PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JANUARY 8, 2004

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 8, 2004.

<u>AGENDA</u>

Work Session – City Council Chambers

5:00 p.m. Council questions/comments
5:30 p.m. Review of regular meeting:

- Statutory appointments
- Sign Code amendments
- Software contract
- Other meeting questions/comments

5:50 p.m. Break

Regular Meeting – City Council Chambers
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS FROM COUNCIL AND STAFF

Resolution extending the Mayor's and City Council's appreciation of the patriotic commitment of Shayne Bell, honored to serve our country

II PUBLIC INPUT (any matter of City business not scheduled on agenda)

V WORK SESSION NOTES AND MINUTES OF MEETINGS OF DECEMBER 11, AND DECEMBER 18, 2003

V CONSENT AGENDA PUBLIC HEARINGS

Ordinance amending Chapters 1, 8, 10, 12 and adopting Chapter 14 of Title 12 of the Municipal Code of Park City regarding plaza, special event and master festival sign plans, outdoor vehicle displays, and other miscellaneous Sign Code clarifications

VI CONSENT AGENDA

1. Ordinance amending Chapters 1, 8, 10, 12 and adopting Chapter 14 of Title 12 of the Municipal Code of Park City regarding plaza, special event and master festival sign plans, outdoor vehicle displays, and other miscellaneous Sign Code clarifications

2. Resolution establishing a regular meeting date, time, and location for meetings of the City Council of Park City, Utah for 2004

3. Authorization to staff to proceed with the purchase of e-commerce software for the Racquet Club and Recreation Department with CIP funds in the amount of $33,750

4. Acceptance of Spiro Tunnel Annexation petition

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 ADJOURNMENT

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

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JANUARY 8, 2004

PUBLIC NOTICE IS HEREBY GIVEN that the Redevelopment Agency of Park City, Utah will hold a public meeting, at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes described below on Thursday, January 8, 2004 immediately following the adjournment of the City Council Meeting.

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF JUNE 19, 2003

IV CONSENT AGENDA

Resolution establishing a regular meeting date, time, and location for 2004 meetings and appointing officers of the Board of Directors of the Redevelopment Agency of Park City, Utah

V ADJOURNMENT

PARK CITY MUNICIPAL BUILDING AUTHORITY
SUMMIT COUNTY, UTAH
JANUARY 8, 2004

PUBLIC NOTICE IS HEREBY GIVEN that the Municipal Building Authority of Park City, Utah will hold a public meeting, at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes described below on Thursday, January 8, 2004 immediately following the adjournment of the Redevelopment Agency Meeting.

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF JUNE 19, 2003

IV CONSENT AGENDA

Resolution establishing a regular meeting date, time, and location for 2004 meetings and appointing officers of the Board of Directors of the Municipal Building Authority of Park City, Utah

V ADJOURNMENT

PARK CITY WATER SERVICE DISTRICT MEETING
SUMMIT COUNTY, UTAH
JANUARY 8, 2004

PUBLIC NOTICE IS HEREBY GIVEN that the Park City Water Service will hold its regularly scheduled meeting immediately following the adjournment of the Municipal Building Authority 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 8, 2004.

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF NOVEMBER 20, 2003

IV CONSENT AGENDA

Resolution establishing a regular meeting date, time, and location for 2004 meetings and appointing officers of the Board of Directors of the Municipal Building Authority of Park City, Utah

V ADJOURNMENT

Posted: 01/05/04
see: parkcity.org

SPECIAL PARK CITY COUNCIL SESSIONS
SUMMIT COUNTY, UTAH
JANUARY 13 and 14, 2004

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold special sessions for the purposes and at the times as described below on Tuesday, January 13, 2004 and Wednesday, January 14, 2004.

Tuesday, January 13, 2004

8 a.m. – 4 p.m.	City Council annual workshop Closed Session - Personnel/training Winter Sports Park, 3000 W Bear Hollow Drive
4 p.m. – 7 p.m.	Summit County Courthouse – 150 year celebration 60 N Main Street, Coalville
7 p.m. – 9 p.m.	Social with Recreation Advisory Board – Easy Street Brasserie, 201 Heber Avenue

Wednesday, January 14, 2004

8 a.m. – 5 p.m.	City Council annual workshop Winter Sports Park, 3000 W Bear Hollow Drive

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JANUARY 15, 2004

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will **not** hold its regularly scheduled meeting on Thursday, January 15, 2004.

Posted: 01/05/04

Note: This future meeting schedule is TENTATIVE and subject to change.
PARK CITY COUNCIL TENTATIVE MEETING SCHEDULE

January 2004
13-14 Council workshop
15 **No meeting**
22
29

February 2004
5
12 Award of contract for Olympic Legacy Project
Recommendations on City-owned buildings
19 Public Safety – feasibility study
26 **No meeting**

- Art parks - public hearing/action
- Arts Council Request – Miners Hospital (public service contract)

No meeting 4/8
No meeting 6/10

RESOLUTION EXTENDING THE MAYOR'S AND CITY COUNCIL'S APPRECIATION OF THE PATRIOTIC COMMITMENT OF
SHAYNE BELL
HONORED TO SERVE OUR COUNTRY

WHEREAS, it is appropriate to acknowledge residents of the past and present who proudly and willingly volunteer for military reserve service to ensure a sound national defense, to provide a strong deterrent to attacks from hostile sources, and to maintain the security of our country and free people everywhere; and

WHEREAS, we gratefully acknowledge that we live in freedom today because of the many sacrifices that have been made and are being made today, by the valiant servicemen and women in the Armed Forces and their families; and

WHEREAS, we extend continuing support of these men and women and their families in this time of uncertainty and devote our thoughts and best wishes to all military service members and their families; and

WHEREAS, the Park City community extends its hope for a prompt end to the military actions facing our nation, and a safe and speedy return of our citizens serving in the military and all U S Armed Forces members.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council urge citizens to also pay tribute to our military reservists and families, and to extend our heartfelt appreciation for their courageous service in the preservation of the heritage of freedom of our great nation.

PASSED AND ADOPTED this 30th day of January, 2003.

PRESENTED to the Family of Shayne Bell this 8th day of January, 2004.

PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
DECEMBER 11, 2003

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

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Lloyd Evans, Chief of Police; Alison Butz, Special Events and Facilities Manager; Michelle Barrus, Special Events and Facilities Coordinator; Lori Collett, Finance Manager; Myles Rademan, Public Affairs Director; Jerry Gibbs, Public Works Director, Eric DeHaan, City Engineer; Craig Sanchez, Golf Course Manager

1. Council questions and comments

Peg Bodell commented that the town looked very festive and thanked Maria Barndt for her hard work.

Fred Jones reported that the Olympic Legacy Entryway Task Force had selected three of the thirty-three applications submitted and requested more detailed information to presented on January 30, 2004. He noted there were some terrific pieces that might work elsewhere in town.

Mayor Williams noted that the Christmas in the Park activity had a large turnout and thanked Craig Sanchez for his participation.

2. Spatafore customer service survey presentation
The Spatafore presentation was delayed until later in the meeting.

Review of regular meeting:

Police appeals committee
Chief Lloyd Evans explained that Staff had presented the Police Appeals Committee policies and procedures document to Council on November 6, 2003. At Council's direction, they revised areas of the plan regarding methods of reporting and to whom, term limits, emergency meetings, publicizing the process and the development of a hot line. The name of the committee was amended to reflect its function as an appeals body, and a resolution has been prepared to ratify the formation of the committee. He requested discussion and input from Council.

Kay Calvert questioned the change from board to committee and Peg Bodell asked whether it was an advisory body or an appeal body. Chief Evans responded that they had called it a committee from inception, and, based on Council's discussion on November 6th, the function of the committee is to consider appeals.

Manager Bakaly felt the key change was the substitution of *appeal* for *advisory*. The committee would provide an appeal outlet for someone who disagreed with the Chief's disposition of a complaint, through a formal written process, as opposed to being an advisory or, oversight, board of the police department

Ms. Calvert felt the appointment of the chairperson by the City Manager was not consistent with guidelines that have been established for the City's boards. Manager Bakaly concurred that it would be inconsistent with other Boards, but the Staff has recommended that this be a committee.

City Attorney Harrington explained the distinction that committee members are volunteers and board members are employees. Boards are created by ordinance in the form of government section of the Municipal Code, and committees are created by resolution.

Ms. Bodell suggested using "review" rather than "appeals". She questioned the appointment of two members by the City Manager, and questioned why it would be called a committee, rather than a board or commission, if they were charged with reviewing City standards, laws and codes.

Attorney Harrington explained they wanted to insure a degree of independence; and Boards and Commissions are officials for the City. Ms. Bodell questioned whether he was saying this body should not be official. Mr. Harrington explained there was a difference of purpose of their standing in terms of whether they are volunteers or officials for purposes of government immunity, and we prefer to them to be volunteers. Ms. Bodell and Ms. Calvert believed it should be a commission.

Ms. Calvert requested clarification of how something would be put forward to the committee. Manager Bakaly explained that someone would file a formal written complaint regarding a police action; the chief and department would conduct an investigation and determine a disposition of the complaint. If the person disagreed with that disposition, they would file a written complaint and initiate a review through any member of the committee, by calling any member, or by calling a hot line. Once they initiate a complaint, the committee will review it.

Ms. Calvert asked why the Manager would appoint the chairperson, who would be an internal person. Manager Bakaly explained his motivation was to balance a way for the public to be involved with, but not necessarily manage, the police department. Because there has never been an appeals board, they are trying to clearly establish its role and purpose. Citizen involvement in hearing and listening the appeals is important but ultimately the Chief should be accountable and responsible for managing the police department and Council oversees that through the City Manager.

Ms. Calvert felt it was clear what the committee was being asked to do and she felt the group would want to elect its own chair. Manager Bakaly stated it was a recommendation; they wanted to allocate resources properly and address citizen concerns as needed, but yet balance resources.

Ms. Bodell asked whether a citizen had to call the Chair or the Chief to schedule an emergency meeting. Chief Evans referred to the written request for review and explained there would be a form, with check-off boxes, so an individual who is leaving town or has an immediate need, can start the process. He stated they may call a meeting if circumstances exist in which the complainant will be leaving the City without return, or would be unavailable for an extended period of time.

Ms. Bodell felt the group should appoint the chair, rather than the City Manager, to remove any accusation that the City wouldn't let them proceed with an appeal.

Manager Bakaly stressed that the goal was to balance a fair review by the public with the appropriate dedication of resources and if an emergency meeting is needed that will take a certain degree of staff time. An emergency review would occur in a matter of days, rather than months.

Ms. Bodell argued that someone leaving town was not really an emergency. If there really is an emergency and someone needs to have an appeal heard, if their complaint is true and they need representation, we have probably screwed up on staff and regardless of resources it needs to happen. She emphasized that just because someone asks for it, she did not agree that it needed to happen, but there needed to be two people coming together with a subjective decision and that is why the chair should be appointed by the body of five, not the City Manager.

Ms. Bodell stated that removal from office should be changed to read, Mayor *with the Council's* approval. She asked for clarification about Errors and Omissions for volunteer groups. Attorney Harrington stated they were giving advice regarding decisions that had been made, not making decisions.

Fred Jones was not opposed to the City Manager making the appointment of the chair. As to Peg's point, as a practical matter in an emergency, during a holiday period, the chair, as a citizen, may be out of town and it is easier for someone wanting to make an appeal to find somebody in City Hall, than trying to find the Chair.

Staff and Council discussed methods of identifying situations that would characterize an emergency. The policy was written that the only reason was unavailability, but it could be revised to address hardship of circumstances. The Mayor desired a hardship clause so that someone could appeal to the Chief and the chair of the committee on a specific issue. He felt that would provide more customer satisfaction.

Ms. Calvert reiterated she was uncomfortable with the term *committee*, and also with the fact that people who are running the committee are part of the City Government.

Mayor Williams asked the Council to address two specific items: 1) the name; and 2) appointment of the chair. Following a lengthy discussion, Council members agreed to create it as a committee and, for the first year, agreed to allow the City Manager to appoint the chair of the group. They agreed to establish a one-year review of the group and noted it would be easier to change a resolution if they wished to change the policies and procedures document. They wanted language to be added that the Mayor must have Council's consent to remove members from the group. They were emphatic that the body be responsive, but wanted to take it a step at a time. They agreed that committee reappointments would be made in June in order to align them with other groups.

The Council broadened their discussion about emergency meeting language and requested that it address their concerns about customer satisfaction. After discussing the number of potential meetings that may be held, a decision was made to hold meetings monthly as warranted; however, for the first year the emergency meeting clause would be retained.

Spatafore customer service survey presentation
Dave Spatafore, Insight Research, presented results of customer service survey. Council members had received copies of an Executive Summary. He reviewed the three sections of the report: 1) interaction with City and the Staff – ½ of respondents indicated they had contact with the City of member of the Staff within the last year, which showed a sense of ownership with folks who live in Park City, and 83% reported being treated professionally, courteously and fairly; 2) communications - 70% of respondents believed that Park City communications with them are excellent or good. 28% said fair or poor, 40% have looked at City's website and 75% of them say it is excellent or good; and 3) city services – 80% of greater approval ratings received by library, trails, parks, special events, police, recreation programs, golf course and snowplowing.

Return to Review of regular meeting:

Arts policy - Michelle Barrus explained that Staff had prepared a Public Arts Policy to establish the Public Art Advisory Board and requested questions or concerns.

Jim Hier was opposed to the reference of Grand Junctions' program under Appropriation and Allocation of Funds. Brian Hess of the Arts Council explained it was cited as an example of programs that would be further defined by the board.

Ms. Barrus noted that Fred Jones had expressed a concern about the group's ability to make expenditures without consulting Council. To address that, Staff suggested adding a clause that requires the Public Art Advisory Board to meet with Council in a work session to obtain approval after they have completed the cultural assessment. She asked if Council were comfortable with that amendment.

Fred Jones felt Council might have an opinion to as emphasis of areas of town, or types of art, that played into their broader goals and they should have that discussion with the Arts Board so they don't come back with something that doesn't meet those goals.

There was a detailed conversation about the cultural assessment review and it was explained that the City had contracted with the Arts Council to perform the assessment. The Arts Board would review that assessment and would create a strategic plan that they would present to Council.

Mr. Jones noted the term of the Board was tied to the 2004-2005 budget and questioned whether it was an ongoing board. Peg Bodell explained that the Board would continue to present recommendations to Council on how to fund and continue them into the future. Manager Bakaly suggested they make their term throughout the 2005 budget year and review it at that time. Brian Hess proposed staggering terms so they did not have to create a new board. Jim Hier suggested adding *and subsequent funding* after 2004-2005.

Fred Jones clarified that this addressed permanent art, not performing art.

Teri Orr felt taking this step was long overdue and it put Park City on the map by saying art is important to us as a community. She asked Council to consider performing arts as well as visual arts and asked if equipment for events might be considered.

Water agreement - The item was continued. There was no discussion.

Audit report - Lori Collett, Finance Manager, introduced Mark Stevens, audit partner from Deloitte. Mr. Stevens discussed recent changes in the governmental accounting world, which were reflected in the report.

He stated that Park City is managing things well and is proactive at looking at issues and addressing them. In terms of accounting staff and how you are handling compliance issues, the City has outstanding people who do an excellent job. He reported one minor item regarding B & C Road projects only being advertised for 2 weeks rather than 3.

Council members applauded the changes and felt it would help the budget process go forward.

Watts property - Alison Butz explained that Council would be reviewing a staff report regarding an RFP that went out for the Watts Property, as well as staff's direction on how to proceed.

She explained that Council had received many requests to purchase the Watts property for different types of uses in the years that the City has owned the property. This spring, Council directed Staff to issue an RFP. Five proposals were submitted and a selection committee comprised of a Utah State Historic Society representative, Colin Hilton, Ron Ivie, Charlie Wintzer and Monty Coats, reviewed the proposals and ranked them on specific criteria identified in the RFP. The ranking scores were tallied and averaged (Exhibit A). The proposals (Exhibit B) ranged from residential to restaurant, arts and entertainment venue, law office, to a glass blowing facility as a school or institute. The Committee did award the Glory Hole the highest ranking.

Staff has reviewed the properties that encompass the Watts property: historic residence and National Garage on Park Avenue as well as the residence on Woodside and a smaller garage associated with that. This timed well with the Planning Department's evaluation of all historic and city-owned structures and brought up some questions because this is an important property that anchors Lower Main, and it will be very important in the overall development of Lower Main and Main Street. Whatever the City does with this property should be weighed carefully. In addition, the Planning Department is considering Land Management Code amendments that would allow Master Planned Developments, with multiple structures and multiple uses, in the HRC district and that could benefit the property overall. There may also be discussions regarding in-lieu fees for parking. Some of the proposals that were submitted require a Conditional Use Permit so parking would be an issue that the Planning Commission would review closely.

Staff has a major concern about the stability of the garage. It is a prized property and we want to be able to stabilize it. When one gets into stabilization and total rehabilitation, it is important to know what the end use will be so you are not making improvements that would need to be taken out depending on the use. Staff feels it is very important to maintain the structure and we could begin with shoring and move on from there.

The Staff's ultimate recommendation is to sell the Woodside Home to the Bertinellis. They are the only proposal that requested just the Woodside home. That would give the City some cash to stabilize the garage. She added that if it were removed from the mix, the Glory Hole would still be interested in moving forward with just the Park Avenue properties.

She advised Council they would hear from a number of people regarding their proposals but emphasized they could not leapfrog the successful proposer unless Council determined an error was made in the process. Staff's direction is to offer the Woodside home to the Bertinellis; reject all other proposers and hold onto the property, do some stabilization and then rent it as affordable housing so the home does not sit empty.

Fred Jones asked if the recommendation to sell the house to the Bertinellis was based on an appraised value or some other value. She explained the City did not have a current appraisal of the property, but the Bertinellis proposed to purchase it for $205,000, which is over the City's purchase price in the 1997 appraisal.

Manager Bakaly explained there were several things at hand: the selection process, a policy decision regarding disposition of the property, and negotiations for the sale. He explained that for selection purposes, they want to have people make a proposal and as part of the negotiation, you make that a contingency. The bidder who came in second felt that an appraisal would come in lower then the 1997 appraisal, and that is what they bid. If negotiations failed under the current recommendation, they would need to go out for proposals again.

Mr. Hier did not feel it was appropriate to reject the proposals that the City had received in good faith. He did see the value of revised MPD characteristics in conjunction with the Planning Process. Manager Bakaly felt that if direction was to enter into negotiations, Peter Roberts would want to know where the MPD and LMC were going, but it could be part of the negotiations of the sale as opposed to the selection process.

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 11, 2003

I ROLL CALL

Mayor Dana Williams called the regular meeting of the Council to order at 6:00 P.M. at the Marsac Municipal Building on Thursday, December 11, 2003. Members in attendance were Mayor Dana Williams and Council Members Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Tom Bakaly, City Manager; Mark Harrington, City Attorney; Michelle Barrus, Alison Butz, Ron Ivie and Jeffrey Schoenbacher

II COMMUNICATIONS FROM COUNCIL AND STAFF

The Mayor introduced each of the new police sergeants: Marty Howard, Annette Ellis, and Mark Schaerrer. He presented them each with their badge, which was pinned on by their spouse.

Chief Lloyd Evans thanked the Mayor, Council and the City Manager for the opportunity to recognize the officers in a public meeting. He was pleased that these individuals were going to be part of the administrative team of the Police Department for the betterment of Park City and its citizens.

III PUBLIC INPUT - (any matter of City business not scheduled on the agenda)

The Mayor invited anyone in the audience to comment on matters of City business not scheduled on the agenda. Hearing none, the public input session was closed.

IVCONSENT AGENDA

Mayor Williams explained that the acceptance of the Hoffman Annexation petition was not the acceptance of an annexation and there would be a public process.

MOTION: Fred Jones moved to APPROVE Consent Agenda Items 1 through 5. Jim Hier seconded. Motion carried unanimously.

1. Resolution adopting policies and procedures to ensure compliance with the Americans with Disabilities Act. See staff report.
2. Resolution adopting senior mobility policies and procedures. See staff report
3. Acceptance of Hoffman annexation petition. See staff report
4. Acceptance of audit report. See staff report
5. Award of purchase of chairs for Santy Auditorium. See staff report.

VPUBLIC HEARINGS

1. Ordinance amending Title 11, Building and Building Regulations, Chapter 15, Park City Landscaping and Maintenance of Soil Cover of the Municipal Code of Park City.

Ron Ivie, Chief Building Official, and Jeffrey Schoenbacher, Environmental Coordinator, explained that Staff requested that the Soils Ordinance be revised to remove a portion of Chatham Crossing and to add portions of Swede Alley, Marsac and Hillside. He stated the Chatham area did not need to be regulated and the addition of areas in Old Town provided a management opportunity for those properties. It also provides a date certain by which the Prospector capping must be finalized, and provides a criminal penalty for those who don't comply with the ordinance.

Jim Hier asked how this fits into the overall mitigation plan. Jeffrey Schoenbacher explained that a part of the Environmental Management System (EMS) was to revise ordinances by streamlining the ordinance area and excluding the areas that are not of concern based on data we have obtained. This amendment fulfils a portion of that system.

Manager Bakaly added that the City has come to an agreement on the EMS Plan and Council approval will be needed once it is finalized with the EPA. That action is anticipated in January or February.

The Mayor opened the public hearing; hearing no comments from the public the hearing was closed.

2. Disposition of Watts property.

Alison Butz explained that Council was being asked to consider responses to an RFP for the Watts properties. Staff received five proposals which were reviewed by a five-member selection committee. The Committee analyzed the proposals based on criteria as stated within the RFP: 1) purchase or lease price for the property; 2) proposed use and compatibility with Park City's economic development goals; 3) proposed use and its compatibility with the surrounding neighborhood; 4) proposed historical rehabilitation of the structures. The evaluations of the selection committee members were totaled and averaged and the Glory Hole, ranked the highest at 78.4, was the successful bidder for the RFP.

Following that process, the Staff conducted further analysis and recommends that Council conduct a public hearing, consider selling the Woodside property to the Bertinellis, use portion of the proceeds to stabilize the National Garage, reject all other proposals and maintain the property as affordable housing.

Ms. Butz explained there are pending changes to the Land Management Code regarding Master Planned Developments as well as in-lieu parking fees, which may affect these properties. In addition, the Planning Staff will have further time to evaluate City-owned historic structures, impacts to Main Street, as well as proposed CIP projects for the Main Street area. She requested direction from Council as to how they want to dispose of the property, methods of entering into lease or purchase contracts; and, if there are issues regarding the selection process, to define where in the RFP that Staff has erred, so they know how to properly proceed.

Kay Calvert asked if the only thing preventing Council from moving forward immediately was the Land Management Code. Ms. Butz noted the LMC changes would affect the proposals and it would be beneficial to know the outcome. They would also need to obtain a Conditional Use Permit, but Council could move forward with awarding it. She also clarified that if Council approved the sale of the Woodside house, the Glory Hole bid would need to be renegotiated because their bid was based on the total parcel.

Mayor Williams opened public hearing.

Peter Roberts, Director of Glory Hole, explained proposed uses for glass blowing studio and addressed how their proposal meets the City's economic goals.

Mr. Roberts stated it would be a hot glass studio focusing on the drama of art being created. They would be action-oriented and would invite the public in. The Glory Hole itself has two meanings: one is the opening into a glass furnace into which the artist puts their work, and the other, appropriate to Park City, is a vertical shaft of silver ore that is easily mined.

Mr. Roberts stated they would introduce a component of higher education from a prestigious accredited university so they can offer college credits, and excellence will define everything they do. He explained they would be involved in cultural tourism, for example creating antique bottle reproductions of the McPolin Bottling Works. They plan to make the center accessible to Park City community and will create local jobs. Utmost in their design considerations is safety, and they will be environmentally responsible by using state of the art technology, such as scrubbers, filters, etc.

Mr. Roberts outlined his three phase proposal: purchase of the National Garage for the studio; dedication of the 702 Park Avenue residence to an artist in residence program; and finally, in 3 to 5 years, use of the Woodside structure for on-site studio assistants. He proposes to purchase each of the properties for their appraised value.

Mr. Roberts addressed several benefits of their proposal to Park City. They will provide downtown enhancements, enabling the resorts to generate more business. They will be a new, locally owned, independent business with a focus on the heritage element, which will enhance Main Street's vitality and provide increased pedestrian activity in that location.

Mr. Roberts stated Staff had been very open and candid about the whole process; however, he disagreed with their recommendation. The RFP stated a selection panel would review and make a recommendation to Council and there was no mention that Staff would have an independent recommendation. However, he stated they were flexible and they could work together to address any and all concerns. He asked Council to direct Staff to enter into negotiations with Glory Hole for the acquisition and/or lease for all, or part of the Watts property. He emphasized that he was able to raise the capital and was dedicated to this project.

Peter Roberts read into the record letters of support from Leslie Harlow, Robert Stevenson and Jason Sanford.

Michael Kaplan, for the National Garage performing arts center, discussed the needs for, and benefits of, his proposed use. He noted this concept had been well received by local businesses and the performing arts community. He sees the theatre as an economic driver for Lower Main, which is an oft-neglected part of town.

Mr. Kaplan continued that this had been an exceedingly frustrating experience and the process was extremely flawed. It seemed secretive and lacked thoroughness. He felt there were legal implications because the deadline was extended at the last minute. He expressed surprise that he was never asked questions about his bid and was offended that Staff suggested that Council had limited choices on the selections. He believed the committee should have considered the applicants' realistic ability to perform and stated he had financing and rough architectural plans in place and he has agreed to sell the Bertinellis the Woodside house at their bid price.

Rachel and David Bertinelli stated they had lived in the house since August of 1995. They love living in Park City and want to make the house into their home.

John Troylo, Co-owner of Davanzas Pizza, expressed concerns about impacts from whatever decision is made, but supported Michael Kaplan's proposal. They felt it would benefit their particular business and preserve the Bertinelli's home at the same time.

Scott Gilson, neighboring property owner, stated he was not notified of the Request for Proposal. He questioned the lack of current appraisal and expressed concerns about pollution, noise, odors, etc. He also questioned why the RFP was put out prior to the completion of the Land Management Code.

Brian Hess expressed support for the Glory Hole project and felt it would be an enhancement to the community's cultural tourism and economic development. It is a unique project and would be complementary to the neighborhood.

Bill Ligety and Cindy Sharp, owners of property behind garage since 1991, recommended that all proposals be rejected and that Council develop a plan for that area because it is very visible corner, and it is an entryway to Park City. In addition, they addressed existing physical conditions on their property, as well as that corner, which detract from its value. They were prepared to enter into negotiations immediately to purchase the Woodside property in excess of what had been offered. They were concerned that zoning will not protect the quiet enjoyment of their residential property.

Elizabeth Swank supported the Glory Hole for economic and cultural development reasons. She felt it would be world renowned, with people interested in art and education living in the facility.

Liz Peet asked the Council to consider Glory Hole proposal. She felt it would enhance the art scene and bring Park City into the ranks of what is happening in the art world. This would be the only glass studio in the Intermountain West. There is technology available that will dampen sound and they are environmentally safe.

Joe Curtain supported the Glory Hole proposal. He felt it would enrich the cultural aspects of the community and would provide a unique attraction for locals and tourists, young and old. He also voiced support for Peter Roberts from a friend who was unable to attend the meeting.

Mike Sweeney supported the Glory Hole proposal, noting that over the years, Park City has had a number of glory holes, and maybe this would be one more that could help revitalize its economic well being.

Allan Stockbridge, commercial realtor, attorney, and resident in Park City, expressed support for the National Garage Performing Arts Center. He felt it would be compatible with adjoining uses and would be an appropriate use to receive a conditional use permit under the zoning. He stated it would serve as a catalyst to create vitality in the Upper Park Avenue commercial district. He identified numerous arts groups who supported the proposal and stated the Watts garage would be one of a kind as a performing arts center. He felt the process was flawed and recommended the bidding process be reinitiated and it should require a demonstration of capability to perform, and allow final bidders to increase their offers to the highest price possible for the benefit of the City.

Edward Patterson expressed support for Peter Roberts and the Glory Hole project.

Dan Jensen supported Peter Roberts and the Glory Hole project.

Steve Swanson, local designer and former Historic District Commission member, stated Peter Roberts' proposal had an element of pizzazz and an innovate feel to it. He supported the Glory Hole project.

Eric Moser, 12 year resident, supported Peter Roberts as a straightforward, honest person who achieves his goals. He felt the proposal would benefit Park City and the arts community.

Alison Butz read into the record a letter from Colin Matthews and Paula Craver with the Roadmaster Grill. “We are strongly in support of the Staff’s recommendation to sell the Woodside residence and postpone action on the National Garage and Park Avenue residence, alternative A. In our response to the RFP, we offered to pay for the three properties whatever an appraisal at current value showed, believing that a current appraisal might yield a lower figure than $920,000 because of the recent decline in value of residential properties along Park Avenue including our own. However, we believe that the location is quite valuable for restaurant purposes, particularly given the recent decision of Lakota’s owner to locate elsewhere. The Woodside property is not essential to meet our business goals. We included it in our proposal in the belief that keeping the parcel intact might have the importance to the City related to historic preservation, integrity, or other non-monetary goals. We believe that the City is most likely to maximize its return on the investment in the Watts properties by following Staff’s recommendation and alternative A, and soliciting bids on the National Garage and the attached Park Ave property at an appropriate later date. Moreover, with the difference in score between the Glory Hole and Roadmaster Grill, a slim six-tenths of a point, this seems to us a much fairer course of action than the possibility raised in alternative B. We hope this information is helpful to the Council in their deliberation as to the best course of action for Park City to take at this juncture. Thank you for your assistance and for the most extraordinary professionalism of the City Staff in preparation for the RFP and in analyzing the proposers responses. Sincerely Colin and Paula. “

Mayor Williams closed the public hearing. He thanked all those who took the time to come and complemented the calm, non-contentious atmosphere.

VI NEW BUSINESS

1. Ordinance amending Title 11, Building and Building Regulations, Chapter 15, Park City Landscaping and Maintenance of Sol Cover of the Municipal Code of Park City.

MOTION: Peg Bodell moved to APPROVE the Ordinance amending Title 11, Building and Building Regulations, Chapter 15 Park City Landscaping and Maintenance of Soil Cover of the Municipal Code of Park City. Kay Calvert seconded the motion. Unanimously approved.

2. Direction to staff on disposition of Watts property .

Fred Jones opened the discussion and stated any of the proposals would have to prove their viability from a zoning standpoint and there were many issues that had to be addressed. He asked for clarification of the process going forward.

Manager Bakaly explained that they had been through the public RFP process, but not from a planning standpoint. That process would begin with Council giving Staff direction to enter into purchase contract negotiations with Glory Hole as it pertains to an appraisal price. If that were Council's direction, all other bids would be rejected, with the exception of the Roadmaster bid. Should Staff be unsuccessful in those negotiations, Council would still be able to go with the next bidder, which for all three properties was the Roadmaster.

City Attorney Mark Harrington clarified that this was not a bid process; it was a request for proposals. Utah law does not require cities to go through a formal bid process in the disposition of real property. Staff is seeking direction to enter into negotiations with the preferred proposer.

Mr. Jones clarified that the City had objectives that were based on preservation and economics and they need input as to how the process might work to achieve those objectives if they entertain this proposal. If they enter into a purchase/sale contract and the concept doesn't work through the Planning process, they have not achieved their objectives.

Candace Erickson asked if the City could carry the paper so that it would not lose control of a significant property in case of default on the mortgage. Manager Bakaly suggested a lease if that is a concern. Since the primary objective was historical preservation of the property, we could put those covenants in the sale so they would pass along to the bank should that occur.

Ms. Erickson expressed concern about a restaurant in that location. Attorney Harrington stated Council had discretionary legislative authority to dispose of property and could proceed forward, or not.

Jim Hier recapped the process. He stated the Glory Hole project came to the Council, unsolicited, with a proposal for the use of that particular property. Council felt it was a good idea that fit the economic and cultural goals of the City; however, they decided it was a proper time to see if there was something else that would be better, and issued the RFP.

Mr. Hier did not support rejecting all the proposals. He felt they should go forward with this proposal, review it under the Land Management Code and the Conditional Use Process, and not dismiss it out of hand. He felt the project was properly advertised. He addressed Mr. Gilson's concern that this was being done prior to completion of the Land Management Code and emphasized that the Code is a continually evolving document that is never complete. What is being referenced in this case is the ability to allow specific types of master plans within the HRC and HCB Districts because we can get a getter product and it would allow more flexibility for any proposal on this property.

Mr. Hier felt it was appropriate to recommend pursuing negotiations with the Glory Hole project. Although a performing arts facility was an excellent idea, he did not feel it was the right spot for a performing arts facility because of the impacts on the neighborhood.

Mr. Hier agreed to negotiate separately with the Bertinellis for the Woodside property, and the Glory Hole property on Park Avenue, as they fit within the City's objectives, goals and plans. He did not believe the City should hold the paper and suggested that part of the negotiation be demonstration of financial capability. Zoning and deed restrictions can ensure that the project is built within the confines of the City's desire for that property.

Ms. Calvert concurred they should move forward. She clarified with Mr. Roberts that there would be no noise impact on the surrounding neighborhoods. She further clarified that the surrounding neighborhood would receive notice as the plans progressed through the planning process.

Fred Jones concurred that they should move forward. He felt negotiations needed to be based on appraised values and if that were unacceptable to the Bertinellis, they would need to decide whether to deal with the Woodside property separately or put in into the mix for the Glory Hole. Mr. Hier and Ms. Calvert were comfortable with that direction.

Peg Bodell felt there was some misunderstanding about the differences between an RFP and a bid process; however, she believed this was properly noticed. She felt that Staff and Council should consider the courtesy of noticing neighbors when an RFP is issued so they are not caught off-guard. She did not think a lease was appropriate and believed the issues could be worked out in the sales agreement. She believed successful preservation was based on the correct use, and this is an appropriate use.

Ms. Bodell expressed concern that if the parcels were broken up, the flexibility and fiscal possibility of developing both houses would be reduced. She expressed a desire to have the Bertinellis work with Mr. Roberts and become part of the process for the Glory Hole. She elaborated that by dealing with the parcel as a whole unit and reviewing it as an MPD, we could have a better project.

Mr. Bertinelli stated they lived in the house because they loved it and were prepared, if given the opportunity, to begin fixing it up within a year, rather than three to five years as projected in Mr. Roberts' proposal.

Mayor Williams concurred that courtesy notices were appropriate. He agreed they should move forward and enter into negotiations with the Glory Hole proposal and the purchase of the Woodside house, and with fair market value. He was not adverse to long-term leases, not carrying paper.

Ms. Erickson concurred with entering into negotiations for fair market value with the Bertinellis and moving forward with the Glory Hole. Her main concern was that the City has some say over the historical quality and uses.

Mr. Hier felt certain they could work out measures to maintain control. He emphasized that the City was better off in the long run by splitting the parcel, than they would be by selling it as one parcel.

Attorney Harrington clarified that Council should direct staff to take specific actions and, because they seem to have consensus, they should direct Staff to reject the rest of the proposals other than the two they have specified that the City work with.

MOTION: Candace Erickson moved to direct staff to: a) get an appraisal of all properties; b) enter into negotiations with Glory Hole for the Park Avenue properties and negotiations with the Bertinelli house on Woodside property; and c) dismiss other three proposals. Fred Jones seconded the motion. The motion was unanimously approved.

Manager Bakaly clarified that the City would pay for the appraisal and Mayor Williams asked that they use someone acceptable to local lenders.

3. Resolution adopting an arts policy for Park City, Utah

Analyst Michelle Barrus presented a resolution establishing the public arts policy advisory board and the public arts policy. This was discussed during work session and incorporated changes directed by the Council.

MOTION: Peg Bodell moved to ADOPT the resolution for the arts policy as presented and revised. Candace Erickson seconded the motion. The motion was unanimously approved.

4. Resolution creating a Police Complaint Review Committee within Park City, Utah

Chief Lloyd Evans reviewed the changes he made in response to direction from the Council during Work Session. In the resolution: the name was changed to Police Complaint Review Committee. In the Policies and Procedures document: added language that terms ended on *June 30* of the expiration year; added that members could be removed from the committee by the Mayor *with approval of Council* for cause; added that the committee will have meetings *once a month as warranted*; and, added a section that the Committee policies and procedures shall be reviewed for changes and updates on an annual basis.

MOTION: Peg Bodell moved to APPROVE the resolution creating a Police Complaint Review Committee within Park City, Utah. Candace Erickson seconded. The motion was unanimously approved.

VII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned. The Water District meeting was canceled.

Prepared by Sharon Bauman

PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
DECEMBER 18, 2003

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

Tom Bakaly, City Manager; Ken Fisher, Recreation Manager; Jerry Gibbs, Public Works Director; Cindy LoPiccolo, Deputy City Recorder; and Alison Butz, Special Events and Facilities Manager

Dave Staley, Chairman of Recreation Advisory Board; Craig Elliott, architect for Centura Development; Jeff Larson, Marsh USA Risk Insurance Services; and Jess Radle, Silver Queen Properties

1. Council questions and comments. Tom Bakaly reported that the Interagency Task Force discussed affordable housing issues and a consolidated communication/dispatch concept. Peg Bodell described a variety of features available with interactive information kiosks, which is a project underway in the Economic Development Department. Fred Jones reported on the HMBA meeting where a proposal for a literary arts festival was discussed. It is proposed as a three-day weekend to be held in September 2005. Kay Calvert stated that she attended a dinner for the Leadership Program and commended the group. Candace Erickson commented on the literary arts festival meeting where there was a suggestion of moving it back to August. She strongly encouraged consideration of the month of September to bring new visitors into town, not to tap into the people already here. She explained components of the event and hoped that it materializes. Ms. Erickson stated she also attended an ice facility meeting where obtaining necessary easements is an issue holding up progress on the project. If the parcel is not cleared by March 1, the committee is fearful of losing another construction year.

Mayor Dana Williams commented on the fund-raiser held last night by the University of Utah Humanities Department with the goal of raising funds for scholarships for first-generation students. Tom Bakaly, Jonathon Weidenhamer, and he met with the Prospector Property Owners Association on a possible needs assessment for the area. The group conducted its own parking needs assessment, which showed that parking is at 67% of capacity. There was agreement for the City to work with the Association on better lighting. He added that he attended the first Wasatch Environmental breakfast forum, hosted by Utah Power this morning in Salt Lake. The focus was renewable energy sources and programs and he shared statistics on the projected growth of the state. Jim Hier stated that the Chamber/Bureau Board of Directors met Monday night. There was a presentation on the updated Wikstrom study on the feasibility of supporting a convention center in Park City. Tom Bakaly explained that this topic will be included in the economic development portion of Council’s work shop in January.

2. Discussion on BMX track. Dave Staley referred to the staff report. There are many options out there and it may be a good idea to canvass kids about their needs. He requested direction from Council to begin this process and discussed the Bango Wortley parcel adjacent to SR248 as a possible site. The Mayor asked about use limitations. The City Manager explained that it was purchased with RDA funds, anticipating that it would be used for affordable housing. When this was no longer the direction of the City, the RDA was reimbursed with General Fund assets, so there are no longer restrictions. He assured Council that the parcel is not located on wetlands. Mayor Williams supported surveying the public on the scope of the project. He strongly recommended testing the soils on the suggested areas, including Richardson Flats, the old sewer site, and Bango Wortley. Mr. Staley explained that the recommendation of Bango Wortley was almost a matter of elimination. It is anticipated that soil would be imported as sanctioned BMX courses have specifications on clay compositions for the course. The demanding guidelines of the American BMX Association were discussed, including volunteer hours. In response to a comment made by Peg Bodell about information on BMX users traveling out of Park City to facilities, Mr. Staley felt this could be determined in a survey. Candace Erickson pointed out sports that began as recreational and then evolved into separate more competitive programs like soccer or ski racing, where parents are required to volunteer. She hoped this facility would not be exclusive. Mr. Jones agreed with Ms. Erickson and felt a BMX track built by the City should create an opportunity for kids to acquire skills. If parents want to take it further, that is another discussion.

Jim Hier agreed and dialog ensued on snow storage options if Bango Wortley becomes unavailable. Mayor Williams suggested that the Snyderville Basin Recreation District become involved and Mr. Staley indicated that he spoke with Bonnie Park at the District, who wasn't interested at this time. Dana Williams felt that participation by Basin residents in the needs assessment would be helpful. In response to a question from Peg Bodell, Jerry Gibbs stated that the Bango Wortley parcel is the City's only snow storage location at this juncture. Ms. Erickson pointed out that if City properties are not suitable because of soils issues, the survey may create expectations about a project that may not happen for lack of a site. Peg Bodell interjected that the City may not have an option. Jim Hier suggested proceeding with soil testing concurrent with the survey. Dave Staley explained that BMX tracks are rebuilt or reshaped every year and felt it feasible to move the track for snow storage, and reuse the material to set up the track again in the spring.

Mr. Staley concluded that direction is to move ahead with a survey to identify the scope of the need. The Mayor expressed interest in numbers for competitive racing programs compared to BMX recreation programs. It may also be helpful to know how many locals are traveling to the Rad Canyon BMX Track.

3. Rail Central pedestrian connection – Centura Development. Tom Bakaly explained that Council approved an encroachment permit for access use of the City's open space property. The City received an encroachment permit so Rail Trail users could cross the business commons property and access parking for the trail. One outstanding feature is the pedestrian connection from the Rail Trail to the private building across the City's open space, which is before Council tonight. If Council renders approval during work session, it may be prudent to have it subject to planning staff or Planning Commission approval with regard to final design.

Architect Craig Elliott described the pedestrian bridge across the creek to the Rail Trail, the 11 parking spaces, and an ADA compliant ramp connection from the parking area to the Rail Trail. At this location, a ramp comes down to the picnic area and turns back down to the building. In addition to that, there are connecting stairways and Mr. Elliott explained the need for the proposed retaining walls because of the change in grade. Jim Hier expressed concerns about the purpose of the bridge being to serve the buildings. Mr. Elliott relayed that the bridge location relates to a potential restaurant and if this occurs, there would be shared parking. It also provides a connection for pedestrians from the Fireside and Iron Horse Apartments. Mr. Hier felt that the other side should be planned before a decision is made on the bridge. Craig Elliott explained that it made sense to process the entire area at one time. Ms. Erickson pointed out the excessive size of one of the ramps and Mr. Elliott explained that there is more of a grade change and the ramp acts as a sidewalk. Fred Jones also expressed concerns about what happens across the creek with regard to parking; we should be confident that everything will line up and won't have to be altered when the parking structure comes on line. He believed that if pedestrian access is supported tonight, that the plan be reviewed by both the Planning Commission and planning staff. He stated that he is somewhat uncomfortable with the conceptual design of the ramp and this needs to be analyzed. Mr. Elliott explained that they were attempting to reduce the impacts of the retaining walls and they need the authority from the City Council to work through these issues. He believed it reasonable to allow Centura to proceed with the development of the other parcel with the Planning Commission. Jim Hier felt it important to condition approval with Planning Commission review and stated that he still has a problem with a bridge without the benefit of a circulation plan. There needs to be a demonstrated linkage from the pedestrian access and the bridge in order for the bridge to make sense.

Tom Bakaly questioned the need for the ramp to be ADA compliant and clarified that Council is being asked for permission to apply for an application on the bridge and direction on the pedestrian connection to the open space. Fred Jones expressed support on the bridge, as conditioned by Jim Hier. With regard to the ramp and stairway, he felt review should be subject to staff approval and ADA applications. Candace Erickson agreed and added that the bridge should be applied for when the design for the other side is submitted. She stated that she doesn't have a problem with the ramp, except for its size and would rather see more landscaping than asphalt. Craig

Elliott stated that he will work with staff toward a solution. Jim Hier reiterated his comments on demonstration of a pedestrian circulation plan, which should be part of the findings if the bridge is approved. Dana Williams stated that the design of the bridge seems grandiose for a three feet wide creek and agreed with his fellow Council members with regard to Planning Commission review.

3. Review of regular meeting:

Insurance renewal. Cindy LoPiccolo introduced Jeff Larson from Marsh. She explained that the City has elected basically the same coverage as last year. Kay Calvert asked if Workers Compensation rates will ever level off. Mr. Larson explained that the market has slowed down and their rates are still lower than other insurance carriers. He believes the rates will drop in a couple of years once insurance companies recover and become profitable again. The average rate increase for Workers Compensation is 20% and the City is below that number. There was discussion about terrorism risk insurance, which Mr. Larson didn't recommend for Park City. Ms. LoPiccolo interjected that the Imperial Hotel, a recent property acquisition, has been included in the coverage. Peg Bodell pointed out the significant amount of money spent on insuring our City buses, which should be considered in negotiations regarding support of regional transportation.

Sundance MFL. Alison Butz explained that the amendment involves barricading the east side of Main Street parking for the first four days of Sundance, which are the busiest days of the Festival, which will increase the sidewalk width. It is also proposed to barricade parking spaces in front of Harry O's and the Main Street Mall on the west side of the street. These barricades are proposed to remain until Tuesday morning. Barricades at the Sundance venues, The Egyptian, Elks Building, and The Riverhorse will remain in place during the entire Festival. It is hoped that this plan will help keep pedestrians out of traffic and alleviate some safety problems. The HMBA supports the amendment and every Main Street business has been personally contacted on the plan; comments have been positive. In response to a comment made by Jim Hier about not implementing one-way this year, Ms. Butz explained that pedestrian circulation was the focus and it was determined that one-way may be confusing to drivers and actually back-up traffic. Candace Erickson believes this is a good plan and easily understood. Barricade rentals will be paid by Sundance as well as parking fees.

Imperial Hotel contract. Alison Butz explained that three proposals were rendered in response to the RFP. Staff is recommending the award of contract to ResortCom. The RFP outlined a variety of criteria and it was felt that ResortCom would yield the highest return; she referred to the staff report. The other companies were Silver Queen Properties and Silver King LLC. ResortCom manages the Park Plaza, has the largest staff on hand, and adding the Imperial Hotel is manageable. Silver Queen contacted her office regarding projected revenues as it felt it was more competitive than

ResortCom, but staff does not feel it erred in the analysis. Silver Queen's numbers didn't property reflect expenditures, and staff believes the process was straight-forward. Another complaint from Silver Queen was the lack of 24-7 front desk coverage. She added that this was not mentioned in the RFP but it is ResortCom's intention to staff the front desk around the clock. She will continue to gather information with regard to the scope of work, requested by Jim Hier.

Jim Hier stated that he believes selecting ResortCom is appropriate. He pointed out that the criteria outlined in the RFP is much different than the proposed contract before Council because it was negotiated. He was concerned about the lack of definition of the bases for costs; the City should know how it will be charged before entering into a contract, or subject approval to finalization of the fee structures. Tom Bakaly felt that the cost per unit item can be clarified. Alison Butz explained that a separate lease will be crafted for the Swede Alley house. There was discussion about the commercial property. Ms. Butz stated that this is a six month contract with an option to renew.

Jess Radle, Vice President of Silver Queen Properties, distributed his documentation to the City Council. Mayor Williams thanked him and assured him this would be reviewed prior to the regular meeting. Tom Bakaly added that staff has reviewed this, and believes that the same revenues were properly applied in the analysis. Should Silver Queen continue to disagree, the decision can be appealed. Fred Jones emphasized that selection is not based strictly on cost, but other criteria like marketing and staffing the property.

See regular meeting minutes.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 18, 2003

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 18, 2003. Members in attendance were Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Tom Bakaly, City Manager; Mark Harrington, City Attorney; Ray Milliner, Planner; Jonathon Weidenhamer, Planner, and Alison Butz, Special Events and Facilities Manager.

II COMMUNICATIONS FROM COUNCIL AND STAFF

1. Resolution proclaiming the weekend of December 26 – 28, 2003 as Moose-A-Palooza Weekend in Park City, Utah – The Mayor read the resolution and presented it to Teri Orr, Executive Director of the Eccles Center.

2. Mayor's presentation to outgoing Council members Fred Jones and Peg Bodell – Dana Williams acknowledged the contributions of both members and presented them with venue city logo jackets. He also gifted plaques to Council members Jones and Bodell, "*in recognition of your leadership on the Park City Council, welcoming the world to the 2002 Winter Olympic Games, promoting cultural opportunities, ensuring quality services and programs, and encouraging civic awareness and participation; these are priceless gifts to our community*".

Fred Jones thanked this Council and the previous membership. He stated that he enjoyed serving both on the Council and the Planning Commission and commended our professional staff and elected officials, having the best interest of the City at heart. There are exciting issues facing the City. Unfortunately, negotiating water issues has been frustrating as he hoped there would have been more progress. It is important for Council to articulate the vision and champion the vision. We have tremendous resources in this town, which need to be channeled; Park City is a great place because of the people. Peg Bodell thanked Council members and encouraged them to continue to conduct themselves in a civil manner among each other and the community.

III PUBLIC INPUT - (any matter of City business not scheduled on the agenda)

The Mayor invited the public to comment on any matter of City business. Hearing none, the pubic input session was closed.

IVWORK SESSION NOTES AND MINUTES OF MEETING OF DECEMBER 4, 2003

Kay Calvert, "I move to approve the minutes of the meeting of December 4". Jim Hier seconded. Motion carried unanimously.

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving the condominiumzation of the duplex located at Lot 46 and the southerly 21' of Lot 45 in Block 5 of the Park City Survey also known as 502 Woodside Avenue – Ray Milliner, Planner, referred to his staff report. The Mayor invited the City Council and audience to comment. Hearing none, the public hearing was closed.

2. Ordinance approving an amended record of survey for Park Avenue Condominiums, located at 1680 Park Avenue, Park City, Utah – Jonathon Weidenhamer, Planner, explained that the conversion will convert some common areas to private areas. This will not affect parking requirements and the Planning Commission unanimously forwarded a positive recommendation. Hearing no questions from the public or the Council, the public hearing was closed.

3.Amendment to Sundance Master Festival License and supplemental plan – Alison Butz explained that the amendment includes a plan to barricade the east side parking spaces on Main Street for the first four days of the Sundance Film Festival and barricade the larger venues on Main Street for the remainder of the event. The Mayor opened the public hearing.

Mike Sweeney, Town Lift Cafe, commended Ms. Butz for keeping the HMBA informed and expressed the group's support of this proposal. With no further comments, the public hearing was closed.

VICONSENT AGENDA

Fred Jones, "I move to approve Consent Agenda Items 1 through 5, with the comment that he has reviewed the analysis of the management contract proposals for the Imperial Hotel and is comfortable with staff's recommendation (award of contract to ResortCom". Peg Bodell seconded. Motion carried unanimously,

1. Ordinance approving the condominiumzation of the duplex located at Lot 46 and the southerly 21' of Lot 45 in Block 5 of the Park City Survey also known as 502 Woodside Avenue – See staff report and public hearing.

2. Ordinance approving an amended record of survey for Park Avenue Condominiums, located at 1680 Park Avenue, Park City, Utah – See staff report and public hearing.

3. Amendment to Sundance Master Festival License and supplemental plan – See staff report, work session discussion, and public hearing.

4. 2004 Insurance Renewal – See staff report and work session notes.

5. Award of contract to ResortCom for Imperial Hotel management contract – See staff report and work session notes.

6. Resolution proclaiming the weekend of December 26 – 28, 2003 as Moose-A-Palooza Weekend in Park City, Utah – Staff recommends approval.

VII NEW BUSINESS

Approval of property transfer agreement with Cranbrook Development LC to acquire 40 acres in Round Valley in the amount of $1 million – Mark Harrington explained that the purchase has been discussed by Council and staff recommends moving ahead with the transaction. The closing date is scheduled on December 29, 2003. Jim Hier, "I move we approve the acquisition of the 40 acre property for $1 million and authorize the Mayor to execute the closing documents, in a form approved by the City Attorney". Fred Jones seconded. Motion unanimously carried

VIII ADJOURNMENT

The scheduled Water Service District meeting was canceled. 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 2 p.m. Members in attendance were Mayor Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present was Tom Bakaly, City Manager; and Mark Harrington, City Attorney. Peg Bodell, "I move to close the meeting to discuss property and personnel". Fred Jones seconded. Motion carried unanimously. The meeting opened at approximately 3:45 p.m.

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

PARK CITY REDEVELOPMENT AGENCY
SUMMIT COUNTY, UTAH
JUNE 19, 2003

I ROLL CALL

Chairman Dana Williams called the regular meeting of the RDA to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 19, 2003. Members in attendance were Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Tom Bakaly, Executive Director; and Mark Harrington, City Attorney.

II PUBLIC INPUT

The Chairman invited the audience to comment on any matter of RDA business not scheduled on the agenda. Hearing none, the public input session was closed.

III MINUTES OF MEETING OF JANUARY 9, 2003

Hearing no omissions or corrections, the Chairman requested a motion to approve. Kay Calvert, "I so move". Peg Bodell seconded. Motion carried unanimously.

IV PUBLIC HEARING

Resolution adopting the Park City Redevelopment Agency Budget for Fiscal Year 2003-2004 - See staff report. The Chairman invited the City Council and public to comment. Hearing none, the public hearing was closed.

V CONSENT AGENDA

Resolution adopting the Park City Redevelopment Agency Budget for Fiscal Year 2003-2004 – Candace Erickson, "I move approval of the Resolution adopting the Park City Redevelopment Agency for FY 2003-2004". Peg Bodell seconded. Motion unanimously carried.

VI ADJOURNMENT

With no further business, the regular meeting of the MBA was adjourned. 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, Secretary

PARK CITY MUNICIPAL BUILDING AUTHORITY
SUMMIT COUNTY, UTAH
JUNE 19, 2003

I ROLL CALL

Chairman Dana Williams called the regular meeting of the MBA to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 19, 2003. Members in attendance were Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Tom Bakaly, Executive Director; and Mark Harrington, City Attorney.

II PUBLIC INPUT

The Chairman invited the audience to comment on any matter of MBA business not scheduled on the agenda. Hearing none, the public input session was closed.

III MINUTES OF MEETING OF JANUARY 9, 2003

Hearing no omissions or corrections, the Chairman requested a motion to approve. Jim Hier, "I so move". Kay Calvert seconded. Motion carried unanimously.

IV PUBLIC HEARING

Resolution adopting the Park City Municipal Building Authority Budget for Fiscal Year 2003-2004 – See staff report. The Chairman invited the City Council and public to comment. Hearing none, the public hearing was closed.

V CONSENT AGENDA

Resolution adopting the Park City Municipal Building Authority Budget for Fiscal Year 2003-2004 – Fred Jones, "I move approval of the Resolution adopting the Park City Municipal Authority Budget for FY 2003-2004". Peg Bodell seconded. Motion unanimously carried.

VI ADJOURNMENT

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

PARK CITY WATER SERVICE DISTRICT MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 20, 2003

I ROLL CALL

Chairman Dana Williams called the regular meeting of the Park City Water Service District to order at approximately 7:30 p.m. at the Marsac Municipal Building on Thursday, November, 2003. Members in attendance were Dana Williams, Peg Bodell, Kay Calvert, Candace Erickson, Jim Hier, and Fred Jones. Staff present were Tom Bakaly, Executive Director; Mark Harrington, City Attorney.

II PUBLIC INPUT

The Chairman invited the public to comment on any matter of Water Service District business. Hearing none, the public input session was closed.

III MINUTES OF MEETING OF JANUARY 9, 2003

Hearing no corrections or omissions, the Chairman requested a motion to approve. Peg Bodell, "I so move". Kay Calvert seconded. Motion unanimously carried.

IV CONSENT AGENDA

Agreement with Weber Basin Water Conservancy District, Park City Municipal Corporation, Park City Water Service District, Summit County and Mountain Regional to extend the 1996 Memorandum of Understanding an additional six months – Fred Jones, "I move approval" Candace Erickson seconded. Motion carried unanimously.

V ADJOURNMENT

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

Subject: SIGN CODE REVISIONS
Date: January 8, 2004
Type of Item: Legislative

PARK CITY 1884

PLANNING DEPARTMENT

Summary: The Planning Department requests that the City Council review the proposed changes to Title 12 of the Municipal Code, conduct a public hearing, and approve the ordinance.

TOPIC
Amendments to Title 12 of the Municipal Code.

BACKGROUND
The Planning Commission reviewed proposed changes to the Sign Code at its November 12, 2003 meeting. At that meeting and pursuant to Council direction, the Commission focused primarily on outdoor vehicle displays and how they relate to Master Festivals and Special Events license holders. Commissioners requested that staff clarify the following:

- Difference between Master Festivals and Special Events
- Clarification and regulations on additional sponsor displays

On December 4, 2003, due to timing concerns, the City Council went forward with and denied the appeal by Brothers III for the Village at the Lift special event regarding a condition of approval that prohibited the display of vehicles on the plaza. The Council affirmed the staff finding that such display is an outdoor display of merchandise/goods prohibited by LMC section 15-2.6-12. At the hearing, additional new argument was made regarding whether the display was a "sign" under MCPC section 12-2-1(Z) and therefore exempt pursuant to 12-8-1(F) which provides:

> (F) **PRIVATE PLAZAS**. Private pedestrian walkways may have signs on privately owned walls or plazas that are so located as to be oriented to the plaza and not to public streets are not regulated, however building permits shall be required for mounting and wiring. Private plazas as part of a Master Planned Development must have an approved Master Sign Plan. Private plazas approved prior to March 19, 1998, do not need to come into conformance with the Sign Code and Master Sign Plan requirements.

The Brothers III argued this section allowed them to have any sign they wanted, **without any limitation of size, number or design**, because their plaza was approved prior to 1998. However, the Council agreed with staff that the last sentence simply meant this section, adopted in 1998, did not require existing plaza signage to come into compliance with concurrent amendments to the Sign Code. The Council further agreed that the point was moot because the vehicles were not “signs” and further agreed with the Legal Department conclusion that this section only exempted signs within an approved MPD if the signs were approved in a Master Sign Plan for the plaza. The Master Sign Plan freed such signs from individual permit application but still subjected them to the requirements in 12-3-3 that states signs “shall be designed to establish a common theme or design for the entire building, using similar construction methods, compatible colors, scale, and identical backgrounds.” The Council simply did not buy that a Hummer could meet these standards. Additionally, the vehicles were part of third party rental arrangement and not related to a plaza tenant.

As a result of the in-depth discussion, the Council directed staff to clarify the definition of “sign” as it applies to “displays” and better reconcile the status of “unregulated” plaza signs in light of the still very applicable requirements of master sign plans under 12-8-1(F).

At its December 10, 2003 meeting, the Planning Commission reviewed and held a public hearing on the final draft, which incorporated the clarifications requested by the Council. The Planning Commission unanimously forwarded a positive recommendation to the Council, and requested that the staff attend the December 16th Main Street Merchants meeting to review the changes. No additional comment on the Ordinance was given on the December 16th meeting, but one or more merchants may return with unrelated, general Sign Code amendments in the future. Two minor changes were made as a result of the public hearing: 1) Section 12-14-2(3) was amended to clarify wrapping vehicles with design and athlete images is OK within certain limitations; and 2) standards for look and feel were added to 12-12-2(2).

ANALYSIS

Special Events

A Special Event is any event, public or private, on private property, which creates significant public impacts through the use of public property or employees, or could reasonably be interpreted to cause significant public impacts via disturbance, crowd, traffic/parking, disruption of the normal routine of the community or affected neighborhood, or necessitates temporary business or liquor licensing in conjunction with the public impacts. The City currently permits approximately 20-25 Special Events a year, almost all of which are one day.

Master Festivals

A Master Festival is any event held on public or private property in which the general public is invited with or without charge and which creates significant public impacts through any of the following: (a) the attraction of large crowds, (b) necessity for street closures, (c) use of public property, (d) use of City transportation services, (e) use of off-site parking facility, (f) use of amplified music in or adjacent to a residential neighborhood. The City currently permits approximately 30-35 MFLs a year, most of which are two days with Sundance and the softball tournament at ten days or more.

The Special Events and Facilities Department process applications for both Master Festivals and Special Events. When there is an instance of events occurring simultaneously the following criteria are applied:

- Geographic separation of the events;
- Proposed time and duration of the events;
- Anticipated attendance volumes;
- Necessity for public personnel, equipment, and/or transportation services at the events; and
- Anticipated traffic and parking impacts

If a finding is made that two simultaneously occurring events will negatively impact each other, the event with the greatest seniority, or if neither event has seniority, priority is determined on a first come first served basis.

Over the course of a calendar year the Special Events and Facilities Department processes a number of Master Festival and Special Event Licenses. Out of those applications very few occur at the same time as another event.

Sponsor Activities
Most Master Festivals are very expensive due to operational costs, including mitigating public impacts. Organizers often offset these costs by getting sponsors. In return for the money, sponsors request visibility at the event either through the display of their product or logo placement on festival signs or banners.

Recently, the City Council amended Chapter 11 of the Sign Code, Banners on City Light Standards to provide sponsors with a venue to feature their names and logos on the banners. The placement of the logos was restricted in size, design and location. Similarly, staff wants to clarify and establish limits on the staff approval of sign plans and commercial displays for MFLs and Special Events.

Code Revisions
In order to, clarify and better define the private plaza exemption from the Sign Code, and coordinate the placement of signs in public or private plazas, staff is proposing the following language:

Proposed Language Chapter 1 – Definitions

(V) **PRIVATE PLAZA**: Private property in excess of 1,000 square feet that generally serves as common area to adjoining commercial development and is free of structures, is hard surfaced and/or landscaped. Private plazas generally provide an area for pedestrian circulation, common amenities, and act as a gathering space for private or public purposes.

Staff has proposed an addition to the Prohibited Sign section of the code prohibiting the use of enlarged products for displays or to be used as signs. With that modification sponsors could still uses enlarged products within an enclosed building or structure.

Proposed Language Chapter 7 – Prohibited Signs

(E) **ENLARGED REPRODUCTION**. The use of an inanimate object that has been constructed to look like a smaller product for the purpose of advertisement or display is prohibited.

Proposed Language Chapter 1 – Definitions

(K) **ENLARGED REPRODUCTION**. An object that has been designed and built to resemble a product or service, that is larger than the actual product or service.

(W) **SIGN**. Sign shall mean and include a display of an advertising message, usually written, including an announcement, declaration, demonstration, product reproduction~~display,~~ illustration, insignia, surface or space erected or maintained in view of the observer thereof primarily for identification, advertisement, or promotion of the interest of any person, entity, product, or service, and visible from outdoors. The definition of a Sign shall also include the Sign structure, supports, lighting system, and any attachments, Flags, ornaments or other features used to draw the attention of observers.

Proposed Language Chapter 8 – Signs Exempt From Permit Requirement

(F) **PRIVATE PLAZAS**. Signs may be installed in Private Plazas ~~pedestrian~~ without obtaining individual Sign Permits provided that such Signs conform to an approved Master Sign Plan, however building permits shall be required for installation and any necessary electrical service and lighting. ~~mounting and wiring~~Existing Signs in Private Plazas approved prior to March 19, 1998 do not need to come into conformance with the Sign Code and Master Sign Plan requirements, but all new Signs must be either individually approved or approved as an amendment to the Master Sign Plan. Signs oriented internally to the plaza and not to the public street or right of way shall not be subject to the limitations in Section 12-3-3(C).

Proposed Language Chapter 10 – Types of Temporary Signs

(A) **BUSINESS NAME OF TENANT CHANGE SIGNS**. Due to a change in business name or tenant, including temporary occupancy of an existing business by a convention sales license holder (pursuant to Section 4-3-9 of this Code) a temporary Sign is permitted as per the following regulations.

(1) **Size**. Business Name or Tenant Change Signs may occupy the same amount of area previously approved on a building or façade provided said area is consistent with this Title and the master sign plan for the property. ~~shall not exceed twenty-four square feet (24 sq. ft.) of area on the exposed Sign face~~ In no case shall Business Name or Tenant Change signs exceed the Sign area per Building Face when included within the Sign area calculation for all permanent Signs.

(2) **Height Limit**. All requirements as stated in this Title shall apply.

(3) **Number of Signs**. Persons seeking approval for Business Name or Temporary Change Signs are allowed the same number of signs previously approved on a building façade or through the Master Sign Plan. Additional Window Sign area may be used, but may not exceed the total Sign area allowed per Building Face.

(4) **Setback and Orientation**. Temporary Business Name or Tenant Change Signs are permitted in any district, provided that they comply with all size and setback requirements for the permanent Signs of similar nature.

(5) **Zoning Restrictions**. Temporary business Identification Signs are allowed in all Zoning Districts.

(6) **Design**. Temporary business Identification Signs shall be consistent with the requirements of Chapter 4-7 of this Title. ~~constructed of wood, metal, mounted on hardware of wood, painted metal or other similar material~~. Sign mounting shall comply with the Uniform Sign Code's standards for installation.

(7) **Illumination**. Illumination of temporary business Signs is prohibited.

Proposed Language Chapter 12 – Master Festival Sign Plan

CHAPTER 12. MASTER FESTIVAL AND SPECIAL EVENT SIGN PLAN. ~~Any person desiring permission to display temporary Banners and Signs related to an event on various dates at one location shall submit plans along with the application for a Master Festival License, which is issued by the City. Parameters and requirements are~~

~~stated within the Master Festival License Application and shall be reviewed by the Planning Department prior to the issuance of a permit.~~

12-12-1. Sign Plan Required. All Master Festival and Special Event Licensees desiring permission to display temporary Signs related to an approved Master Festival shall submit a Master Festival Sign Plan as part of the application for a Master Festival License. The Planning and Special Events and Facilities Departments shall review Master Festival Sign Plans for compliance with the standards below prior to permit issuance.

12-12-2. Master Festival Banners. The use of Banners identifying an event and/or Sponsor is allowed within the boundaries of the approved Master Festival Venue, subject to the following criteria:

(1) **Size**: No individual Master Festival Banner may exceed 36 square feet in size.

(2) **Number of Signs**. One Banner is allowed per Venue. Additionally, one Banner is allowed on the external façade of any building or structure within a Venue, including temporary structures. Staff may approve additional Banners within a Venue upon finding that the Banners contribute to the overall resort atmosphere or theme of the event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section12-3-3(A) as applied to the event, and that any commercial advertising message is secondary to such look and feel design elements for the event. There is no limit on Banners within a fully enclosed structure.

(3) **Setback and Orientation**. Master Festival Banners are allowed only on or within approved Venues.

(4) **Zoning Restrictions**. Master Festival Banners are allowed within all zoning districts.

(5) **Design**. Fluorescent colors and reflective surfaces are prohibited on Banners. Reflective colored materials that give the appearance of changing color are also prohibited. A matte or flat finish is required for all surfaces.

(6) **Period of Display**. Master Festival Banners may be displayed only during the approved time of the Master Festival.

(7) **Illumination**. Illumination of Master Festival Banners is prohibited.

12-12-3. Special Event Banners. The use of Banners is allowed within the boundaries of the approved Special Event Venue, subject to the following criteria:

(1) **Size**: No individual Special Event Banner may exceed 36 square feet in size.

(2) **Number of Signs**. One Banner is allowed per Venue. Additionally, one Banner is allowed on the external façade of any building or structure within a Venue, including temporary structures. Each Banner shall be consistent with Section12-3-3(A) as applied to the event, and any commercial advertising message must be secondary to such look and feel design elements for the event.

(3) **Setback and Orientation**. Special Event Banners are allowed to be oriented only within approved Venues.

(4) **Zoning Restrictions**. Special Event Banners are allowed within all zoning districts.

(5) **Design**. Fluorescent colors and reflective surfaces are prohibited on Banners. Reflective colored materials that give the appearance of changing color are also prohibited. A matte or flat finish is required for all surfaces.

(6) **Period of Display**. Special Event Banners may be displayed only during the approved time of the Special Event.

(7) **Illumination**. Illumination of Special Event Banners is prohibited.

12-12-4. Master Festival Directional Signs. Municipal and/or event owned Directional signs in the form of Electronic Message Signs and Portable Signs, are allowed for the purpose of identifying and/or directing vehicular or pedestrian traffic to parking areas, transportation centers and venues.

12-12-5. Master Festival Projection Signs. Temporary Projection Signs that are part of an approved Master Festival License may be allowed for the duration of the Master Festival permit, provided they are directed downward and the light source is shielded from any view but the intended mark of the Sign.

12-12-6. Temporary Signs. Staff may approve Temporary Signs within a Master Festival or Special Event Venue upon finding that the Signs contribute to the overall resort atmosphere or theme of the event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section12-3-3(A) as applied to the event, and that any commercial advertising message is secondary to such look and feel design elements for the event. There is no limit on Signs within a fully enclosed structure.

Specific to the discussion at the November 12 and December 4, 2003 meetings was the relation of vehicle displays versus signs, and how such displays relate to Master Festivals, Special Events, and other entities in Park City. Staff recommends that the Planning Commission distinguish the display of vehicles from signs generally, and allow vehicle displays only in approved Master Festivals and ski resort areas. Therefore, the following Sign Code amendments are recommended as a new Chapter 14 with subsequent chapters re-numbered:

Proposed Language Chapter 14 – Outdoor Vehicle Displays

CHAPTER 14- OUTDOOR VEHICLE DISPLAYS

12-14-1. PURPOSE AND SCOPE. The City Council of Park City, Utah hereby finds that there is a substantial and compelling need to allow limited outdoor display of vehicles due to the unique relationship between vehicle sponsors of Master Festivals and the City's ski resorts. Such a need must be balanced with the City's aesthetic concerns as stated in section 12-1-1. Accordingly, the City shall only permit outdoor vehicle displays pursuant to the regulations stated herein. Such displays are not Signs and shall not count towards Sign square footage limitations, nor receive the benefit of Sign exemptions.

12-14-2. DISPLAY. Sponsor vehicles may be displayed subject to the following criteria:

(1) The display is within: a) a Master Festival Venue; or 2) a Ski Base Facility in the RC-MPD or RD-MPD zones;

(2) The display is consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section12-3-3(A) as applied to the orientation of the display which shall be generally to the interior of the Venue or Ski Base Facility, and that any commercial advertising message is secondary to such look and feel design elements for the event;

(3) The display is only for the display of the vehicle; no additional solicitation or advertising is allowed as a consequence of the vehicle other than a Sign identifying the Sponsor not to exceed three square feet. The vehicle may be wrapped with additional design elements, ski team or athlete images so long as the wrap contributes to the overall resort atmosphere or theme of the ski area or event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section12-3-3(A) as applied to the area or event, and that any commercial advertising message is secondary to such look and feel design elements;

(4) The proposed vehicle display does not impede vehicular or pedestrian circulation;

(5) The proposed vehicle display does not impede emergency Access or services.

DEPARTMENT REVIEW
The Executive Department, Planning Department and Legal Department have reviewed the proposed amendments.

RECOMMENDATION
The Planning Department requests that the City Council review the proposed changes to Title 12 of the Municipal Code, conduct a public hearing, and approve the ordinance.

ALTERNATIVES

1. Revise the ordinance and adopt with changes.
2. Continue discussion and direct staff as to additional information.

EXHIBITS
Proposed Ordinance

AN ORDINANCE AMENDING TITLE 12, SIGN CODE, CHAPTERS 1, 7, 8, 10, AND 12, AND ADDING A NEW CHAPTER 14, OF THE MUNICIPAL CODE OF PARK CITY CLARIFYING STANDARDS FOR PLAZA, MASTER FESTIVAL, AND SPECIAL EVENT MASTER SIGN PLANS, AND ADOPTING REGULATIONS FOR OUTDOOR DISPLAY OF VEHICLES.

WHEREAS, the City Council recognizes the significant need for temporary signs during Master Festivals and Special Events to ensure the success of such events, facilitate unusual pedestrian and vehicular traffic patterns, and secure necessary corporate sponsors; and

WHEREAS, such events are critical to the economic and cultural goals of the City as defined in the General Plan, the City Council's annual Vision Statement to be a World Class, Multi-Seasonal Destination Resort Community, and Principles 1, 3, 6 and 7; and

WHEREAS, the City has successfully and aggressively balanced the need for commercial signs and marks with the aesthetic beauty and charm of its historic districts and the mountain community generally, both of which are vital to the economic development and quality of life of the City; and

WHEREAS, the ski resorts and Master Festivals have special and unique needs to have sponsor vehicle displays and so long as such displays are conducted according to the standards and location criteria herein, the displays will not be contrary to the intent statement of Title 12, Sign Code, of the Municipal Code of Park City; and

<u>WHEREAS, the City Council is adopting special, more-permissive regulations for Master Festivals and Special Events, but the City Council hereby finds that such signs must still be regulated to prevent visual clutter, ensure efficient pedestrian and vehicle traffic movements, and promote the resort character of the community.</u>

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

<u>Section I</u>. Findings. The recitals above and the staff report are incorporated herein as findings in support of this ordinance.

<u>Section II.</u> Amendment. Title 12 Sign Code, of the Municipal Code of Park City is hereby amended as follows:

Chapter 1 – Definitions

(K) **ENLARGED REPRODUCTION**. An object that has been designed and built to resemble a product or service, that is larger than the actual product or service.

(V) **PRIVATE PLAZA**: Private property in excess of 1,000 square feet that generally serves as common area to adjoining commercial development and is free of structures, is hard surfaced and/or landscaped. Private plazas generally provide an area for pedestrian circulation, common amenities, and act as a gathering space for private or public purposes.

(W) **SIGN**. Sign shall mean and include a display of an advertising message, usually written, including an announcement, declaration, demonstration, product reproduction~~display,~~ illustration, insignia, surface or space erected or maintained in view of the observer thereof primarily for identification, advertisement, or promotion of the interest of any person, entity, product, or service, and visible from outdoors. The definition of a Sign shall also include the Sign structure, supports, lighting system, and any attachments, Flags, ornaments or other features used to draw the attention of observers.

Chapter 7 – Prohibited Signs

*(E) **ENLARGED REPRODUCTION**. The use of an inanimate object that has been constructed to look like a smaller product for the purpose of advertisement or display is prohibited.*

Chapter 8 – Signs Exempt From Permit Requirement.

(F) **PRIVATE PLAZAS**. Signs may be installed in Private Plazas ~~pedestrian~~ without obtaining individual Sign Permits provided that such Signs conform to an approved Master Sign Plan, however building permits shall be required for installation and any necessary electrical service and lighting. ~~mounting and wiring~~Existing Signs in Private Plazas approved prior to March 19, 1998 do not need to come into conformance with the Sign Code and Master Sign Plan requirements, but all new Signs must be either individually approved or approved as an amendment to the Master Sign Plan. Signs oriented internally to the plaza and not to the public street or right of way shall not be subject to the limitations in Section 12-3-3(C).

Chapter 10 – Types of Temporary Signs

(A) BUSINESS NAME OF TENANT CHANGE SIGNS. Due to a change in business name or tenant, including temporary occupancy of an existing business by a convention sales license holder (pursuant to Section 4-3-9 of this Code) a temporary Sign is permitted as per the following regulations.

(1) **Size**. Business Name or Tenant Change Signs may occupy the same amount of area previously approved on a building or façade provided said area is consistent with this Title and the master sign plan for the property. ~~shall not exceed twenty-four square feet (24 sq. ft.) of area on the exposed Sign face~~ In no case shall Business Name or Tenant Change signs exceed the Sign area per Building Face when included within the Sign area calculation for all permanent Signs.

(2) **Height Limit**. All requirements as stated in this Title shall apply.

(3) **Number of Signs**. Persons seeking approval for Business Name or Temporary Change Signs are allowed the same number of signs previously approved on a building façade or through the Master Sign Plan. Additional Window Sign area may be used, but may not exceed the total Sign area allowed per Building Face.

(4) **Setback and Orientation**. Temporary Business Name or Tenant Change Signs are permitted in any district, provided that they comply with all size and setback requirements for the permanent Signs of similar nature.

(5) **Zoning Restrictions**. Temporary business Identification Signs are allowed in all Zoning Districts.

(6) **Design**. Temporary business Identification Signs shall be consistent with the requirements of Chapter 4-7 of this Title. ~~constructed of wood, metal, mounted on hardware of wood, painted metal or other similar material~~. Sign mounting shall comply with the Uniform Sign Code's standards for installation.

(7) **Illumination**. Illumination of temporary business Signs is prohibited.

Chapter 12 – Master Festival Sign Plan

CHAPTER 12. MASTER FESTIVAL AND SPECIAL EVENT SIGN PLAN.
12-12-1. SIGN PLAN REQUIRED. ~~Any person desiring permission to display temporary Banners and Signs related to an event on various dates at one location shall submit plans along with the application for a Master Festival License, which is issued by the City. Parameters and requirements are stated within the Master Festival License Application and shall be reviewed by the Planning Department prior to the issuance of a permit.~~

All Master Festival and Special Event Licensees desiring permission to display temporary Signs related to an approved Master Festival shall submit a Master Festival Sign Plan as part of the application for a Master Festival License. The Planning and

Special Events and Facilities Departments shall review Master Festival Sign Plans for compliance with the standards below prior to permit issuance.

12-12-2. MASTER FESTIVAL BANNERS. The use of Banners identifying an event and/or Sponsor is allowed within the boundaries of the approved Master Festival Venue, subject to the following criteria:

(8) **Size**: No individual Master Festival Banner may exceed 36 square feet in size.

(9) **Number of Signs**. One Banner is allowed per Venue. Additionally, one Banner is allowed on the external façade of any building or structure within a Venue, including temporary structures. Staff may approve additional Banners within a Venue upon finding that the Banners contribute to the overall resort atmosphere or theme of the event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section12-3-3(A) as applied to the event, and that any commercial advertising message is secondary to such look and feel design elements for the event. There is no limit on Banners within a fully enclosed structure.

(10) **Setback and Orientation**. Master Festival Banners are allowed only on or within approved Venues.

(11) **Zoning Restrictions**. Master Festival Banners are allowed within all zoning districts.

(12) **Design**. Fluorescent colors and reflective surfaces are prohibited on Banners. Reflective colored materials that give the appearance of changing color are also prohibited. A matte or flat finish is required for all surfaces.

(13) **Period of Display**. Master Festival Banners may be displayed only during the approved time of the Master Festival.

(14) **Illumination**. Illumination of Master Festival Banners is prohibited.

12-12-3. SPECIAL EVENT BANNERS. The use of Banners is allowed within the boundaries of the approved Special Event Venue, subject to the following criteria:

(8) Size: No individual Special Event Banner may exceed 36 square feet in size.

(9) Number of Signs. One Banner is allowed per Venue. Additionally, one Banner is allowed on the external façade of any building or structure within a Venue, including temporary structures. Each Banner shall be consistent with Section12-3-3(A) as applied to the event, and any commercial advertising message must be secondary to such look and feel design elements for the event.

(10) Setback and Orientation. Special Event Banners are allowed to be oriented only within approved Venues.

(11) Zoning Restrictions. Special Event Banners are allowed within all zoning districts.

(12) Design. Fluorescent colors and reflective surfaces are prohibited on Banners. Reflective colored materials that give the appearance of changing color are also prohibited. A matte or flat finish is required for all surfaces.

(13) Period of Display. Special Event Banners may be displayed only during the approved time of the Special Event.

(14) Illumination. Illumination of Special Event Banners is prohibited.

12-12-4. MASTER FESTIVAL DIRECTIONAL SIGNS. Municipal and/or event owned Directional signs in the form of Electronic Message Signs and Portable Signs, are allowed for the purpose of identifying and/or directing vehicular or pedestrian traffic to parking areas, transportation centers and venues.

12-12-5. MASTER FESTIVAL PROJECTION SIGNS. Temporary Projection Signs that are part of an approved Master Festival License may be allowed for the duration of the Master Festival permit, provided they are directed downward and the light source is shielded from any view but the intended mark of the Sign.

12-12-6. TEMPORARY SIGNS. Staff may approve Temporary Signs within a Master Festival or Special Event Venue upon finding that the Signs contribute to the overall resort atmosphere or theme of the event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section12-3-3(A) as applied to the event, and that any commercial advertising message is secondary to such look and feel design elements for the event. There is no limit on Signs within a fully enclosed structure.

Chapter 14 – Outdoor Vehicle Displays

CHAPTER 14- OUTDOOR VEHICLE DISPLAYS

12-14-1. PURPOSE AND SCOPE. The City Council of Park City, Utah hereby finds that there is a substantial and compelling need to allow limited outdoor display of vehicles due to the unique relationship between vehicle sponsors of Master Festivals and the City's ski resorts. Such a need must be balanced with the City's aesthetic concerns as stated in section 12-1-1. Accordingly, the City shall only permit outdoor vehicle displays pursuant to the regulations stated herein. Such displays are not Signs and shall not count towards Sign square footage limitations, nor receive the benefit of Sign exemptions.

12-14-2. DISPLAY. Sponsor vehicles may be displayed subject to the following criteria:

(6) The display is within: a) a Master Festival Venue; or 2) a Ski Base Facility in the RC-MPD or RD-MPD zones;

(7) The display is consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section12-3-3(A) as applied to the orientation of the display which shall be generally to the interior of the Venue or Ski Base Facility, and that any commercial advertising message is secondary to such look and feel design elements for the event;

(8) The display is only for the display of the vehicle; no additional solicitation or advertising is allowed as a consequence of the vehicle other than a Sign identifying the Sponsor not to exceed three square feet. The vehicle may be wrapped with additional design elements, ski team or athlete images so long as the wrap contributes to the overall resort atmosphere or theme of the ski area or event consistent with the purpose and scope of Section 12-1-1, the design is consistent with Section12-3-3(A) as applied to the area or event, and that any commercial advertising message is secondary to such look and feel design elements;

(9) The proposed vehicle display does not impede vehicular or pedestrian circulation;

(10) The proposed vehicle display does not impede emergency Access or services.

Section III. Renumbering**.** Chapter 14 Appeals, of Title 12 of the Muncipal Code of Park City is renumbered as Chapter 15 Appeals. All section headings for Definitions and any other section affected by the amendments herein shall be re-numbered accordingly.

Section IV Effective Date. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 8th day of January, 2004.

DATE: January 8, 2004
DEPARTMENT: City Manager
AUTHOR: Jan Scott, City Recorder
TITLE: Mayor Pro-Tem Appointments; and Meeting Dates
TYPE OF ITEM: Administrative/Legislative

SUMMARY RECOMMENDATIONS: Appointing a Mayor Pro Tem and Alternate Mayor Pro Tem at the regular meeting, and adopting resolutions setting forth meeting dates for the City Council and its related agencies are recommended actions.

DESCRIPTION:

A. Topic: Appointments and setting meeting dates are both housekeeping matters, which occur at the first meeting of the year. Setting regular meeting times, place and dates is a requirement of the state code.

B. Background: Historically, City Council members with the most years of service then the highest number of votes have been appointed as Mayor Pro Tem and Alternate Mayor Pro Tem. Last year, Candace Erickson served as Mayor Pro Tem and Peg Bodell Alternate Mayor Pro Tem, but Peg will not be moving into the Mayor Pro Tem position. If Council agrees with this criteria and since Candy served last year, Jim Hier is recommended for the appointment of Mayor Pro Tem, and Kay Calvert, Alternate Mayor Pro Tem. The regular meeting time of 6 p.m. has been in place since January 1986; prior to that, it was 5 p.m. It should be emphasized that the manner of appointments is at the sole discretion of the Mayor, with the advice and consent of the City Council.

C. Analysis: N/A.

D. Department Review: N/A.

ALTERNATIVES:

A. Approve the request.

B. Deny the Request: The Council has the discretion to change the manner of appointing the Mayor Pro Tem or to change the meeting time, place, or date. However, it is required to adopt meeting dates by resolution and recommended to do so at the first meeting of the year..

C. Continue the Item: These items could be continued, but it is recommended that these actions take place at the beginning of the year.

RECOMMENDATION: See summary recommendation.

Resolution No. 1-04

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR MEETINGS OF THE CITY COUNCIL OF PARK CITY, UTAH FOR 2004

BE IT RESOLVED by the City Council of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Park City Council shall be held on Thursdays at 6 p.m. at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah. Regular meetings are open meetings, where agenda items are scheduled for public hearing and/or action. The time may change if it is felt appropriate to schedule issues of general interest at a time that may better accommodate the public. Meetings may be canceled when there is no pending business, no quorum, or the regular meeting date falls on a holiday.

The schedule for City Council meetings in 2004 are as follows:

January 8, 15, 22, 29	July 1, 8, 15, 22, 29
February 5, 12, 19, 26	August 5, 12, 19, 26
March 4, 11, 18, 25	September 2, 9, 16, 23, 30
April 1, 8, 15, 22, 29	October 7, 14, 21, 28
May 6, 13, 20, 27	November 4, 11, 18
June 3, 10, 17, 24	December 2, 9, 16, 23, 30

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, indicating the specific date, time, and location of the meeting. The agenda will be posted at the Marsac Municipal Building at least twenty-four (24) hours prior to each regular meeting, and same delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the City's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-4 and 52-4-5 of the Utah Code. A closed meeting may be held upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-6, provided a quorum is present. No closed meeting is allowed except as to matters exempted under Section 52-4-5; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. The reason or reasons for holding a closed meeting, the roll call, and any dissenting vote to close the meeting, shall be entered in the memorandum of closed session and made a part of the minutes.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately.

PASSED AND ADOPTED this 8th day of January, 2004.

Resolution No. RDA 1-04

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2004 MEETINGS AND APPOINTING OFFICERS OF THE BOARD OF DIRECTORS OF THE REDEVELOPMENT AGENCY OF PARK CITY, UTAH

BE IT RESOLVED by the Redevelopment Agency of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Redevelopment Agency shall be held on Thursdays at 6 p.m. or immediately following the adjournment or preceding the convening of other meetings that may be scheduled at 6 p.m. Meetings shall be held at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah, except when there is no pending business or the regular meeting date falls on a holiday.

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, indicating the specific location of the meeting. The agenda will be posted at the Marsac Municipal Building at least twenty-four (24) hours prior to each regular meeting, and same delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the Agency's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-4 and 52-4-5 of the Utah Code. A closed meeting may be held upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-6, provided a quorum is present. No closed meeting is allowed except as to matters exempted under Section 52-4-5; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. The reason or reasons for holding a closed meeting, the roll call, and any dissenting vote to close the meeting, shall be entered in the memorandum of closed session and made a part of the minutes.

SECTION 5. SPECIFIC MEETING DATES. The schedule for Redevelopment Agency meetings in 2004 are as follows:

January 8, 15, 22, 29	July 1, 8, 15, 22, 29
February 5, 12, 19, 26	August 5, 12, 19, 26
March 4, 11, 18, 25	September 2, 9, 16, 23, 30
April 1, 8, 15, 22, 29	October 7, 14, 21, 28
May 6, 13, 20, 27	November 4, 11, 18
June 3, 10, 17, 24	December 2, 9, 16, 23, 30

SECTION 6. APPOINTMENT OF OFFICERS. The officers of the Board of Directors of the Redevelopment Agency of Park City, Utah shall be as follows: The elected Mayor shall be the Chairman; the Mayor Pro Tempore shall be the Vice-Chairman; the Alternate Mayor Pro Tempore shall be the Alternate Vice-Chairman; the City Manager shall be the Executive Director; the City Recorder shall be the Secretary; and the Deputy City Recorder shall be the Deputy Secretary.

PASSED AND ADOPTED this 8th day of January, 2004.

Resolution No. MBA 1-04

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2004 MEETINGS AND APPOINTING OFFICERS OF THE BOARD OF DIRECTORS OF THE MUNICIPAL BUILDING AUTHORITY OF PARK CITY, UTAH

BE IT RESOLVED by the Municipal Building Authority of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Municipal Building Authority shall be held on Thursdays at 6 p.m. or immediately following the adjournment or preceding the convening of other meetings that may be scheduled at 6 p.m. Meetings shall be held at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah, except when there is no pending business or the regular meeting date falls on a holiday.

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given indicating the specific location of the meeting. The agenda will be posted at the Marsac Municipal Building at least twenty-four (24) hours prior to each regular meeting, and same delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the Authority's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-4 and 52-4-5 of the Utah Code. A closed meeting may be held upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-6, provided a quorum is present. No closed meeting is allowed except as to matters exempted under Section 52-4-5; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. The reason or reasons for holding a closed meeting, the roll call, and any dissenting vote to close the meeting, shall be entered in the memorandum of closed session and made a part of the minutes.

SECTION 5. SPECIFIC MEETING DATES. The schedule for Municipal Building Authority meetings in 2004 are as follows:

January 8, 15, 22, 29	July 1, 8, 15, 22, 29
February 5, 12, 19, 26	August 5, 12, 19, 26

March 4, 11, 18, 25	September 2, 9, 16, 23, 30
April 1, 8, 15, 22, 29	October 7, 14, 21, 28
May 6, 13, 20, 27	November 4, 11, 18
June 3, 10, 17, 24	December 2, 9, 16, 23, 30

SECTION 6. APPOINTMENT OF OFFICERS. The officers of the Board of Directors of the Municipal Building Authority of Park City, Utah shall be as follows: The elected Mayor shall be the Chairman; the Mayor Pro Tempore shall be the Vice-Chairman; the Alternate Mayor Pro Tempore shall be the Alternate Vice-Chairman; the City Manager shall be the Executive Director; the City Recorder shall be the Secretary; and the Deputy City Recorder shall be the Deputy Secretary.

PASSED AND ADOPTED this 8th of January, 2004.

Resolution No. WSD 1-04

A RESOLUTION ESTABLISHING A REGULAR MEETING DATE, TIME, AND LOCATION FOR 2004 MEETINGS AND APPOINTING OFFICERS OF THE ADMINISTRATIVE CONTROL BOARD OF THE PARK CITY WATER SERVICE DISTRICT

BE IT RESOLVED by the Water Service District of Park City:

SECTION 1. REGULAR MEETING DATE. The regular meetings of the Water Service District shall be held on Thursdays at 6 p.m. or immediately following the adjournment or preceding the convening of other meetings that may be scheduled at 6 p.m. Meetings shall be held at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah, except when there is no pending business or the regular meeting date falls on a holiday.

SECTION 2. NOTICE OF PUBLIC MEETINGS. Notice shall be given, indicating the specific location of the meeting. The agenda will be posted at the Marsac Municipal Building at least twenty-four (24) hours prior to each regular meeting, and same delivered to the local news media. The agenda for special or emergency meetings shall be noticed in the best manner practicable.

SECTION 3. WORK SESSIONS. Work sessions are open informational meetings, where new items are introduced or regular meeting agenda items are discussed for clarification prior to action. Typically, no formal action is scheduled or taken during a work session, but formal actions may be made to conduct the Water Service District's business, if it is deemed to be in the best interest of the public.

SECTION 4. CLOSED MEETINGS. Every meeting and work session is open to the public, unless closed pursuant to Sections 52-4-4 and 52-4-5 of the Utah Code. A closed meeting may be held upon the affirmative vote of two-thirds of the members of the public body present at an open meeting for which notice is given pursuant to Section 52-4-6, provided a quorum is present. No closed meeting is allowed except as to matters exempted under Section 52-4-5; provided no ordinance, resolution, rule, regulation, contract, or appointment shall be approved at a closed meeting. The reason or reasons for holding a closed meeting, the roll call, and any dissenting vote to close the meeting, shall be entered in the memorandum of closed session and made a part of the minutes.

SECTION 5. SPECIFIC MEETING DATES. The schedule for the Water Service District meetings in 2004 are as follows:

January 8, 15, 22, 29	July 1, 8, 15, 22, 29
February 5, 12, 19, 26	August 5, 12, 19, 26

March 4, 11, 18, 25	September 2, 9, 16, 23, 30
April 1, 8, 15, 22, 29	October 7, 14, 21, 28
May 6, 13, 20, 27	November 4, 11, 18
June 3, 10, 17, 24	December 2, 9, 16, 23, 30

SECTION 6. APPOINTMENT OF OFFICERS. The officers of the Administrative Control Board of the Park City Water Service District shall be as follows: The elected Mayor shall be the Chairman; the Mayor Pro Tempore shall be the Vice-Chairman; the Alternate Mayor Pro Tempore shall be the Alternate Vice-Chairman; the City Manager shall be the Executive Director; the City Recorder shall be the Secretary; and the Deputy City Recorder shall be the Deputy Secretary.

PASSED AND ADOPTED this 8th day of January, 2004.

City Council
Staff Report

PARK CITY 1884

Author: Jessica Moran, Recreation Coordinator
Subject: Online Registration - Recreation
Date: January 8, 2004
Type of Item: Administrative

Recreation & Library Department

Summary Recommendations:
Authorize the use of 5-year CIP funds to purchase online registration for the Park City Racquet Club and Recreation Department, totaling $33,750.

Description:

Topic:
E-Commerce for the Park City Racquet Club and Recreation Department.

Background:
Class Software Systems has provided the Park City Racquet Club and Recreation Departments with the current registration software since 1999. Staff has been very pleased with the technical support and services of Class Software, and has upgraded to the newest version of this registration system, version 5.0, in January 2004. Recreation and Technical Services staffs have researched online registration with Class to ensure it meets the needs of our customers, as well as those of the city Technical Services and Finance Departments.

Analysis:
The new Park City Recreation website has been up and running since October 2003, and offers state-of-the-art website design and function for our customers to find information easily and conveniently. However, when a customer finds a program they would like to register for, the process becomes very awkward. A patron must fill out a form with the program information and send it in an email that is received in the Recreation Department. Since no payments may be taken online to date, a staff person must then call the patron to confirm that the program is available and take a credit card payment over the phone. This is time consuming for staff and does not provide optimal service to customers, as it often results in messages left and several phone calls before the transaction is complete. The current system allows patrons to register for programs that are already full, which means a staff person has to call and let them know the program is unavailable. It is difficult to maintain high levels of customer service with the current system.

The Park City Racquet Club front desk staff takes approximately 6200 registrations for facility passes each year, including monthly, yearly and ten-punch passes. Another 4500 registrations for recreation programs come through the front desk, as well as walk-in customers, phone inquiries, and patron check-in. The E-Commerce goal for the Racquet Club and Recreation would be to take 50% of our registrations online. With a more manageable number of patrons and registrations coming through the front desk, it will allow more time to concentrate on customer service levels. In addition, we anticipate that the overall number of registrations received may increase, due to the convenience of registering for programs from home.

Snyderville Basin Recreation currently contracts with a 3rd party to take their online registrations, which account for 80% of their total registrations. Although convenient for patrons, the method is costly and does not interface with registration software.

Of the almost 11,000 registrations taken at the Racquet Club front desk, the majority are taken in late spring/early summer, as we prepare for the busiest time of year for the pools and recreation department programs. In order to implement the system prior to the rush on registrations, and have the opportunity to advertise online registration in our annual publication due mid-March, we are asking to be granted CIP funds outside of the budget cycle.

Recreation and Technical Services' staff recently met with the city Finance department to determine the effects online registration would have on financial reports and practices. Once the software is installed and running, the reports currently issued to the finance department would not change. It does seem reasonable that the number of credit card transactions versus cash/check transactions would increase, and this may result in a more time consuming reconciliation for the Finance department. In addition, the software would provide the Racquet Club front desk with a means to complete credit card transactions with one less step than the current system, and provide more accessible information on these transactions. Technical Services has also worked closely with Recreation staff to determine that Class Software's E-Connect system would install seamlessly with current software, is cost-effective since it will be in addition to a system already used, and is the only software system available to interact with current software.

With Class Software's E-Connect system, patrons will enjoy an easy to use, convenient method of maintaining their accounts online. Twenty-four hours a day, from the convenience of home, a customer may monitor their account history, update account information, check on available registration in programs, and register for those programs on a secure server and in "real time". Implementing the online registration system now may conflict with the long-term strategy of the city's Technical Services department to offer e-commerce in every available area. However, it will likely be two to three years before a city-wide online payment system is implemented. Recreation staff believes that the need for immediate customer service improvements outweigh the risk of purchasing an online payment system that may be incompatible in a few years with the city's system. As the first city department to offer online registration, Technical Services will have a valuable test-case from which to determine strategies for other city departments.

Department Review:
The City Manager, Recreation, Budget & Grants, Finance, and Technical Services Departments.

Alternatives:

Approve the Request:
Grant the request for 5-year CIP funds to pay for installation of Class Software Systems' E-Connect, at a cost of $33,750 for the Racquet Club and Recreation.

Deny the Request:
Deny the request for 5-year CIP funds to pay for installation of Class Software Systems' E-Connect, at a cost of $33,750 for the Racquet Club and Recreation.

Continue the Item:
Deny the request for CIP funds, recommend that E-Connect be included as a budget item in June 2004.

Do Nothing:
The current registration system at the Park City Racquet Club will remain as is.

Significant Impacts:
Online registration will improve the level of customer service patrons of the Park City Racquet Club and Recreation programs receive by providing a convenient alternative for program registrations. City council adopted budget policies suggest that all new requests be considered during the budget process which occurs in May or June. Recreation staff is recommending approval outside of the budget process so that customer service can be enhanced during the busy spring reservation process. Since this software upgrade is greater than $10,000 and the item is not in the budget, council action is required in order to purchase the enhanced software now.

Consequences of not taking the recommended action:
Online registration will not be offered for Racquet Club and Recreation programs. Levels of customer service will not improve, in regards to program registration. Patrons will continue to be inconvenienced by having to visit the Racquet Club to register for programs or by using the current email/phone call system.

Recommendation:
Grant the request for installation of Class Software Systems' E-Connect for the Racquet Club and Recreation. The project is currently unbudgeted, however, Council has the flexibility to authorize this expenditure of $33,750 from the 5-year CIP account.

City Council
Staff Report

PARK CITY 1884

Planning Department

Author: Kirsten Whetstone
Subject: Spiro Tunnel Annexation Petition
Date: January 8, 2004
Type of Item: Legislative

Summary Recommendations:
Review the submitted annexation petition and take action to either accept or reject the petition for annexation.

Description
Topic

Project Name: Spiro Tunnel Annexation
Applicant: Rory Murphy, Registered Agent, Paladin, LLC (owner)
Location: West of the Spiro Tunnel Water Treatment Facility on Three Kings Drive
Zoning: Summit County- DL (Developable Lands @ 1 unit per 20 acres- base density)
Proposed Zoning: RDM-MPD (Residential Development Medium Density subject to the Master Planned Development)
Adjacent Land Uses: single family residential, condominiums, Park City Golf Course, Park City water treatment plant, PCMR undeveloped land, open land.
Proposed Use: Master Planned Development – mixed use residential, office, and resort commercial

Background

On October 29, 2003 the property owner submitted to the Planning Department an annexation petition application for one metes and bounds described parcel of land, currently within Summit County's jurisdiction. The parcel is located directly west of the City's Spiro Tunnel water treatment facility and the Park City Golf Course (see vicinity map). This parcel is approximately 12.32 acres in area. The applicant also submitted a master planned development application for the subject parcel and an adjacent parcel. Together the parcels include 17.58 acres of land. Proposed as part of the master planned development is a mixed use residential, office, and resort commercial project.

Staff has worked with the applicant to ensure that all materials required to form a complete annexation petition according to provisions of the City's Annexation Policy Plan have been filed. A signed annexation plat, prepared by a licensed surveyor, has been filed. The applicant also has provided necessary notification of the intent to file the petition to the required affected entities.

Several historic buildings and mining related structures exist on the site, which is currently used as a construction staging area and for mine maintenance. Access to the proposed annexation parcel is from Three Kings Road, a public street. The proposed annexation parcel has approximately 588 linear feet of frontage on Three Kings Road.

Information regarding ownership, slopes, geology, vegetation, soils, sensitive lands, historic structures, roads, utilities, water rights, fiscal impact information, traffic and parking, skiing, trails, and proposed uses/site planning has also been submitted as part of the annexation and MPD, and is on file at the Planning Department.

Analysis

The property consists of a metes and bounds parcel that is contiguous to the Park City Municipal boundary. The parcel is within the Annexation Expansion Area, as described by the adopted Annexation Policy Plan. After determining that the annexation petition application is complete pursuant to the City's Annexation Policy Plan, staff scheduled the petition for City Council acceptance or rejection at its first regularly scheduled meeting that is at least 14 days after the date the petition was filed, as required by state law.

Municipal annexation is a legislative act governed procedurally by Utah state law. Once the annexation petition is filed with the City Recorder, the petition is presented to the municipal legislative body for acceptance or rejection. Because annexation is a legislative act, the Council's decision to accept or reject the petition is not governed by statutory criteria: subject to constitutional restraints, acceptance or rejection is at the Council's discretion. It is important to note that a decision to reject the petition ends the annexation process, while a decision to accept the petition is not final, but only allows the process to continue for further consideration via the certification and subsequent public hearing process.

If the Council accepts the petition, then a 30-day certification review process will commence wherein Staff will determine whether the petition meets all requirements of Utah State Code Sections 10-2-403(2), (3), and (4). If staff determines that the petition meets these requirements, then the City Recorder will certify the petition and commence the public notification and hearing process. If staff determines that the petition fails to meet any of the statutory requirements, then the City Recorder will reject the petition and deliver written notification of rejection to the applicant and other parties required by state law. The applicant then will have the opportunity to modify the petition to correct the deficiencies for which it was rejected and re-file the petition with the City Recorder.

Alternatives: It is important to note that pursuant to Utah State Code Section 10-2-405(1)(a)(i)(B), if the Council does not take action on this annexation petition at its first regularly scheduled meeting that is at least 14 days after the date the petition was filed (this meeting, January 8, 2004), then the annexation petition shall be considered accepted for further consideration. Accordingly, taking no action and/or continuing this item are not options available to the Council; either action represents acceptance of the petition.

A. Accept the annexation petition for further consideration, thereby triggering the 30-day certification review process;

B. Reject the annexation petition, thereby ending the annexation process; or

C. Do nothing or continue the item. Pursuant to state law, the annexation petition is considered accepted for further consideration, thereby triggering the 30-day certification review process.

Recommendation
Staff recommends the Council review the petition for annexation of the 12.32 acre parcel and take action to either accept for further review, or reject, the petition.

Exhibits
Exhibit A – Annexation plat (see pdf file)

SPIRO TUNNEL ANNEXATION PLAT

AN ANNEXATION TO PARK CITY, SUMMIT COUNTY, UTAH

60 0 60 120

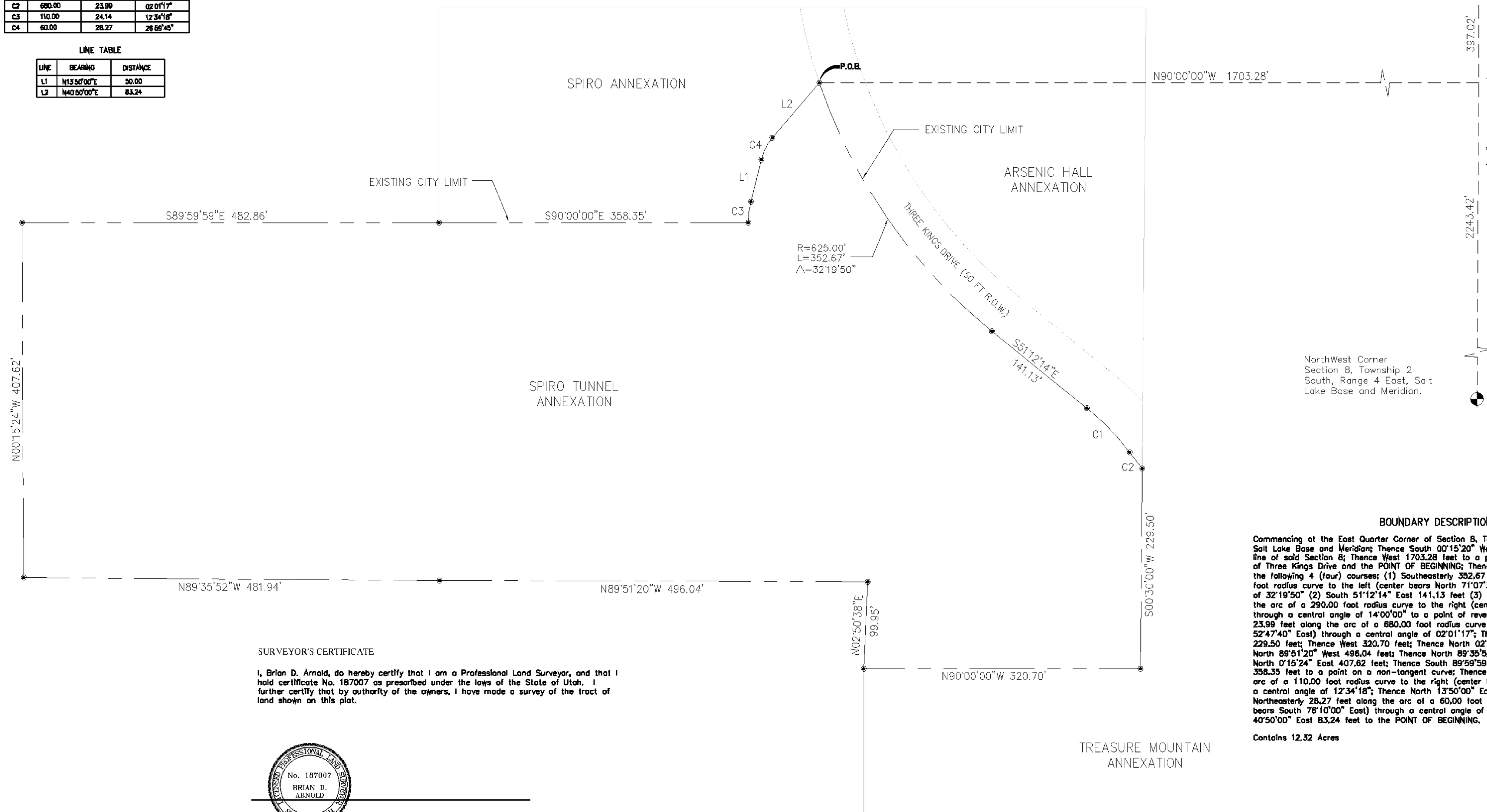
SCALE 1" = 60 FEET

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	290.00	70.86	14°00'00"
C2	680.00	23.99	02°01'17"
C3	110.00	24.14	12°34'18"
C4	60.00	28.27	26°59'45"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N13°50'00"E	50.00
L2	N40°50'00"E	83.24



BOUNDARY DESCRIPTION

Commencing at the East Quarter Corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian; Thence South 00°15'20" West 397.02 feet along the East line of said Section 8; Thence West 1703.28 feet to a point on the Westerly Right-of Way of Three Kings Drive and the POINT OF BEGINNING; Thence along said Right-of-Way the following 4 (four) courses; (1) Southeasterly 352.67 feet along the arc of a 625.00 foot radius curve to the left (center bears North 71°07'36" East) through a central angle of 32°19'50" (2) South 51°12'14" East 141.13 feet (3) Southeasterly 70.86 feet along the arc of a 290.00 foot radius curve to the right (center bears South 38°47'40" East) through a central angle of 14°00'00" to a point of reverse curvature (4) Southeasterly 23.99 feet along the arc of a 680.00 foot radius curve to the left (center bears North 52°47'40" East) through a central angle of 02°01'17"; Thence South 30°00'00" West 229.50 feet; Thence West 320.70 feet; Thence North 02°50'38" East 99.95 feet; Thence North 89°51'20" West 496.04 feet; Thence North 89°35'52" West 481.94 feet; Thence North 0°15'24" East 407.62 feet; Thence South 89°59'59" East 482.86 feet; Thence East 358.35 feet to a point on a non-tangent curve; Thence Northeasterly 24.14 feet along the arc of a 110.00 foot radius curve to the right (center bears North 88°44'18" East) through a central angle of 12°34'18"; Thence North 13°50'00" East 50.00 feet; Thence Northeasterly 28.27 feet along the arc of a 60.00 foot radius curve to the right (center bears South 76°10'00" East) through a central angle of 27°00'00"; Thence North 40°50'00" East 83.24 feet to the POINT OF BEGINNING.

Contains 12.32 Acres

SURVEYOR'S CERTIFICATE

I, Brian D. Arnold, do hereby certify that I am a Professional Land Surveyor, and that I hold certificate No. 187007 as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat.

LICENSED PROFESSIONAL LAND SURVEYOR No. 187007 BRIAN D. ARNOLD STATE OF UTAH

PSOMAS
2825 East Cottonwood Parkway, Suite 120
Salt Lake City, Utah 84121
(801) 270-5777 (801) 270-5782 (FAX)

DATE: 09/21/03	DESIGNED BDA	PLANNING COMMISSION APPROVED THIS _______________ DAY OF __________ A.D., 2003 BY THE PARK CITY PLANNING COMMISSION. CHAIRMAN, PARK CITY PLANNING COMM.	ENGINEERS CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE. DATE PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS ______ DAY OF __________ A.D., 2003. PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF____________,2003 A.D. PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ______ DAY OF __________ A.D., 2003. ATTEST CLERK MAYOR	RECORDED # STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF ______________ DATE __________ TIME ______ BOOK _________ PAGE ______ FEE $ ________ SUMMIT COUNTY RECORDER
SCALE: 1" = 60'	DRAFTED JAJ						
PROJECT No. 8UPM010100	CHECKED BDA						

jsa architecture planning interiors
3115 e. lion lane suite 300
salt lake city utah 84121
801. 278. 8151 fax 801. 278. 8661

consultant:

PSOMAS
2825 East Cottonwood Parkway, Suite 120
Salt Lake City, Utah 84121
(801) 270-5777 (801) 270-5782 (FAX)

MASTER UTILITY PLAN

project:

SILVER KING
PARK CITY, UTAH

date

10-24-03

revisions

data

project no: 8PAL010100
drawn by: PM
checked by: JR

title

sheet

2 OF 2

jsa

Spiro Tunnel Annexation

Park City, Utah

City Council
Staff Report

Author: Kim Leier
Human Resources
Subject: Council Appointments to Employee Transfer & Discharge Appeal Board
Date: January 8, 2004
Type of Item: Administrative

Summary Recommendations:

Description:
At the first council meeting of each year Council will appoint two members and an alternate to serve

Topic:
The Employee Transfer Discharge and Appeal Board (ETDAB) consists of two appointed council members, an alternate to serve in their absence, three elected employees and an alternate from all employees represented. This appointment is in accordance with Utah State Code.

Background:
In November of 1999 council approved the establishment of ETDAB according to Section 2-6-2 within Title 2, Chapter 6 of the Municipal Code in conjunction with Park City Municipal Policies and Procedures and as set forth in Utah Code Annotated 10-3-1106, as amended. This statute prohibits the discharge or transfer of employees to a position with less remuneration because of the employee=s politics or religious belief, or incident to, or through changes, either in the elective officers, governing body, or heads of departments. The statute also provides that any employee or officer who is discharged or transferred from one position to another, for any reason, shall have the right to appeal the discharge or transfer to the ETDAB. A formal appeal has not been heard by the ETDAB in more than fifteen years

Analysis:
The ordinance approving the establishment of the ETDAB was passed by Council in November of 1999. The appointment of council members must be made during the first regular council meeting of each year. The ETDAB consists of two Council members and three full-time, regular City employees. Staff elected to serve for 2004 include Karen Maxwell, Executive, Kevin LoPiccolo, Executive, Rod Ludlow, Public Safety, and alternate Nick Kingery, Public Safety. The ETDAB meets only if and when a formal

appeal challenging a transfer or discharge is filed by a City employee. A formal appeal has not been filed in more than fifteen years.

Department Review:
Legal Department
Human Resources

Alternatives:

Approve the Request:
Council is being asked to appoint two members and an alternate based on prior approval of ETDAB.

Deny the Request:
Denying the request should not be an option as prior approval has already been made.

Continue the Item:
This action should take place during the first regularly scheduled council meeting of the New Year.

Significant Impacts:
There are no significant impacts. This action coincides with the council liaison appointments to other boards and committees regularly occurring in January of each year.

Consequences of not taking the recommended action:
Failure to make the required appointments would leave the City out of compliance with policies and procedures.

Recommendation:
The City Council should appoint two members and an alternate to serve on the Employee Transfer and Discharge Appeal Board for one year to stay in compliance with Park City and Utah State Code.