



PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, UTAH 84060

October 24, 2024

The Council of Park City, Summit County, Utah, met in open meeting on October 24, 2024, at 3:45 p.m. in the City Council Chambers.

Council Member Ciraco moved to close the meeting to discuss property, personnel, security, advice of counsel, and litigation at 3:50 p.m. Council Member Parigian seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, and Rubell

EXCUSED: Council Member Toly

CLOSED SESSION

Council Member Rubell moved to adjourn from Closed Meeting at 5:10 p.m. Council Member Parigian seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, and Rubell

EXCUSED: Council Member Toly

REGULAR MEETING

I. ROLL CALL

Attendee Name	Status
Mayor Nann Worel via Zoom Council Member Bill Ciraco Council Member Ryan Dickey Council Member Ed Parigian Council Member Jeremy Rubell via Zoom Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	Present
Council Member Tana Toly	Excused

II. PRESENTATIONS

1. Consideration to Adopt Resolution 24-2024, a Resolution Proclaiming November 2024, as Native American Heritage Month:

Ella Ehrich, Park City High School Senior, explained she had been researching Native Americans in Utah for a couple years and she wrote a paper on them. She read the resolution aloud.

Mayor Pro Tem Dickey opened public input. No comments were given. Mayor Pro Tem Dickey closed the public input.

Council Member Parigian hoped the community would think about the people who resided here before they were here. Mayor Worel indicated she met with Ehrich this past summer and she thanked Ehrich for educating her. Council Member Ciraco thanked Ehrich as well.

Council Member Ciraco moved to adopt Resolution 24-2024, a resolution proclaiming November 2024, as Native American Heritage Month. Council Member Parigian seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, and Rubell

EXCUSED: Council Member Toly

2. Flu Update by Summit County Health Department Deputy Health Director Kendra Babitz:

Babitz stated the Health Department started monitoring respiratory diseases beginning in October and it would go through next September. They saw waves of COVID in spring, summer, and fall. The flu would peak in November and then it would hold steady the rest of the season. She recommended getting a vaccine for flu and COVID and asserted this was the best method of prevention. Council Member Parigian asked how many generations the vaccine was behind the virus. Babitz stated the vaccine was made from the virus last February.

III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Mayor Pro Tem Dickey stated New Business Item Two had been removed from the agenda and would be discussed on December 12. Council Member Ciraco attended Mountain Towns 2030 conference in Jackson, Wyoming, and indicated it was very good. He felt the City was doing a great job in its sustainable efforts. Council Member Rubell stated the Park City Fire District was participating in the annual Chili Cookoff which was scheduled for this Saturday. Mayor Worel indicated she went to the Latino Police Academy graduation, and it was a great event. Mayor Pro Tem Dickey stated Mountain

Town 2030 was always a great event and he regretted not attending. Council Member Ciraco noted the third day at the conference was a Colorado Association of Ski Towns (CAST) meeting and Council Member Rubell presented on the City's efforts in childcare.

Staff Communications Reports:

1. Transportation Operations Update:

Council Member Parigian asked why the Deer Valley Express didn't stop at the high school. Tim Sanderson, Transportation Manager, indicated Park City Mountain paid for parking at the high school and it wouldn't be right for skiers to park there and then take the bus to Deer Valley. The Deer Valley skiers should park at Richardson Flat.

Council Member Ciraco read that bus ridership was up by 6%. Sanderson stated they had excellent ridership, and he indicated bus ridership was up 16% in the spring/summer season and trolley ridership was up 300%. Council Member Ciraco asked if the increased ridership correlated with ending microtransit. Sanderson stated he would look at that.

IV. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Pro Tem Dickey opened the meeting for any who wished to speak or submit comments on items not on the agenda. No comments were given. Mayor Pro Tem Dickey closed the public input portion of the meeting.

V. CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from September 26, 2024:

Council Member Parigian moved to approve the City Council meeting minutes from September 26, 2024. Council Member Ciraco seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, and Rubell

EXCUSED: Council Member Toly

VI. CONSENT AGENDA

1. Request to Adopt Resolution 25-2024, a Resolution Declaring November 1, 2024, as "Extra Mile Day" in Park City, Utah:

2. Request to Adopt Resolution 26-2024, a Resolution Proclaiming November 2024 as Lung Cancer Awareness Month:

3. Request to Authorize the City Manager to Execute a Five-Year Contract in a Form Approved by the City Attorney's Office with CleverCiti, LLC, Not to Exceed \$341,225 for New Parking Technology to Replace Existing, Non-Functional Systems from 2017:

Council Member Ciraco moved to approve the Consent Agenda. Council Member Parigian seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, and Rubell

EXCUSED: Council Member Toly

VII. NEW BUSINESS

1. Consideration to Approve Ordinance 2024-19, an Ordinance Amending Title 11-15, Park City Landscaping and Maintenance of Soil Cover, of the Municipal Code of Park City:

Ryan Blair, Environmental Regulatory Program Manager, presented this item and stated these amendments would modernize the ordinance by specifying types of soils and other references such as real property owners. He indicated the ordinance was more prescriptive. Blair stated next steps for soils was to have an analysis of the soils ordinance boundary and he would return to the Council in six months to discuss the findings and recommendations.

Council Member Rubell thought the Council had discussed expanding the boundary and wasn't supportive of doing that. Blair stated he did not ask Council to give policy direction on that. He could put together a staff report on recommendations outlined from the Blue Ribbon Commission before he started any exploration and have the Council review it. Council Member Rubell asked Blair to review the soils discussion from about a year ago to see if there was direction. He stated the soils ordinance was put into place because there was a public health concern, and he wondered if that was still the case. Blair stated the soils ordinance was put in place to protect human health, and it was still needed. Council Member Rubell asked if people not complying with the soil ordinance were putting their neighbors at risk. Blair stated there were some impacts to neighbors if some residents chose not to comply. Council Member Rubell asked if there were provisions built into the ordinance to protect the community better. Blair stated the code enforcement team would go to the property and require certain actions.

Mayor Pro Tem Dickey asked what would trigger a need to do soil remediation. Blair stated typically a property would go through a building permit process and the City could ensure the soil was in compliance. Also, when property was transferred, the buyers often asked to see the soil certificate. He noted the ordinance allowed some time to come into compliance. Mayor Pro Tem Dickey thought it would be wise to reach out proactively since there were so few properties with that status.

Mayor Pro Tem Dickey opened the public hearing. No comments were given. Mayor Pro Tem Dickey closed the public hearing.

Council Member Ciraco moved to approve Ordinance 2024-19, an ordinance amending Title 11-15, Park City Landscaping and Maintenance of Soil Cover, of the Municipal Code of Park City. Council Member Parigian seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, and Rubell

EXCUSED: Council Member Toly

2. Resident Parking Permit Program Will Be Discussed on December 12, 2024:

This item was not discussed.

VIII. OLD BUSINESS

1. Kimball Art Festival Debrief and Consideration to Amend the City Services Agreement so that the City no Longer Charges \$10,000 Towards City Services and Pays \$2,000 Annually to Make Up Lost Booth Revenue for Allowing Dining Decks to Stay on Main Street at no Cost During the Festival:

Chris Phinney, Special Events, and Hilary Gilson and Aldy Milliken, Kimball Arts Center (KAC) were present for this item. Gilson reviewed the accomplishments of this year's Arts Festival. She indicated 75% of attendees were from Utah. They offered Main Street employees free admission on Friday night, along with free admission for all Summit County residents, and they saw an increase in attendance that night. There were 186 artists who sold over \$2 million in art. This resulted in \$21 million of total economic impact and \$187,306 in direct tax revenue. Milliken felt the festival was a success. The revenue would go to support the KAC and its programs. He noted the budget to host the festival was approximately \$600,000. He hoped for continued support from the City to keep the festival going.

Council Member Ciraco asked about the 10 artists from the Wasatch Back who were vendors. Gilson stated there was a 10-Wasatch Back artists minimum requirement. Council Member Ciraco asked them to create more opportunity for the local artists to participate. Gilson indicated they were working on it. Council Member Rubell discussed the economic impact and stated it was based on a survey. Gilson asserted it was a statistical analysis survey. Council Member Rubell noted a City survey was performed last year based on tax receipts and it came up with a \$70,000-\$100,000 economic impact. Milliken indicated there were visitors who bought items from Main Street businesses and those purchases were included as secondary impacts. Council Member Rubell stated those secondary impacts were included in the City survey.

Council Member Parigian agreed with the request to increase local artist participation. Milliken indicated KAC tried to support local artists year-round and at the festival, but

the local visitors wanted to see something different at the festival since they bought from the local artists throughout the year. KAC wanted to be a year-round resource for people. Council Member Parigian referred to the staff report and asked about the expenditures by type. Gilson stated these numbers were analyzed by the third-party research group, and the numbers showed the average amount attendees were spending.

Phinney stated last March the Council gave direction to eliminate restaurant dining deck fees during the Arts Festival. The City entered into a one-time agreement and waived the \$10,000 KAC contribution and paid KAC \$2,000 to make KAC whole for not charging the restaurants a fee to keep their dining decks on Main Street during the festival. They requested this one-time agreement be a permanent adjustment and they wanted to be notified if an additional dining deck was constructed on Main Street. Milliken stated the actual revenue loss from dining decks being on Main Street was \$23,800.

Mayor Pro Tem Dickey opened public input. No comments were given. Mayor Pro Tem Dickey closed public input.

Council Member Parigian asked to see actual numbers on the economic impact in order to determine a subsidy for the festival. Generally, he was okay not collecting the \$10,000 from KAC, but he didn't want to pay KAC \$2,000. Council Member Ciraco supported the request. Council Member Rubell stated the \$10,000 offset was fine, but he didn't support the \$2,000. He was okay informing KAC of additional dining decks, but he supported the decks and noted it brought vibrancy to the City all summer. The festival brought vibrancy for three days. He didn't agree to paying \$1,500 per additional deck installed on Main Street. Mayor Worel preferred not to have the contract come back for approval every year. She recommended that Council make a decision and stick to it. Council Member Ciraco agreed with Council Member Rubell and noted it was a lot of work for something that should stay the same over the years. He supported waiving the \$10,000 and moving on. Mayor Pro Tem Dickey agreed to eliminate the \$10,000, and asked if Milliken could agree to that concession. Milliken was happy to move forward. Margaret Plane, City Attorney, asked if the Council wanted the notification of new dining decks to KAC added to the contract. Council Members Dickey and Rubell indicated that notification did not need to be a contractual requirement.

Plane suggested that the Council approve the amendment to subsection E 10 on page 13 of the contract, which was to delete the obligation of KAC to contribute \$10,000 towards the City services fees; approve the amendment to subsection C 6, which was to delete KAC's ability to charge dining decks to remain on the street, but reject the addition in subsection C 6, which required the City to pay KAC \$2,000.

Council Member Rubell moved to amend the Kimball Art Festival City Services Agreement so that the City no longer charges the Kimball Art Center \$10,000 towards

City Services and KAC may no longer charge dining decks, and rejects the amendment to pay the Kimball Art Center \$2,000 annually to make up lost booth revenue for allowing dining decks to stay on Main Street at no cost during the festival. Council Member Ciraco seconded the motion.

RESULT: APPROVED

AYES: Council Members Ciraco, Dickey, Parigian, and Rubell

EXCUSED: Council Member Toly

2. Park Silly Sunday Market (PSSM) Debrief:

Chris Phinney, Special Events, and Kate McChesney and Michelle McDonald, PSSM, presented this item. Phinney indicated they had a great season and complied with their city services agreement. He stated next year's proposed dates were in the staff report. The contract dictated no dates would be scheduled in August, but Miner's Day weekend included August 30th, and they requested to have the market on that weekend.

Council Member Rubell stated PSSM implemented many mitigations in response to event impacts, and he asked how those were going. McChesney stated they had a very successful summer with the mitigations. They took a hit going from 14 dates to 11 dates, but they were pleased with how the summer went. Council Member Rubell stated the Council could consider requests for additional dates, and he proposed extending the contract rather than only giving an option to extend the contract. McChesney indicated she was always willing to add more dates.

The Council supported the 11 proposed dates in 2025. Council Member Ciraco complimented PSSM for improving the market and he was open to adding more dates at a future conversation. Council Member Parigian agreed. Council Member Dickey thought the event was great. He was open to discussing more dates, but he liked staying at the 11 dates. Plane indicated adding or eliminating the number of market dates was a material change in the contract and the City would have to give notice to the Historic Park City Alliance (HPCA) and the Main Street Merchants and changes would need to come back to the Council for action. Council Member Rubell asked if they could extend the contract to 2030 if the contract was already open for a material change. Council Member Dickey thought things were great. He didn't know what the benefit would be to extend it now and tie the hands of future councils.

Council Member Ciraco asked what the terms were for the Sundance Film Festival, and it was indicated the contracts were in 10-year increments. Council Members Ciraco, Parigian, and Rubell supported discussing the contract for next fall, after the summer 2025 market.

IX. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

APPROVED 11-07-2024

Soil Cover Ordinance Amendments



Background

- 2013: Blue Ribbon Commission
 - #1 Recommendation: create a “soil segregation program” to allow for “separation of contaminated soil and clean soil”
- Winter 2023: Legacy Mine Soil Roundtable
 - #1 Recommendation: “revisit the ordinance to reflect updated and modernized State [and Federal] environmental regulations.”
- June 2023: First Round of Amendments
 - Grammatical updates
 - Clarified enforcement mechanisms
 - Clarified when testing was required
 - Precursor to more substantial changes today

Overview of Amendments

- Modernization of Ordinance
 - Updated terms and provided specificity throughout ordinance
- 11-15-5 Management of Area Soil
 - Segregation and Reuse of Soil
- 11-15-7 Certificate of Compliance
 - Remove separate vacant property standard
- 11-15-12 Failure to Comply with Chapter
 - Reduced penalty from Class B Misdemeanor to an Infraction

Modernization of Ordinance

- Cover definition and alignment
 - Create one definition for “approved topsoil”
 - Referenced in 11-15-5 (C)
 - Includes other acceptable media like asphalt, concrete, paving materials etc.
- Mine and Mill tailings
- Specified responsibility is on “Real Property Owners”

11-15-5 Management of Area Soil

- Reuse, Relocation and Segregation
 - Reuse: both onsite and offsite clarifications
 - Relocation: reuse and disposal clarifications
 - Segregation: how to characterize and manage soil
- Alignment with State and Federal Environmental Regulations

11-15-7 Certificate of Compliance

- Remove separate vacant property standard
- Simplify compliance to one standard
- In line with recent EPA guidance on lead in soil recommendations

11-15-12 Failure to Comply with Chapter

- Reduce penalty from Class B misdemeanor to an Infraction
- Part of a City-wide effort
- Increased coordination between Environmental team and Code Enforcement team
 - Increased response time
 - Increased compliance and enforcement on active construction and complaints

What's Next

- Round 1: June 2023 Amendments
- Round 2: October 2024 Amendments
- Round 3: Thoughtful exploration of Ordinance boundary
 - Both BRC 2013 and LMSR 2023 recommendation

Recommendation

Open a public hearing and consider approving
Ordinance No. 2024-19



2024 KAF



2024 KAF

Attendance

- Approximately 29,000 people attended
 - 75% of attendance from Utah, all 50 states represented
 - 40% Park City residents, 60% non-residents
 - 31% non-residents primarily visiting for the festival
 - 29% non-residents visiting not primarily for the festival
- 7,093 Summit County locals attended Friday night
 - 2.8% increase from 2023

“The Kimball Arts fest is on par with any other major festival I’ve attended in Chicago, St. Louis, or Memphis. It is high quality art, excellently curated, and in a beautiful location.”

- 2024 Festival Attendee



Photos of the arts festival crowd throughout the weekend by local photographer Dan Campbell

2024 KAF

Artists

- 186 participating artists
- 31 artists from Utah (17%)
- 10 from the Wasatch Back (5%)
- 8 emerging artists (4%)
- 64 first-time artists (34%)

"We love the Kimball Arts Festival. It is our favorite show of the year. It is the most profitable, best organized, and most enjoyable show we do. We love the patrons in Park City!"
- 2024 Participating Artist



Best in Show artists Janvier Ngamije (Fiber), Anna Pausch (Printmaking), and Daniel Bell (Local)

2024 KAF

Financial Impacts

- Economic
 - \$21 million total economic impact
 - \$2 million revenue generated by artist and food vendor sales
 - **Highest reported sales ever!**
 - **\$187,306 direct tax revenue**
- Kimball Art Center
 - \$146,000 net revenue for KAC
 - Approx. 25% of annual operating budget

“I just want to thank you for your support to local artists, it really makes a difference for us. We connected with local residents that had not experienced our jewelry and are now our customer. This supports the transformation from making art to building an art business.”
- 2024 Participating Artist



Photos of attendees purchasing art from artists Sadie Joy Muhlestein, Richard Wilson, and Bradley Anderson

2024 KAF

Community Impacts

- Staffing and Volunteers
 - \$256,874 invested into the cultural job sector (6,891.42 staffing hours)
 - 275 total volunteer shifts, 86% signup rate, 1,900+ total volunteer hours
- Sustainability
 - Increased evergreen signage
 - Diverted 878 lbs from landfill
 - Bike Valet hosted by PC Mountain Bike Team

“Everybody was enjoying themselves, artists, visitors, volunteers. I enjoyed the daylight out of it - saw all my favorite artists and a lot of new ones. Had awesome conversations with many of them and finally bought one of those marimba boxes that sound so cool!”

- 2024 Festival Volunteer



Photos of volunteers and staff throughout the festival

2024 KAF

Community Impacts

- Festival Art Education Programming
 - Creation Station & Studio on Main
 - 125 pottery wheel pieces created
 - 200 scavenger hunts completed
 - 125 faces painted
 - 250 take-home art projects
- KAC Program Tents and Exhibits
 - 12 Young Artist Academy Students
 - 17 Clay Studio Students
- Student Murals
 - KAC Off-Site Program: National Abilities Center
 - Elementary and Secondary Summer School Enrichment Programs
 - KAC Summer Camps
 - KAC Drawing and Painting Club



2024 KAF

Thank you, Mayor Worel, city council members, city staff, and the Park City community for your continued support of the arts.

The Kimball Art Center looks forward to continuing our work as an educational institution in Park City throughout the year and at next year's 56th annual Park City Kimball Arts Festival.



Agreement Amendment Request

Current agreement entitles KAC to \$180,000 in City Services. KAC pays anything over \$180,000. Total City Service Fees and Hard Costs for this year's event were \$153,780.

To make up for lost revenue from dining decks remaining on the street, KAC requests removing the annual cash payment of \$10,000 and asks that PCMC pay KAC \$2,000 annually.

If Council agrees, we recommend modifying the following sections of the Agreement as follows:

- C(6)(6.1)(1)(m) (page 8) Amend.
~~Park City to update terms of the Dining Deck agreements through the term of this Agreement. KAC will not charge dining decks more than \$1,500 per deck to remain on the street and will work with the restaurants in good faith to accommodate them in the footprint of the Festival as developed in November annually.~~ Park City shall pay the KAC \$2,000 annually for revenue lost from dining decks remaining on the street.
- E(10) (page 13) Amend.
~~Service Contract. KAC hereby agrees to make an annual cash payment of \$10,000 towards City Services as outlined in Section 6.1. 10(1)~~