



**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
DECEMBER 5, 2013**

Study Session

National Citizen Survey results

Phyllis Robinson, Public Affairs manager, and Damema Mann, Senior Project Manager, National Citizen Survey presented the results of the National Citizen Survey stating that this year's survey will be benchmarked against the survey completed two years ago. Damema stated that the National Citizen Survey is a standard survey with a custom benchmark with Park City being a resort community.

Council member Simpson inquired about the response rate and how Park City can increase that number.

Mann said that they could strategize on ways to increase that number. It is pretty close to the number from two years ago at 25%.

Council member Beerman inquired about the neighborhoods who received the survey. Mann stated that they placed a survey in the PO boxes as well as sent them to the neighborhoods shown on the map.

Discussed the key findings of the report that detailed what a great place Park City is to live, discussed how recreation and wellness are a major strength in Park City. The overall ratings were very positive.

Mann indicated the study also inquired of residents questions regarding internet. 85% said it was essential to the quality of life.

Council again found it very interesting that 63% of the residents live and work in Park City.

City Manager Foster inquired from Mann about any areas of improvement she could see for Park City. Mann stated that Park City is unique in having so many high marks across the board and would suggest focusing on keeping those numbers high.

Work Session

Council questions and comments and Manager's Report

Council member Peek was not able to attend the HPB meeting however he did relate that the agenda stated they would be discussing the next preservation award.

Council member Matsumoto attended the Historic Society meeting stating they will be holding a free day at the museum on December 12. She relayed residents' concerns regarding the crane on Main Street, she really feels staff should look at taking the crane down during Christmas.

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City Manager Foster stated that staff is aware of the issues with the length of time construction is taking on Main Street and staff is getting together to look into what the City can put in our tool box. Council and staff agreed that the problem exists and are looking into it. Another concerned citizen inquired about the height of the Silver Queen. She also had another citizen concerned about Planning Director Eddington's radio interview regarding the Historic Design. Also touched on an idea that she ran past City Manager Foster regarding broadband.

Council member Beerman agreed with tightening the construction mitigation regarding the cranes on Main. He stated that he attended a Mountain Transportation meeting and they discussed tunnels and opportunities to connect the Wasatch Front. They took them on a helicopter ride where they went from Salt Lake to Park City and back in 5 minutes. Also attended the Lodging Association meeting where Insa Riepen from Recycle Utah pitched the reusable bags and felt it was well received.

Council member Simpson attended the Health Board meeting.

Council member Butwinski attended the Museum's 50 years of Park City celebration. Also spoke to the construction mitigation along Main Street.

Mayor attended the Ted X conference where he had the privilege of speaking. Also attended the debate championship and found it was a great experience.

Manager's Report

No discussion

Economic Development Task Force Update

Jonathan Weidenhamer, Economic Development Manager, discussed the Mission Statement, areas of mutual concerns, targeted industries, and outliers to prepare the Council for the joint meeting they will have with Summit County on December 16th.

Council member Simpson stated she feels the mission statement is great.

Weidenhamer went over the matrix that the Economic Task Force used to outline their future. Also touched on the future of the Task Force and feels they are moving in the right direction. He asked for clarification from the Council that they too felt the Task Force was moving in the right direction.

Council member Matsumoto thanked Council members Butwinski and Beerman for participating with the Task Force. She also inquired about the goals of Park City versus those of the County.

Council member Beerman stated that the mutual goals were broadband, workforce housing, business incubators and transit.

General Plan Discussion – Historic Character, Neighborhoods, Introduction and Policy Issues

Mayor, Council and staff discussed the sections regarding Historic Character, Neighborhoods, Introduction and Policy issues.

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In the Historic Character section they discussed updating the inventory for historic sites and having a licensed architect be required for CUP's and HDDR's in the Historic District. Staff stated that they feel this will enhance the process

Carol Fontana asked Council to explain 16.2. Planning Director Eddington stated that it was an opportunity to create affordable housing on the upper floors along Main Street with commercial on the ground and residential above.

Hope Melville, inquired about page 18 with the reduction of off street parking from two spaces to one space and feels it would just congest the traffic in Old Town and feels it would not incentivize growth.

Council member Simpson felt it would help eliminate cars and it would be an incentive not a mandate. Council concurred and left the language in.

Ruth Meintsma 305 Woodside, she felt the pictures on page 22 were poor images regarding the guidelines for street grade relationships. Staff agreed with her comment.

Stanford Melville stated that the text box language on page 26 was confusing.

Dennis Handlin, Thaynes Canyon HOA, feels there needs to be stronger language regarding the hierarchy of land use page that will be included in front of the General Plan. He does not feel this is a minor point and is fine with stating that the HOA's are the enforcers of CC&R's. He went into detail regarding how the LMC undermined the CC&R which went to court and took years and hundreds of thousands of dollars which would have been avoided if there would have been clear language. He continued to state what they would like to see with the LMC and the notification process when a building permit is pulled in a HOA.

Council consulted Attorney Daley on the language resident Handlin suggested. Daley stated that buyers are on notice of all CC&R's and buyer beware qualifies here that it is a contract with the homeowners association. City Manager Foster stated that staff has discussed starting a task force to look into the LMC.

Council member Matsumoto inquired what other Cities do with General Plan and CC&R's.

Attorney Daley suggested that the task force plan begin and then work toward a common goal.

Mary Wintzer stated from other examples that have been discussed where CC&R's have not been enforced and it seems fair to ask for stronger language.

Ruth Meintsma suggested that the building department have a form where each party ie. Building and HOA have to check off the plans and work together.

City Manager Foster stated that the task force would plan for contingencies.

Commissioner Thomas stated that he has worked in the private sector and has seen where the HOA has to provide a letter and does feel there is a solution.

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Council moved on to the neighborhoods section

Council discussed two public input letters that were received 5 minutes prior to the meeting and found both to be inapplicable to the general plan.

Council liked the idea of listing the additional subdivisions in the neighborhoods.

Beverly Hurwitz stated she treasures the municipal golf course with its walkability aspect for a mountain course. She applauds that the general plan protects open space but would like to see assurance of protection of the golf course.

Jo Scott, also addressed the golf course and stated that when they purchased their home they had a vision of the golf course remaining a golf course forever and would like to see it listed as a treasure. Her concern is the development that has already taken place that has encroached on the current course. Feels there are inconsistencies in the General Plan. Again reiterated tonight the concern that Council is pushing this plan forward too quickly.

Council member Peek suggested a statement that stated the golf course is an asset that residents enjoy.

Mayor Williams inquired if there was a restriction with the purchase of the golf course. Craig Sanchez, Director of Golf, stated that the property was purchased with federal money and the only restriction was that the proceeds would have to be used to purchase another golf course.

Bill Martin, inquired if the City confirms the HOA receives a notice from the City. City Manager Foster stated the City does confirm the HOA receives the notice. He stated that the push for higher density creates conflict with HOA's and would like to know if the City is trying to create conflict with HOA's. City Manager Foster stated that the actions of the Council have shown that they are trying to work to decrease conflict.

Mayor Williams stated that this document is not new and these items have been around for 30 years. And there are numerous areas that have not been developed and the City needs to plan for contingencies.

Mary Olshefsky stated she went to various neighborhoods and encouraged citizens to pull up the General Plan and got the same response over and over when the idea of increased density and apartments was discussed. She feels that that the language in Small Towns regarding mother in law apartments is a lie and encouraged the Council to put what they really mean as in rentals and nightly rentals. She feels there are other opportunities to find areas to develop higher density areas without disruption of established neighborhoods.

Mayor Williams clarified that the City staff has worked numerous years on this General Plan. The goal is to identify the characters of each individual neighborhood which has not been done in a plan prior. The Mayor and Council understand if they do not complete this document in his tenure that is fine but they do not want to be pushed by the residents to get nothing accomplished.

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Regular Meeting

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 5, 2013. Member in attendance were Dana Williams, Andy Beerman, Alex Butwinski, Cindy Matsumoto, Liza Simpson, and Dick Peek. Staff present were Diane Foster, City Manager; Tom Daley, Deputy City Attorney, Matt Dias, Assistant City Manager; Michelle Downard, Building; Jonathan Weidenhamer, Economic Development Manager; Thomas Eddington, Planning Director; Kayla Sintz, Planning Manager; John Boehm, Planning Department; Jody Morrison, Assistant City Recorder; Marci Heil, City Recorder

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

There were no communications or disclosures made from Council or staff.

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

Wysteria Bodell would like to make corrections to the manager's report included in the packet. She stated that they did not give permission to the Crawford's/Sutherland's to add railroad ties to the wall. She also spoke to the wording in the report that it was a civil matter and as to the fact that it says it was a landscape wall and did not need engineering. However this was not the matter and was supported through photographs. She read from the email received from the City Planning department. She stated she would love to sit with Council and staff and listen to the tapes that she recorded of the meetings with staff.

Peg Bodell thanked the Council members that responded to her email and appreciated the opportunity to speak and not be rubber stamped.

IV. Minutes from Meeting on November 21, 2013

**Council member Beerman moved to approve the meeting minutes
from the November 21, 2013 meeting
Council member Butwinski seconded
Approved unanimously**

V. CONSENT AGENDA (*Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon*)

1. Council authorize the following annual insurance premiums to fund the City's insurance placements for calendar year 2014

Council member Simpson moved to approve the consent agenda

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**Council member Butwinski seconded
Approved unanimously**

VI. NEW BUSINESS

1. Consideration to authorize the City Manager to execute a contract, in a form approved by the City Attorney, with Water Smart Software for a Water Use customer portal, mailed or emailed customer user report, and Utility dashboard

Jason Christensen, Water Department, stated that a year ago they went out for an RFP and found for the money the product was flawed. This October the water department was approached by a water conservation system vendor with a great product that would take in data and compare it to other neighbors and see what their water conservation would be. They will also be given options to save water and ideas to conserve. This would also give residents the option to log on and customize the portal and show up to the minute water usage. Staff hopes that residents will be more active in this program when they see the monetary savings with conservation.

Council member Butwinski inquired about the on-going cost of the software. Christensen stated that the City would purchase one year of the service reminding the Council that the first year of service is the most expensive due to the integration process. Following the first year's implementation the City could purchase additional years of service and are estimating each year will be \$30,000 to \$35,000. There is a range in that estimation with the hopes that more residents will convert to email delivery and lessen the City's costs for the service.

Council member Matsumoto suggested reaching out to the community and stated that education is the most important tool. She also wanted to be sure that staff also reaches out to property management groups that manage condominiums in the City as they are one of the largest water users.

Council member Beerman inquired if staff has looked into e-billing rather than paper bills. Christensen stated that staff has started a soft launch of an on-line bill and are looking toward automatic bill pay.

Council member Simpson suggested Christensen present this product to the Lodging Association.

Council member Peek suggested staff to look into the even billing option like Questar uses after the paperless billing option is up and running.

**Council member Beerman moved to authorize the City Manager to execute a contract, in a form approved by the City Attorney, with Water Smart Software for a Water Use customer portal, mailed or emailed customer user report, and Utility dashboard
Council member Simpson seconded
Approved unanimously**

2. Consideration of a request for an amendment to the approved Phasing Plan (for construction and parking) for the Park City Film Studio (aka Quinn's Junction)

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Partnership (QJP) Annexation).

Planner Whetstone joined by Jill Jones, Doug Rosecrans and Melissa Wallentine presented the amendment to the approved Phasing Plan for the Park City Film Studio. She stated this was all discussed with the annexation and the master plan that accompanied the annexation. The second part of the phasing was parking phasing and staff is recommending a condition of approval of the northern 64 lots would be constructed with a permeable paving system incorporated with a storm water system or the final phase will only include 109 parking spaces.

Council member Peek inquired about the berming on the current plan. Also inquired about the berming and landscaping, was also concerned with the storm water discharge on the adjacent UDOT property. Also discussed staging areas and disturbances. Rosecrans stated that they are currently working with UDOT on a storm water discharge plan.

Jones stated that the landscape plan is in the process of being approved by UDOT and will move ahead as soon as possible.

Council member Simpson asked for clarity on the parking. Whetstone clarified in condition number 5 the 64 parking spaces and 109 total. Jones stated that they are prepared for the 64 parking stalls on a permeable surface.

Mayor Williams asked for public input.

Carol Fontana inquired about the amount of space they have for production staging. Jones showed Fontana a map of the area that will be used for production trailers etc. when the studio is completed.

Council member Simpson moved to approve the request for an amendment to the approved Phasing Plan (for construction and parking) for the Park City Film Studio (aka Quinn's Junction Partnership (QJP) Annexation) as amended.

Council member Butwinski seconded

Approved unanimously

3. Consideration of General Plan Sections on Neighborhoods, Introduction and Policy Issues

Council discussion and public comments continued from the work session.

Dave Hanskin was pleased with the discussion to protect the golf course and would also like to point out that this area is important to the cross country ski population as well.

Jo Scott suggested adding cross country skiing to the Sense of Community section.

Steve Swanson pointed out that the portion of the golf course is part of the RDA and even though it is zoned open space it is still able to be rezoned in the future. Stated he is familiar with the process of an RDA.

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Mayor Williams pointed out the new boundary for the future area boundary that will be used as the RDA.

Council member Beerman stated that back 30 years ago the RDA included the golf course to get the tax increments for the Hotel Park City.

City Manager Foster stated that the barriers for the City to do anything on the golf course with the RDA are already listed. Reiterated the difficulty the City would have to rezone that area.

Lisa Wilson inquired about attached and detached units and was concerned about lock out apartments.

Council assured that the CC&R's would determine the allowed use.

Dave Hanskin, Holiday Ranch, inquired about the future trail listed on the map that would run through his backyard.

Staff stated that this was just a proposal for future trails to create a walkable neighborhood assuming easements would be granted.

Julie Bertagnole, Lucky John, had an issue with the traffic on the Lucky John road. She stated when her husband was on the Planning Commission there was a road proposed to alleviate the traffic out of Park Meadows. She would really like to see something done in her neighborhood.

Council suggested she ask sustainability for a Neighborhood Request for Elevated Service.

Bonanza Park and Snow Creek

Steve Swanson stated that he travels through the Bonanza corridor daily and it occurred to him that we do have a corridor of affordable housing and feels that is a system that works and feels a rental housing project would solve some of the housing issues.

Mayor Williams clarified that this parcel he is discussing has been earmarked for that exact use.

Lisa Wilson stated she is concerned with the Treasure Hill TDR in regards to Bonanza and Snow Creek

Prospector Square

Jim Keesler feels the General Plan is great but would like to see language for the protection and rehabilitation of the wet lands behind Silver creek. He stated that ever since the City has been flowing water through Silver creek from Daley where the water tank is located it has made a world of wonders to the wetlands. They have seen a great improvement in plants and wildlife.

Commissioner Thomas stated that he remembered the discussions of the tunnel to connect Bonanza Park to Prospector, and the Commission thought the connectivity is very important.

Resort Neighborhood

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Lisa Wilson was concerned with the reduction of the parking lots in the resort area.

Council replied that it is in conjunction with mass transit options.

Old Town

Council concurred with staff that any reference to capping nightly rentals to 50% be removed.

Eric Luna, Daley resident, commented on the map on page 70 that shows the streams & water, the creek has been piped for years and is still designated as a flood plain and curious if the City has ever tried to change this. Also commented about broadband access and found that a pocket of old town has the slowest speed and Century Link stated that they are looking for an easement behind the Post Office and wondered if the easement was with the Post Office or the City. He also felt the language was too restricting for new construction in Old Town.

Mayor Williams stated that for 30 years the City has tried to get the flood plains changed and the Army Corp and FEMA have not changed. Staff could take another look at this.

Jim Keesler stated that going through the General Plan he feels the pictures in Old Town are not comparing apples to apples.

Staff argued that the pictures were intended to really show how to use the historic character.

Carol Fontana stated that extreme walkability is very extreme especially in the winter and due to the garbage cans being left out forcing you to walk in the street where it is icy. She also is concerned with the commercial district trumping the residential district in Old Town. It needs to be balanced.

Mary Wintzer spoke to the disturbances of the lighting ordinance along Main Streets and also suggested ticketing for non-snow removal.

Moved on to the Introduction section, Council discussed acknowledging past Planning Commission members in the acknowledgement section.

**Council member Peek moved to continue to December 12, 2013 meeting
Council member Beerman seconded
Approved unanimously**

VII. ADJOURNMENT

With no further business the meeting was adjourned.

MEMORANDUM OF CLOSED SESSION

The City Council met in a closed session at approximately 12:00 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Andy Beerman, Liza Simpson, Dick Peek and Cindy Matsumoto was excused. Staff present were Diane Foster, City Manager; Matt Dias, Assistant

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City Manager; Mark Harrington, City Attorney; Tom Dayley, Deputy City Attorney; Polly Samuels McLean, Assistant City Attorney; Tricia Lake, Prosecuting Attorney; Lori Collett, Finance Manager; Phyllis Robinson, Public Affairs; Rhoda Stauffer, Housing Department; Jack Thomas, Mayor-Elect; Tim Henney, City Council member-elect. **Council member Simpson moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Peek seconded. Motion carried.**

Council member Butwinski moved to open the closed session. Council member Peek seconded. Motion carried.

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Marci S. Heil, City Recorder.



Marci S. Heil, City Recorder

