lots, 13 homes are built. Eight-five percent of the home owners use their homes exclusively as a primary full-time residence. The two long-term rentals would not be impacted. Mr. Thompson stated that the residents urge the City Council and the Planning Commission to initiate a rezone of the Subdivision or to preserve the residential quality of the neighborhood. The property in question has never been used as a residence and currently Reebok is leasing it as a hospitality center, and a party tonight has been reported locally and on CNN. This use has the potential of creating a precedence for the undeveloped lots and the residents want their neighborhood preserved.

Dennis Monaham, Sunnyside resident, emphasized that the property may have been zoned improperly. He thanked Tim Twardowski and Shauna Stokes for their prompt response to concerns brought to their attention. An inspection was conducted and a citation issued, and Reebok agreed to shuttle patrons in and stop activities at 5 p.m. and referred to a party. He feared that promises were made which are not being kept and questioned the integrity of the property owner.

The Mayor asked if nightly rentals are addressed in the CC&Rs and resident Joan Thompson stated that she didn't think so, but reiterated that of the 19 lots, 13 have signed the petition, well over 50%. This was accomplished in two days. City Attorney Mark Harrington advised that the City can initiate a rezone at the direction of City Council. Community Development would create the application which would be noticed to all property owners, reviewed by the Planning Commission, with final determination by the City Council. Property owners can also apply for a rezone by submitting an application, and paying a fee; the review process is the same. Typically, the City initiates a rezone when there is a comprehensive rewrite of provisions, i.e., Land Management Code; or when there has been an error or a recommendation by staff for clarification of intent.

In response to comments made about nightly rental problems in the Solamere neighborhood, Pat Putt discussed the opposition expressed by property owners at the Home Owners Association meeting proposing zoning it from RD to SF. A Solamere resident requested that the City initiate the zone change, which did not occur, and no formal application was submitted by the residents. He understood that only 37% of the property owners supported the proposal. Mark Harrington recalled that the 50% requirement was removed from the LMC in the rewrite, but individual CC&Rs provide for additional requirements. Jim Hier stated that he supports an application originating from the residents as set forth in the LMC as opposed to by the City Council. Fred Jones and Peg Bodell concurred with Mr. Hier. Ms. Thompson pointed out that this option would result in residents paying an application fee. The City Manager suggested that this issue be placed on a future agenda, and the Mayor stated that the Council will take this under advisement.

III COMMUNICATIONS FROM COUNCIL AND STAFF

Myles Rademan announced the Round Valley dedication to be held on January 24 at the gate in Fairway Hills. The last public meeting on the Olympics will be held on January 29. Toby Ross reported that the City received an award recognizing the quality of our budget.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 29, 2001

Kay Calvert and Jim Hier disclosed that they will be abstaining from voting as they were not in attendance. Peg Bodell, "I've reviewed the minutes and move approval". Motion carried.

Peg Bodell	Aye
Kay Calvert	Abstention
Candace Erickson	Aye
Jim Hier	Abstention
Fred Jones	Aye

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving a condominium conversion located at 17and 19 Daly Avenue, Park City, Utah - Manja Jaungnickel, Planning Intern, stated that the Planning Commission held a public hearing on December 12, 2001 where there was no public input. The Commission unanimously forwarded a positive recommendation to the City Council. Staff recommends approval based on the findings of fact, conclusions of law, and conditions of approval set forth in the staff report. Mayor Williams invited the public and Council to comment. Peg Bodell complimented the owner on the quality of his project.

2. Master Festival License for Paralympics Celebration to be held at the Olympic Welcome Plaza on March 4, 2002 - National Ability Center and Park City Rotary Club - Meg Ryan, Special Events Coordinator, explain that the permit is before Council as the flame celebration is proposed at the Olympic Welcome Plaza. It is scheduled on March 4 from 5 to 6 p.m. but most events are scheduled at the National Ability Center. There are no requests for City services and parking, staging and loading is proposed at Dan's Foods. Meechie White, NAC Executive Director, explained that athletes will be bused to Park City from the Olympic Village. She requested an $1,800 subsidy from the City for banners; Home Depot is covering transportation and food costs. There was discussion about sharing parking with businesses and attracting local involvement in the flame celebration. Ms. Ryan assured Council that Dan's Foods will be contacted. Peg Bodell suggested urging the public to use public transportation.

With regard to the $1,800 grant, Tom Bakaly explained the City's allocation for *public service contracts* which has been as high as $60,000 but currently totals about $3,000. Since the recently appointed committee of three Council members will not have an opportunity to meet on this request, funds can be used from the $3,000 contingency, which will be funded again in July. Mr. Bakaly clarified that this request is consistent with grant criteria as it is one-time and benefits the community. He suggested that Council provide direction to staff. Jim Hier recommended that this be referred to the Council committee for final action and Council members concurred.

3. Amendments to Land Management Code - Phase 2: Comprehensive and substantive rewrite of Chapter 6, Zoning Administration and Enforcement; Chapter 8, Supplementary Regulations; Chapter 10, Master Planned Developments; Chapter 11, Master Planned Moderate Income Housing Developments; and Chapter 14, Child Care Regulations; additional provisions; to Chapter 1, General Provisions; and Chapter 15, Definitions **(motion to continue to a date uncertain)** - Jim Hier, "I move to continue to a date uncertain". Candace Erickson seconded. Motion unanimously carried.

Hearing no further comments from the Mayor and City Council, the public hearing was closed.

VI CONSENT AGENDA

Fred Jones, "I move approval of the Consent Agenda". Kay Calvert seconded. Motion carried unanimously.

1. Ordinance approving a condominium conversion located at 17 and 19 Daly Avenue, Park City, Utah - See public hearing and staff report.

2. Master Festival License for Paralympics Celebration to be held at the Olympic Welcome Plaza on March 4, 2002 - National Ability Center and Park City Rotary Club - See public hearing and staff report.

3. Resolution establishing a regular meeting date, time, and location for meetings of the City Council of Park City, Utah for 2002 - See staff report.

4. Lease with Canaid International (Italian Skiing Federation) for the Park City Senior Center during the 2002 Olympic Winter Games in a form approved by the City Attorney - See staff report.

VII RESIGNATIONS AND APPOINTMENTS

1. Appointment of Mayor Pro Tem and Alternate Mayor Pro Tem - The Mayor recommended that Fred Jones be appointed as Mayor Pro Tem and Candace Erickson, Alternate Mayor Pro Tem. Jim Hier, "I so move". Peg Bodell seconded. Motion carried unanimously.

2. Appointments of two members and an alternate to the Employee Transfer and Discharge Appeals Board - Mayor Williams requested a motion to appoint Kay Calvert and Jim Hier and Peg Bodell as an Alternate. Fred Jones, "I so move". Candace Erickson seconded. Motion carried unanimously.

VIII NEW BUSINESS

Letter of intent with the Snyderville Basin Special Recreation District for joint development of an ice facility - See staff report and work session discussion. Jim Hier asked what would occur if consensus is not reached between parties on the operation of the facility. Mr. Bakaly explained that the letter of intent would expire as the interlocal agreement is the mechanism which outlines details relating to management, maintenance and operation. With regard to selecting a site, he added that there is a separate site selection committee addressing this issue. The City is actively seeking proposals from land holders which will be reviewed by this committee. There was discussion about the option of having a third party manage the facility and the improved working relationship with SBSRD. Available revenues held by the District were discussed. Candace Erickson pointed out that the Breckenridge field trip revealed that few operators pay all operation and management costs, and the ice facility in Breckenridge depends on a subsidy from its general fund. In response to a question from Ms. Calvert about the shortfall, Ms. Erickson understood that Breckenridge keeps its ice rates very affordable in the interest of its citizens. Ms. Bodell asked if SBSRD is willing to provide an endowment for operation and maintenance costs and Mr. Bakaly felt that this could be an option.

Mr. Jones expressed his reluctance in removing the Snow Creek site from consideration without further study. Jim Hier emphasized that the criteria is for an indoor and outdoor rink with parking and the size of this site is inadequate; he supports withdrawing it. Fred Jones felt that if other sites become too expensive, perhaps Snow Creek can be reconsidered. In response to a question from Peg Bodell, Ms. Erickson explained that of the three resorts, The Canyons is the only one who has expressed interest in an ice facility.

Candace Erickson, "I move we adopt the letter of intent". Kay Calvert seconded. Motion carried unanimously.

IX ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

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MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; and Tom Bakaly, Assistant City Manager. Fred Jones, "I move to close the meeting to discuss property acquisition and litigation". Jim Hier seconded. Motion carried unanimously.

The meeting opened at approximately 4:15 p.m.

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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

Janet M. Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884