PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
January 21, 2025

The Council of Park City, Utah, will hold its regular meeting in person at the Marsac Municipal Building, City Council Chambers, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online and may have options to listen, watch, or participate virtually. Click here for more information.
Zoom Link: https://us02web.zoom.us/j/84790842407

CLOSED SESSION - 3:30 p.m.

The Council may consider a motion to enter into a closed session for specific purposes allowed under the Open and Public Meetings Act (Utah Code § 52-4-205), including to discuss the purchase, exchange, lease, or sale of real property; litigation; the character, competence, or fitness of an individual; for attorney-client communications (Utah Code section 78B-1-137); or any other lawful purpose.

REGULAR MEETING - 5:30 p.m.

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Staff Communications Reports

1. Insurance Policy Updates

2. Nonprofit Services Advisory Committee and Conflicts of Interest

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

IV. CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from January 9, 2025

V. CONSENT AGENDA

1. Request to Approve Type 2 Convention Sales Licenses for Operation during the 2025 Sundance Film Festival

2. Request to Approve the McPolin Farm 2025 Events

VI. NEW BUSINESS

1. Open and Public Meetings Act (OPMA), Government Records Access and Management Act (GRAMA), and Ethics Act Updates

VII. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting.

***Parking is available at no charge for Council meeting attendees who park in the China Bridge parking structure.**

City Council Staff Communications Report

Subject: **Insurance Policy Updates**
Author: **Sarah Pearce, Margaret Plane, Marissa Marleau**
Department: **Executive and City Attorney's Office**
Date: **January 21, 2025**

Summary

In January 2024, Park City joined the Utah Risk Management Association (URMA) after evaluating options because of changed market conditions. URMA presented the opportunity to join a full-service risk management agency focused on risk-reduction.

Historically, Park City placed insurance on a calendar year basis. After the City Council unanimously approved Joining URMA in December 2023 (see December 5, 2023, Staff Report), some of the City's policies shifted to a Fiscal Year placement cycle. The shift from private placements to URMA will occur over the next few placement cycles. Moreton & Company, the City's insurance broker from 2019 through 2024, is URMA's insurance broker. Moreton worked diligently for the City as an URMA member and was not able to provide renewal information until December 31, 2024.

Coverage Change Summary

Property and High-Value Vehicles (over $50k value)—As a reminder, URMA's property policy declined to cover the City's electric buses, requiring the City to purchase a separate policy until a solution is found through coverage or removing the buses from the City inventory. Moreton was not able to find a policy that would just cover the high-value vehicles, but they were able to place the City's property and high-value vehicles with Liberty Mutual. We are working with URMA to move to URMA's property coverage, as required by the Joint Protection Plan.

The cost of the policy for property and high-value vehicles increased because PCMC increased its total insured value by $83M, up 33%. There are multiple reasons for this increase:

- $48.8M of PCMC's property Schedule is in what is now categorized as high-risk wildfire areas;
- The Bubble at the MARC now has a $250K loss limit and $100K deductible which covers wind, hail, and Named Storms;
- The addition of the 3 Kings Water Treatment Plant to Schedule has been added to the Schedule but is excluded from flood since it is in a high-risk flood area;
- City Hall and Main St. Museum each have a 50K deductible since they are in high-risk wildfire area; and,
- Added locations on the Statement of Values (SOV), 1983 Cooke Drive, 1941 Cooke Drive, 1465 Park Avenue Unit #303, Sprigs Barn, Ironhorse Transit Housing, and added Peace House Transit Housing to flood coverage, as it was previously excluded.

The expiring premium is $362,625, and the renewal premium is $588,475; the increase is primarily because of the added $83M increase in values. Liberty Mutual was the only provider that offered quotes, and PCMC bound at the recommended values, $588,475 for property and $167,125 for auto physical damage, totaling $755,600.

Terrorism Coverage (TRIA) – Is bound with Liberty Mutual. We added this coverage for FY25, totaling $1401.

Existing Coverage Overview and Updates

Our other insurance policies were previously renewed. Below is a recap and a few updates since we reported at the June 28, 2024 Council meeting, Staff Report. In summary those policies and their cost are:

Off Duty Auto Liability – New to the City in January 2024 and handled by WCF. The policy, was bound for FY25 and is not part of the URMA program. This policy provides coverage above the statutory minimum requirements for City employees who are issued take-home City vehicles with no deductible.

FY24 cost - $44,031 but WCF refunded a portion of our premium when we joined URMA. Total cost for 2024 (Jan 1st to June 30th) $22,500.
FY25 cost - $21,794

Cybersecurity Insurance - PCMC moved to URMA's cyber placement for calendar year 2025 and secured an excess cyber policy.

Low-Valued Vehicles (under $50K) - URMA's Auto Physical Damage insures Low-Valued Vehicles (under $50k). The policy was new to the City in January 2024, and it covers 187 City vehicles with a $5,000 deductible. The policy cost is based on the number of vehicles multiplied by $270/vehicle. Vehicles can be added during the year, and any vehicles removed during the year create a "placeholder" to add a new vehicle at no additional cost. Previously, the City had coverage with Liberty Mutual with a $25,000 deductible, resulting in the City being self-insured for most losses short of a total loss.

FY24 cost – $47,790
FY25 cost - $51,000

Public Entity Liability - URMA's Public Entity Liability has two primary components: the member contribution (~$126k in FY25) and the group excess liability coverage (~$33k in FY25).
FY24 cost – General Liability $264,233
FY25 cost - $159K

Drone Coverage - URMA covers the City's drones at no cost, eliminating the need for the City to buy a separate policy.

FY24 cost - $1,688
FY25 cost - $0

Workers Compensation - Outside of URMA the City has Workers Compensation coverage through WCF. Rates are unchanged from last year. Expiring payroll is $40.4M, and renewal payroll is $46.8M. The Experience Modification Factor (E-Mod), which is the rating that indicates how a business's workers' compensation risk and safety compares to other businesses in the same industry, is down .14 which equated to an additional $74,886 credit over last year.

FY24 cost - $241,292
FY25 cost - $245,691

Crime Policy – Great American Insurance Group holds the City's Crime policy and was bound at the premium of $9,096 for the calendar year 2025.

2024 cost – $9,575
2025 cost - $9,096

Exhibits

Exhibit A: PCMC Property & Auto Comparison
Exhibit B: PCMC Main WC Comparison
Exhibit C: PCMC Utah WC Comparison

MORETON
& COMPANY

Coverages		Expiring Premium 2024-2025	Renewal	Option #2	Option #3	% Increase
		Liberty Mutual	Liberty Mutual	Liberty Mutual	Liberty Mutual	
Property	**TIV**	**$ 253,667,327**	**$ 336,722,108**	**$ 336,722,108**	**$ 336,722,108**	**33%**
	Deductible	$ 25,000	$ 25,000	$ 100,000	$ 100,000	
	Loss Limit	**$ 253,667,327**	**$ 250,000,000**	**$ 250,000,000**	**$ 250,000,000**	
	Wind / Hail Ded.		$ 100,000	$ 100,000	$ 250,000	
	Premium	**$ 362,625.00**	**$ 588,475.00**	**$ 531,072.00**	**$ 515,473.00**	
(Excluding Terrorism)						
Auto Physical Damage		Liberty Mutual	Liberty Mutual	Liberty Mutual	Liberty Mutual	
	Deductible	$ 25,000	$ 25,000	$ 25,000	$ 25,000	
	Deductible - E-Bus	$ 100,000	$ 100,000	$ 100,000	$ 100,000	
	Premium	**$ 137,592.00**	**$ 167,125.00**	**$ 167,125.00**	**$ 167,125.00**	**21%**
	Grand Total	**$ 500,217.00**	**$ 755,600.00**	**$ 698,197.00**	**$ 682,598.00**	

Park City - Workers Compensation
Maine

Classifications		Term 1/1/2024-2025	Term 1/1/2025-2026	% Change	
Clerical - Telecommuter Employee	Payroll	74,214	97,188	31.0%	
	Rate	0.06	0.06	0.0%	
	Premium	**$45**	**$58**	31.0%	
Total Manual Premium	**Total**	**$ 45**	**$ 58**	31.0%	
	Limits	**1000/1000/1000**	**1000/1000/1000**		
Employers Liability	Rate	1.10	1.10		
	Premium	**$ 86**	**$ 120**		
Experience Modification	Rate	N/A	0.70		
	Premium	$ -	$ (53)		
Balance to Minimum	Rate	**N/A**	**$ 5.00**		
	Premium	$ -	$ 5		
Premium Size Discount	Rate	9.31	9.34		
	Premium	$ (12)	$ (31)		
Terrorism Risk Ins. Act of 2002	Rate	0.008	0.008		
	Premium	**$ 6**	**$ 8**		
Domestic Terrorism Earthquake & Catastrophic	Rate	0.016	0.016		
	Premium	**$ 12**	**$ 16**		
Expense Constant	Premium	**$ 144**	**$ 200**		
Maine Administrative Fund	Rate	$ 2.48	2.41		
	Premium	**$ 7**	**$ 8**		
Grand Total Annual Premium		**$288**	**$331**		**15.2%**

Total Payroll		**$74,214**	**$97,188**	**$22,974**	**31.0%**
E.Mod Increase					**-15.7%**

Park City - Workers Compensation

Utah

Classifications		Term 1/1/2024-2025	Term 1/1/2025-2026	% Change	
Street or Road Maintenance & Const.	Payroll	1,650,971	1,870,964	13.3%	
	Rate	1.60	1.60	0.0%	
	Premium	**$26,416**	**$29,935**	13.3%	
Clerical - Office Employees	Payroll	8,878,800	9,822,560	10.6%	
	Rate	0.08	0.08	0.0%	
	Premium	**$7,103**	**$7,858**	10.6%	
Municipal Employees - Incl Police	Payroll	29,782,091	35,080,572	17.8%	
	Rate	1.42	1.42	0.0%	
	Premium	**$422,906**	**$498,144**	17.8%	
Total Manual Premium	**Total**	**$ 456,425**	**$ 535,937**	17.4%	
	Limits	**1000/1000/1000**	**1000/1000/1000**		
Employers Liability	Rate	1.10	1.10		
	Premium	**$ 5,022**	**$ 5,895**		
Experience Modification	Rate	0.81	0.70	-14%	
	Premium	$ (87,694)	$ (162,580)	**$ 74,886**	
Schedule Rating	Rate	0.25	0.25		
	Premium	$ (93,463)	$ (94,838)		
HBA - Association Credit	Rate	0.95	0.95		
	Premium	$ (14,020)	$ (14,226)		
Premium Size Discount	Rate	11.76	11.77		
	Premium	$ (31,325)	$ (31,813)		
Terrorism Risk Ins. Act of 2002	Rate	0.005	0.005		
	Premium	**$ 2,016**	**$ 2,339**		
Domestic Terrorism Earthquake & Catastrophic	Rate	0.01	0.01		
	Premium	**$ 4,031**	**$ 4,677**		
Expense Constant	Premium	**$ 200**	**$ 200**		
Endorsement Amending Classification - Credit	Premium	**N/A**	**N/A**		
Waiver of Subrogation	Premium	**$ 100**	**$ 100**		
Grand Total Annual Premium		**$241,292**	**$245,691**		**1.8%**

Total Payroll		**$40,311,862**	**$46,774,096**	**$6,462,234**	**16.0%**
E.Mod Decrease					**-14.2%**

City Council
Staff Communications Report

Subject: Nonprofit Services Advisory Committee and Conflicts of Interest
Department: Legal, Budget
Date: January 21, 2025

Recommendation

Staff completed its review from the October 10, 2024, City Council discussion about state and local rules governing conflicts of interest, pursuant to the Council's discussion about appointing members of the Nonprofit Services Advisory Committee. During that discussion, Council asked whether existing state and local rules governing conflicts of interest are sufficient in the context of the Committee's work and asked for an analysis of existing state and local conflict of interest rules and how they are working for the new Committee. The existing rules are working well, and if the Council has concerns or would like additional guard rails, staff is happy to prepare additional rules or processes for Council's consideration.

Background

The Nonprofit Services Advisory Committee was established by City Council resolution on August 22, 2024. Its purpose is to provide recommendations to the City Council on funding for Public Service Contracts and Emerging Community Needs Grants. The Committee Members were appointed on October 10, 2024, and their work started on November 4, 2024. Applications for Public Services Contracts were accepted from November 8 through December 6. Between January 13 and February 4, the Committee is holding six public meetings to interview applicants and intends to make a recommendation on the funding requests to the Mayor and City Council on February 27, 2025.

Since the Committee was formed, two issues related to Council's conflict of interest discussion have arisen. In one case, a Member accepted a new position with a nonprofit; the Member resigned from the Committee because City Code states: "Members may not be employed by or serve on the board of a nonprofit organization that applies for or is likely to apply for grant funding through PCMC."[1] In the other case, a Committee Member had business dealings with a nonprofit organization that was requesting funding. While the Member did not stand to benefit financially from any of the City funding requested, the member volunteered to recuse from evaluating or providing input on that proposal.

From staff's perspective, existing rules are working well, as the examples above illustrate, and the Committee Members are aware of their obligation to raise any issues and avoid any appearance of impropriety. In response to the Council's October 10, 2024 direction, an overview of the existing state and local rules is below. The Council asked for an opportunity to review these rules and consider whether additional provisions should be proposed and added to the Park City Code.

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[1] Park City Code § 2-8-19(C)

Analysis

Under state law and city code, members of committees like the Nonprofit Services Advisory Committee are "Appointed Officers" or "Officers." Officers must abide by the Municipal Officers' and Employees' Ethics Act; the Utah Public Officers' and Employees' Ethics Act; and Title 3 of the Park City Code.[2] These laws establish standards of conduct and require disclosure of actual or potential conflicts of interest between public duties and personal interests. There is considerable overlap in these laws, which are summarized below.

Officers must disclose a substantial interest in a business entity subject to City regulation.[3] This written disclosure is required when appointed. It must be updated when there is a significant change in an Officer's position or the value of the Officer's interest. "Substantial interest" is defined as legal or equitable ownership by the Officer, their spouse, or their minor children, of at least ten percent of the outstanding shares of a corporation or ten percent interest in any other business entity.[4]

Officers must disclose in a public meeting an interest in a business that does or anticipates doing business with the City.[5] Officers must recuse from discussing or voting on any question in which the Officer has a substantial interest.[6] The nature of the interest in the entity must be stated and entered in the minutes.

Officers must disclose in a public meeting an agreement to receive compensation for assisting with a transaction involving the City.[7] A sworn, written disclosure is also required. It must include the name of the entity being assisted and a brief description of the transaction and be filed with the Mayor at least ten days before entering into the agreement, or ten days before receiving the compensation—whichever is earlier. The oral disclosure must be given to the Committee during an open meeting immediately before discussing the subject giving rise to the conflict.[8]

Officers must disclose a personal interest or investment which creates a conflict between personal interests and official duties.[9] This written disclosure is required when appointed and must be updated when there is a significant change in an Officer's interest.[10] The disclosure must also be in an open meeting before discussing the subject giving rise to the conflict and state the nature of the interest or investment.[11]

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[2] Utah Code § 10-3-1301 *et seq.*; § 67-16-1 *et seq.*; Park City Code Title 3, Ethics. Note that title 67 of the Utah Code closely parallels Title 10. This memo focuses on Title 10, which pertains specifically to municipal government.
[3] Utah Code § 10-3-1306 (exempting interests less than $5,000); Park City Code § 2-3-8(B).
[4] Utah Code § 10-3-1303(10); Park City Code § 3-2-3(N).
[5] Utah Code § 10-3-1307; Park City Code § 3-2-4(A).
[6] Park City Code § 2-3-8(B).
[7] Utah Code § 10-3-1305.
[8] Utah Code § 10-3-1305; Park City Code § 3-2-9.
[9] Utah Code § 10-3-1308; Park City Code § 3-2-4(B).
[10] Utah Code § 10-3-1308; Utah Code § 10-3-1306.
[11] Park City Code § 3-2-4(B).

An “interest” means a monetary or material benefit resulting from official City action.[12] Under City Code an Officer is deemed to have an interest in their family; any person or business entity that the Officer has a contractual relationship with; any business entity that that Officer is an officer, director, member, or employee of; or any business entity in which the Officer has ownership or control over more than five percent has an interest.[13]

“Material benefit” is not defined and while it is often considered to be a financial interest, it is arguably broader. An interest does not include contracts or transactions which give the opportunity or right to receive similar benefits to all other similarly situated individuals or property owners.

Officers are prohibited from acquiring an interest in a contract or transaction when the Officer believes or has reason to believe that it will directly or indirectly be affected by an official act of the City.[14] Abstaining from participating in a decision about the contract or transaction does not change this prohibition.

Officers may not use their position for personal gain. There are prohibitions on accepting gifts that would tend to improperly influence a reasonable person to depart from the faithful and impartial discharge of public duties or that a reasonable person in the Officer’s position should know that under the circumstances is primarily for the purpose of rewarding the Officer for official action taken.[15]

Officers must carefully avoid using their position to substantially further their personal economic interest or to secure special privileges or exemptions for the Officer or others.[16] This includes disclosing or improperly using private, controlled, or protected information acquired in the official position or in the course of official duties as a committee member.[17]

Conclusion

A conflict of interest involves a person or entity that has two relationships competing with each other for the person's loyalty. Officers need to recognize potential conflicts and disclose or recuse when appropriate. Staff and the Attorney’s Office are available to help. Not all conflicts of interest are illegal, unethical or bad. Generally, we advise Officers: When in doubt, ask! When in doubt, disclose! The Nonprofit Services Advisory Committee is functioning well thus far. After Council has an opportunity to review the information above, consider whether staff time should be allocated to propose or suggest additional provisions to the Park City Code.

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[12] Park City Code § 3-2-3(I).

[13] *Id*. “Family” includes parents, grandparents, great-grandparents, great-great-grandparents, spouse, children, siblings, grandchildren, great-grandchildren, great-great-grandchildren, nieces or nephews, grand-nieces or grand-nephews, aunts or uncles, great-aunts or great-uncles, and first cousins by virtue of a blood relationship or marriage. Divorce or separation does not terminate the relationship.

[14] Park City Code § 3-2-5.

[15] Utah Code § 10-3-1304(2)(c); Park City Code § 3-1-4(D)(3).

[16] Utah Code § 10-3-1304(2)(b); Park City Code § 3-1-4(D)(2).

[17] Utah Code § 10-3-1304(2)(a); Park City Code § 3-1-4(D)(1).

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

January 9, 2025

The Council of Park City, Summit County, Utah, met in open meeting on January 9, 2025, at 2:30 p.m. in the City Council Chambers.

Council Member Toly moved to close the meeting to discuss property, litigation, and advice of counsel at 2:30 p.m. Council Member Dickey seconded the motion.

RESULT: APPROVED
AYES: Council Members Dickey, Parigian, Rubell, and Toly
EXCUSED: Council Member Ciraco

CLOSED SESSION

Council Member Ciraco arrived at 2:40 p.m.

Council Member Dickey moved to adjourn from Closed Meeting at 4:15 p.m. Council Member Toly seconded the motion.

RESULT: APPROVED
AYES: Council Members Ciraco, Dickey, Parigian, Rubell, and Toly

WORK SESSION

Discuss Clark Ranch Affordable & Community Housing Development:
Sara Wineman, Housing Program Manager, Joe Alexander, Chris Day, and Colin Cassady, Alexander Company, and Jarret Moe, Stereotomic, were present for this discussion. Wineman reviewed that this parcel included 344 acres. The City purchased the land in 2014 and the recommendation was to reserve 10 acres for future affordable housing and community development. Stereotomic was contracted to evaluate the property, and perform site analysis and density concepts. When presented, the Council preferred Concept Two. The Alexander Company was contracted for a public/private partnership. Alexander stated they would build the project, own it, and manage it. Day reviewed the goals for the project, which included building 80% rentals and 20% ownership, targeting affordability and attainability, prioritizing essential workers, providing good community engagement, and prioritizing multi-modal transportation options.

Day estimated there would be 170 rental units and 40 for-sale units in the project. The units would range from 30%-150% AMI. Moe indicated they performed the feasibility study and noted there would need to be a rezone of the area. They would need to deal with the steep slopes and maintain a good visual impact for the area. He displayed an early concept design and discussed the visual and net zero energy impacts of the project. Day reviewed the next steps in the process and stated they would submit a rezoning application in the near future. Mayor Worel asked if maintenance was covered through HOA fees. Alexander stated there would not be an HOA unless it was specific to owner-occupied housing. They would do long-term capital planning to cover maintenance.

Council Member Rubell referred to the net zero energy goal and asked if the developer knew about the latest code updates which were not as focused on net zero, but rather on the community impact of energy initiatives. Moe stated they wanted to keep things simple to reduce the carbon footprint. Council Member Rubell indicated that moving forward, they should come to Council if there was a more expensive aspect of attaining net zero because that could be put to a community energy saving project that might be more impactful.

Council Member Parigian stated most people at the community meeting yesterday were concerned with the increased traffic from this project. He asked if there were enough parking spaces for the project. Alexander stated they planned 1.6 stalls per unit. Day added they proposed a 1:1 ratio of underground parking per unit and then there would be some above ground stalls. Council Member Parigian asked if there would be a HOA for the market rate housing. Day stated they would look to the City for feedback, but there was potential for an HOA for the for-sale units. Council Member Parigian stated the concept design had a lot of windows which would put out a lot of light at night and there was a lot of wildlife out there. Moe appreciated feedback as they developed the design.

Council Member Ciraco asked how big the development would be, to which Wineman stated about 12 acres. Council Member Ciraco indicated the Planning Commission discussed steep slopes at length, and he asked what range of slopes were on this parcel. Moe displayed a slide and indicated the red areas were steep slopes. Council Member Ciraco stated there was a potential issue with contaminated soils and asked if the soil in Park City Heights was contaminated as well. Wineman indicated it was contaminated and the developer remediated it. Council Member Ciraco asked if that area was in the soils ordinance to which Wineman stated it was not and Ryan Blair, Environmental Regulatory Manager, had looked at the environmental aspect during the feasibility study.

Council Member Toly was excited to see the project moving forward and hoped to get people in those units soon. She asked if Alexander would require tenants to be employed in Park City, to which Alexander stated they would prioritize people who worked in Park City. Council Member Toly asked if a certain percentage of the units could be allocated to municipal employees, to which Alexander stated they could not allocate those for municipal employees. Council Member Toly asked if Alexander learned anything from the concerns expressed at the community meeting. Alexander knew there were parking concerns and noted the attendees raised good points. There would be a traffic study performed, but indicated 200 units was not a great amount of density. Council Member Toly indicated she liked the concept design and stated it blended with the area.

Council Member Dickey asked how many units would be in each AMI grouping. Day stated there was flexibility to adjust AMIs and stated it was a LIHTC project. Council Member Dickey liked the concept design as well. Council Member Rubell reviewed there were other projects that died after the financials came back. He asked when the financials would be presented. Wineman stated they were looking for Council feedback tonight so the project could be refined. The initial concepts had not been fully refined so they couldn't give a financial obligation at this time. The City had set aside $8 million for a City contribution. Council Member Rubell asked if the $8 million was in the ballpark of what was expected. Wineman stated they would look at the numbers once the project was defined and then determine an actual City contribution.

Alexander stated working 12-24 months in advance of construction took guesswork, but they were good estimators. He thought the cost would be $4 million in infrastructure. They could make fewer roads and tighten that up. More attainable and market rate would help with infrastructure costs but that was a policy decision from the Council. He expected the City contribution to be in the $7 million-$13 million range. Council Member Parigian indicated he had asked the developer to price out the infrastructure without including improvements to the frontage road. Wineman explained the City Engineer was working with an outside consultant on design options for the frontage road. Council Member Parigian stated the frontage road was the biggest concern to the residents of Park City Heights. Council Member Ciraco asked if the frontage road was a UDOT road, to which Wineman affirmed and noted the City maintained it.

Mayor Worel stated she received an email suggesting the frontage road be moved to the other side of Highway 40. Wineman stated that was discussed but it was not the preferred options because of the need to build a tunnel or bridge. Mayor Worel asked if a traffic study was part of the planning process, to which Wineman affirmed. Council Member Rubell asked if this could come back to Council with some funding level options, to which Alexander affirmed. Wineman asked if Council was comfortable with the housing mix and if there was anything they should explore. Council Member Dickey asked if the attainable units were all in the for-sale group, to which Alexander affirmed. Council Member Dickey discussed the mix and how market rate units could benefit the project. Alexander stated the area median income (AMI) in Park City was high, so they felt 80% AMI here was close to market rate homes in this project. The Council supported the direction the group was taking.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Status
Mayor Nann Worel Council Member Bill Ciraco Council Member Ryan Dickey Council Member Ed Parigian Council Member Jeremy Rubell Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	**Present**
None	**Excused**

II. APPOINTMENTS

1. Appointment of a Mayor Pro Tem and Alternate for Calendar Year 2025:
Mayor Worel explained the traditional way mayors appointed pro tems who would act as mayor in her absence. She indicated Council Member Rubell would be the Mayor Pro Tem and Council Member Dickey would be the alternate Mayor Pro Tem.

Council Member Ciraco moved to approve Council Member Rubell as Mayor Pro Tem and Council Member Dickey as alternate Mayor Pro Tem for 2025. Council Member Parigian seconded the motion.

RESULT: APPROVED
AYES: Council Members Ciraco, Dickey, Parigian, Rubell, and Toly

III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:
Council Member Toly indicated she attended the youth council's first meeting and she was excited to participate with them. The legislative session would start January 21st and there would be regular updates to the Council during that time. She attended a movie at Deer Valley on suicide and mental health in mountain town communities as well as Malena Stevens' farewell from the County Council.

Council Member Rubell attended the Park City Fire District Administrative Control Board meeting and the annual report was presented. He shared a few statistics, including that they received 6,000 calls last year. He stated the fire district was awesome in education and prevention, and in all their work. He asked when the pedestrian tunnel at Snow

Creek was coming back to Council for discussion. He thought that project could be made better with the redevelopment going on at the corner. He wanted to discuss pedestrian safety, the Bonanza district, and pending code changes for the small area plan which would provide bonuses. He asked if the tunnel and other pedestrian improvements could move forward together with these other things. Dias stated they had to give some thought regarding the entire corridor and the development that was likely to occur there, as well as the additional zoning the Planning team was putting in place after the small area plan. The Engineering team made a lot of progress working with UDOT on the intersection where the tunnel or at-grade solution was being considered. There would be an update in a couple meetings. As an alternative to a tunnel, they were considering at-grade solutions and what would be allowed. This required additional analysis. Council Member Rubell asked if the at-grade alternatives would come back for discussion and noted the tunnel needed to be considered as well.

Council Member Rubell asked if there was still an active application for the redevelopment project, to which Dias affirmed. Council Member Rubell asked for information on a possible next step with those two projects playing together. Dias stated it would be a challenge since the application was continued to a date uncertain, but they were contemplating widening the sidewalk along the Kearns corridor, and staff would give an update on all the improvements for the area. Council Member Rubell asked to know what the options were to get the project going since the development application was continued.

Council Member Rubell noted the Park City Mountain Ski Patrol strike ended and the Chamber was silent on the issue. He asked for a report from the Chamber liaisons after the next Chamber meeting on what the Chamber's action plan was so the City's small businesses did not suffer. Council Member Toly stated an email was sent from the Chamber two days ago listing all their actions and she would share that with the Council. There would also be a meeting on Tuesday and she agreed to share the information from that meeting at next week's Council meeting.

Council Member Parigian stated the Planning Commission approved the conditional use permit (CUP) for the temporary pickleball court at the film studio and he explained the plan for getting the courts functional. He indicated he supported workers earning a livable wage, so he stood on the picket line with the Ski Patrol Association. He was proud to see the community supporting the workers.

Council Member Ciraco affirmed it was heartwarming to see the support for the ski patrol workers. He indicated a moose calf was hit on SR224 and he wanted to ask staff for a report on the efforts made in wildlife mitigation and then augment it with current efforts going on with a nonprofit. There was a grant opportunity at the federal level that would expire August 2026, and he wanted to know if the City was going to apply for that grant. Dias stated they could work with staff to see if the grant for wildlife mitigation was something the City would qualify for. Council Member Ciraco thought this was a great opportunity to get funds. Council Member Toly stated there was a lot to this and the City would need to assess how the county and UDOT were involved. Council Member Ciraco stated the first step was the desire to do something about it and then to have a conversation with the other partners. Someone needed to take the lead to find the path forward. The Council agreed to have staff look into a grant opportunity for wildlife preservation.

Council Member Ciraco asked to understand the legislative representation effort and how it was structured. It was indicated this item would be pulled off the Consent Agenda for discussion.

Mayor Worel stated it was Law Enforcement Appreciation Day, and she expressed appreciation for the City's law enforcement. She noted tomorrow the French President of the province where Courchevel was located would visit and she would meet with him.

Council Member Ciraco noted Matt Dias would speak tomorrow at the Central Wasatch Commission (CWC) symposium. He also mentioned that former President Carter was laid to rest and he expressed that President Carter was a decent human being and our country was better for having him.

Staff Communications Reports:

1. October Sales Tax and November Budget Monitoring Report:

2. Outdoor Ice at City Park:

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

Mayor Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda.

Craig Weakley, 84060, stated in support of Law Enforcement Appreciation Day and yesterday's announcement from Summit County about increased calls for speeding, he supported the county's increased effort on enforcement in the name of safety. Some years ago, the City reduced speed limits in the City, but cars were still speeding. He requested that Park City step up enforcement to keep the City safe.

Michael Kaplan 84060 indicated he taught ski resort management at the University of Utah and there was a movement to move the national ski companies out of town. He suggested having a discussion on what the town would look like without having Vail in town. It might be time to play tougher with them.

John Kenworthy 84060 expressed surprise that nobody talked about the transit failure on December 26th. He thought the City's focus was way off. He thought "carmageddon" getting ignored would create bigger problems down the line and asserted the City had to make transit the focus.

V. CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from December 6 and 12, 2024:

Council Member Dickey moved to approve the City Council meeting minutes from December 6 and 12, 2024. Council Member Toly seconded the motion.

RESULT: APPROVED
AYES: Council Members Ciraco, Dickey, Parigian, Rubell, and Toly

VI. CONSENT AGENDA

1. Request to Approve Type 2 Convention Sales Licenses for Operation during the 2025 Sundance Film Festival:

2. Request to Approve Special Event Temporary Alcoholic Beverage Licenses during the 2025 Sundance Film Festival:

3. Request to Approve the 2025 Legislative Policy Platform:

4. Request to Approve the Settlement Agreement Resolving Campbell v. PCMC Litigation:

Council Member Rubell moved to remove Items Three and Four from the Consent Agenda. Council Member Toly seconded the motion

RESULT: APPROVED
AYES: Council Members Ciraco, Dickey, Parigian, Rubell, and Toly

Council Member Dickey moved to approve Items One and Two on the Consent Agenda. Council Member Rubell seconded the motion.

RESULT: APPROVED
AYES: Council Members Ciraco, Dickey, Parigian, Rubell, and Toly

3. Request to Approve the 2025 Legislative Policy Platform:
Matt Dias explained the overall strategy for the legislative session was to have a policy in place so staff and elected officials could operate on a day-to-day basis. Bills would hit

the floor on days the Council as a whole was not meeting, so decisions needed to be made, and this platform was in place to direct staff to act and then notify the Council as soon as possible and at the next Council meeting. The City worked with a state lobbyist and at times would procure other lobbyists on special occasions for specific items. Staff and elected officials also met with the City's representative and senator. The Leadership Class would also attend the session for a day and speak with state leaders.

Council Member Ciraco indicated Park City had a lobbyist and the Utah League of Cities and Towns (ULCT) acted on behalf of cities and towns. He asked if ULCT acted against the position of Park City. Dias stated that did happen from time to time because ULCT acted on behalf of the majority of the cities. He added the City's dues to ULCT were large and depended on the population and sales tax revenue it collected. Because of the large sales tax revenue, Park City had three votes in ULCT. The City was important to ULCT and they took the issues that were important to the City seriously. Mayor Worel added the ULCT had a resort caucus which met yesterday. They wanted the resort communities' opinions on legislation being drafted and how it would impact them. Council Member Toly noted she was on the ULCT board and she would have board meetings and hear about proposed legislation. She would use this policy platform to direct her votes and she would reach out to staff who would be impacted by such legislation to get their input.

Council Member Rubell stated last year there were four or five positions that ULCT took that were different than the City. He thought it made sense to have another Council liaison for the legislative session to work with Council Member Toly, and to be a support in times when ULCT did not agree with the City. He didn't want to put one of the board members in an awkward position. Dias stated Mayor Worel and Council Member Toly were voting members of ULCT and Council Member Toly was on board of directors, and Dias had a vote as well. Council Member Rubell wanted someone who didn't have a vote to be there to advocate on positions where there was conflict on what the body did and what the City wanted to do. He thought this would only help the City. Dias indicated it frequently happened that ULCT supported legislation that the City didn't support so the lobbyist was deployed so it wouldn't be seen as just a "Park City" problem.

Council Member Rubell asked if the Council supported adding a liaison. Dias stated every member of Council was invited to the weekly Legislative Policy Committee meeting. Council Member Dickey encouraged all the Council to attend that weekly meeting and felt it was a great experience. Council Member Rubell stated formalizing these things would help give the City a voice. He thought independence was a good thing. Council Member Ciraco indicated he attended four or five sessions last year and he hoped to attend more this year. He volunteered to step into the role of being an additional liaison. Council Member Toly asked if Council Member Rubell was not comfortable with her being a liaison. Council Member Rubell didn't think anything other than Council Member Ciraco should be added to the policy team.

Council Member Dickey felt the policy team was doing a great job at the legislature and the City was in a great position. He asserted any Council member could join in at any time. He didn't feel like anything needed to be changed. Council Member Ciraco was looking for opportunities to build better relationships and he thought there was value in someone being in the role who wasn't casting a vote as a ULCT board member. Council Member Dickey asserted being a board member or a City Council member made no difference because everyone was down there to work.

Council Member Rubell indicated he didn't want the City Manager and City Attorney pushing legislation for Park City. He felt that was the job of the elected officials. Dias stated staff would never proactively push special legislation to favor Park City without discussing it first with the Council and getting direction to employ the lobbyist. He stated most of the time they were playing defense at the legislature. Council Member Rubell asked about the policy platform and felt some things were very open. Dias stated the document was updated over time. He noted Number Four under Supports and Opposes was a tweak that was added several years ago when the City worked on Diversity, Equity, and Inclusion (DEI). He thought it might have been used with the childcare bills that came up last year.

Council Member Rubell moved to approve the 2025 Legislative Policy Platform with the amendment to add Council Member Ciraco to the policy team. Council Member Parigian seconded the motion.

RESULT: APPROVED
AYES: Council Members Ciraco, Parigian, and Rubell
NAYS: Council Members Dickey and Toly

Dias stated they would update the Council with the bill tracking spreadsheet and they would try to show which policies were used for the different issues.

4. Request to Approve the Settlement Agreement Resolving Campbell v. PCMC Litigation:

Council Member Rubell moved to continue the settlement agreement resolving Campbell v. PCMC litigation to a date uncertain. Council Member Dickey seconded the motion.

RESULT: CONTINUED TO A DATE UNCERTAIN
AYES: Council Members Ciraco, Dickey, Parigian, Rubell, and Toly

VII. OLD BUSINESS

1. Discuss Woodside Senior Center & Housing Project:

Chris Eggleton, Sara Wineman, and Rhoda Stauffer, Economic Development and Housing Department, presented this item. Eggleton reviewed a lot of work had been done over the last five years. He stated Option One was refining the original housing-based RFP. Option Two was to fast-track bids that reflected the evolved senior center-based requirements with consensus.

Council Member Parigian stated he was a Housing liaison and had never been invited to any of these meetings. He wanted the Council to figure out the size of the center. He suggested building the senior center on the MaWhinney lot because it was close to transit and the seniors could stay in their spot while it was being built.

Council Member Rubell supported Option Two and was open to another location. He thought the MaWhinney lot made sense for the larger footprint and parking. If they continued with the current site, he would support Option Two with the seniors, the City, and County. Eggleton stated any options would be a collaborative process with the senior center. He stated they needed to firm up the size of the center.

Mayor Worel indicated she and Council Member Toly met with the seniors work group and they asked them if they would consider another location for the center. Craig Weakley, senior working group member, stated he didn't speak for the group, but he liked that the seniors could stay at their current location as the center was built at another location. He knew the MaWhinney site was discussed before and negotiations terminated, but it was not because of the site itself. The seniors felt strongly that size was important, and they needed 10,000-15,000 square feet.

Council Member Ciraco supported the center being on the MaWhinney lot and he wanted to fast track the project on that property. The location was great, and it would accommodate the size the seniors were looking for. He would also like to continue working on housing with the current RFP if it worked out. Council Member Dickey thought the MaWhinney site was creative thinking and suggested doing a feasibility study as soon as possible to determine if the new site would work. He would prefer not doing another RFP and supported moving both housing and the senior center forward. Even if the seniors stayed in their current location during construction, both projects could be worked on simultaneously.

Council Member Toly noted she didn't like current plan because the entire parcel wasn't being utilized. If the MaWhinney lot was used, she wanted to look at the entire parcel to get the most out of the City's money. A housing project should include some senior housing, and she supported looking at the MaWhinney lot. She thought a backup plan would be good in case that lot didn't work out.

Mayor Worel opened public input. No comments were given. Mayor Worel closed public input.

Mayor Worel stated there was consensus to do a feasibility study for the senior center on the MaWhinney lot and she asked how long that would take. Eggleton didn't know how long, but stated the challenge was that the lot was dedicated overflow parking for the library. Any new uses for the MaWhinney lot would need to include parking use as well as going through an MPD modification. He noted wherever the center was built, it would most likely need underground parking.

Council Member Ciraco stated anything that needed to be done to accommodate the MPD requirements for library parking should be done as a separate investment. He asked if a parking study was done when that condition of approval was put in place. Stauffer stated there was a parking study for the library and it determined parking was sufficient for the library and cafe. The MaWhinney was deemed overflow even though the study said it was not needed.

Eggleton indicated the MPD from 2013 was squeezing down numbers. The existing parking spots built on the library was as tight as you could get for development approval. The conditions of approval noted a new study should be done the following year to determine utilization. Although he could not find a subsequent study, Eggleton felt a new study should be performed now under today's conditions. Mayor Worel clarified the conversation began when the library was remodeled, and spaces were removed. This resulted in the lot being under-parked, and that prompted the condition on the MaWhinney lot.

Council Member Parigian asked if the parking could be built partially underground so ventilation would not be needed. Eggleton indicated there was room on the MaWhinney to do a 7,000 footprint and they could study how far down the parking would need to be. Mayor Worel asked if the footprint could be expanded to 10,000 square feet. Stauffer referred to the concept design and stated the original concept died because the square footage was too small. Council Member Rubell asked if the City Park parking could be shared parking for the library. Eggleton indicated they would need to understand complementary and competitive parking as they studied parking in general.

Mayor Worel summarized the Council agreed to move forward with the feasibility study. Eggleton asked what size center the Council wanted staff to start with. Council Member Toly supported a 10,000 square footage baseline for the center and noted Wineman put in a lot of work determining an optimal size. Council Members Rubell and Ciraco supported the floor area of the first floor being 7,000 square feet. Council Member Rubell asked about a contribution from Summit County. Mayor Worel stated the MOU with the City, seniors, and Summit County outlined who had what responsibilities. There were no conversations on responsibilities for the new center. Council Member Rubell wanted to know what the other partners would contribute, and he wanted to get that solidified so time was not wasted. Mayor Worel noted grants could be looked at as well and indicated that was how equipment for the current facility was acquired. She would follow up with the County to see if there could be a conversation.

Wineman asked if they should focus on the feasibility of the MaWhinney lot and then come back to Woodside for the housing element later, to which the Council affirmed. Eggleton noted they would keep the RFP open and pause it, and that would necessitate extending the contract.

VIII. NEW BUSINESS

1. Consideration to Approve Ordinance 2025-01, an Ordinance Approving the 2025 Regular Meeting Schedule for City Council:

Chair Worel opened public input. No comments were given. Chair Worel closed public input.

Council Member Toly moved to approve Ordinance 2025-01, an ordinance approving the 2025 regular meeting schedule for City Council. Council Member Ciraco seconded the motion.

RESULT: APPROVED
AYES: Council Members Ciraco, Dickey, Parigian, Rubell, and Toly

IX. ADJOURNMENT

PARK CITY HOUSING AUTHORITY MEETING

ROLL CALL

Attendee Name	Status
Chair Nann Worel Board Member Bill Ciraco Board Member Ryan Dickey Board Member Ed Parigian Board Member Jeremy Rubell Board Member Tana Toly Matt Dias, Executive Director Margaret Plane, City Attorney Michelle Kellogg, Secretary	**Present**
None	**Excused**

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

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

NEW BUSINESS

1. Consideration to Approve Resolution HA 01-2025, a Resolution Establishing a Regular Meeting Date, Time, and Location for 2025 Meetings and Appointing Officers of the Board of Directors of the Housing Authority of Park City, Utah:
Chair Worel opened public input. No comments were given. Chair Worel closed public input.

Board Member Rubell moved to approve Resolution HA 01-2025, a resolution establishing a regular meeting date, time, and location for 2025 meetings and appointing officers of the board of directors of the Housing Authority of Park City, Utah. Board Member Ciraco seconded the motion.

RESULT: APPROVED
AYES: Board Members Ciraco, Dickey, Parigian, Rubell, and Toly

2. Consideration to Approve the Housing Mitigation Plan for the City Park Community Center:
Rhoda Stauffer, Housing Specialist, and Tate Shaw, Recreation Assistant Manager, presented this item. Stauffer reviewed the housing mitigation plans were for ensuring new development didn't adversely affect the housing supply in the City. The new community center would generate seven affordable unit equivalents (AUE) of employee housing. The Recreation team made a hiring plan and that resulted in .27 AUE, which equaled two full-time employees. The City's past affordable housing development fulfilled this requirement. In the future, any housing mitigation for City-owned buildings would be offset by housing already built by the City, and Stauffer indicated she would keep record of the requirements and the satisfaction of the housing supplied.

Board Member Parigian asked if the Board could waive the obligation altogether, to which Stauffer stated the Board could waive half of the obligation. Board Member Dickey referred to the Housing Resolution, Section Two, where it stated the applicability was for new housing and commercial development, and noted this was neither since it was a government building, and therefore it wouldn't apply. Some discussion took place on a possible housing requirement for the future senior center, and Stauffer clarified a senior center over 10,000 square feet would incur a housing obligation. Board Member Dickey thought it didn't make sense for the City to pay itself. Stauffer stated the City needed to abide by its own rules and private developers would take issue if the City didn't follow the rules. Matt Dias thought this was something the Housing team could look at for future City developments. Board Member Ciraco asked if the City could bank all the affordable housing for future projects. Dias indicated this could come back for further discussion at the retreat.

Chair Worel opened the public hearing. No comments were given. Chair Worel closed the public hearing.

Board Member Dickey moved to approve the Housing Mitigation Plan for the City Park Community Center. Board Member Parigian seconded the motion.

RESULT: APPROVED
AYES: Board Members Ciraco, Dickey, Parigian, Rubell, and Toly

ADJOURNMENT

PARK CITY REDEVELOPMENT AGENCY MEETING

ROLL CALL

Attendee Name	Status
Chair Nann Worel Board Member Bill Ciraco Board Member Ryan Dickey Board Member Ed Parigian Board Member Jeremy Rubell Board Member Tana Toly Matt Dias, Executive Director Margaret Plane, City Attorney Michelle Kellogg, Secretary	**Present**
None	**Excused**

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

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

NEW BUSINESS

1. Consideration to Approve Resolution RDA 01-2025, a Resolution Establishing a Regular Meeting Date, Time, and Location for 2025 Meetings and Appointing Officers of the Board of Directors of the Redevelopment Agency of Park City, Utah:
Chair Worel opened public input. No comments were given. Chair Worel closed public input.

Board Member Ciraco moved to approve Resolution RDA 01-2025, a resolution establishing a regular meeting date, time, and location for 2025 meetings and appointing officers of the board of directors of the Redevelopment Agency of Park City, Utah. Board Member Dickey seconded the motion.

RESULT: APPROVED
AYES: Board Members Ciraco, Dickey, Parigian, Rubell, and Toly

ADJOURNMENT

With no further business, the meeting was adjourned.

____
Michelle Kellogg, City Recorder

City Council
Staff Report

Subject: **Request for Approval of Type 2 Convention Sales Licenses for Operation during the 2025 Sundance Film Festival**
Author: **Sydney Anderson, Business License Specialist**
Department: **Finance**
Date: **January 21, 2025**

Recommendation
Review and consider approving the Type 2 Convention Sales License (CSL) applications listed in Exhibit A for operation for the 2025 Sundance Film Festival (Festival) contingent on passing the Final Inspection Post Application (FIPA).

Executive Summary
Exhibit A lists all the Type 2 Convention Sales License applicants to date pending approval. The applicants have obtained a pre-inspection prior to application (PIPA), provided a site/floor plan stamped by a design professional with occupant load, and paid the applicable license and trash fees.

We request consideration and approval of the Convention Sales Licenses applications for the 2025 Sundance Film Festival.

Analysis
The Festival attracts an increasing number of businesses/entities that conduct business within the Park City (City) limits on a short-term basis. These entities are not affiliated with the Festival or official sponsors. The volume of these types of short-term business has created health, safety, and wellness challenges for the City and its residents, including the City's ability to provide basic Police, safety, and emergency services.

These challenges can be mitigated, and the Finance Department and other departments are incredibly busy with Type 2 Convention Sales License applications in the months and weeks before the Festival starts.

The Municipal Code for Type 2 CSLs allows the City to address adverse impacts or carrying capacity issues related to the licensed activity and volume. It also allows service departments, event staff, and public safety to obtain an adequate picture of the total public service demands for the Festival in a timeframe that provides for service level and cost adjustments.

Municipal Code 4-7-3 (B)(2) states that Council retains authority to approve Type 2 CSL license applications. Prior to Council's consideration of the Type 2 CSL license applications, the applicant must have a pre-inspection prior to application (PIPA). This inspection will highlight any issues related to the space prior to their final inspection.

The inspection must accompany the license application along with accurate floor plans stamped by a design professional, including the occupant load.

The process for a Type 2 CSL is as follows:

1. Obtain floor plans stamped by a design professional
2. Obtain a PIPA
3. Obtain receipt showing payment to Republic Services to cover trash impacts (one receipt *per applicant*).
4. Submit application with site plan, PIPA, and pay the appropriate fee
5. Finance requests approval from City Council
6. Obtain Council approval
7. Obtain a FIPA
8. Issue license

All of the attached applications have met the Municipal Code standards and have completed department review.

Exhibits

Exhibit A - List of Locations

Event Name	Event Address	Regular Tenant
502 Film Collective, INC DBA Louisville Film Office	427 Main St.	The Cabin
VAYDA ENTERPRISES DBA Lighthouse Lumination Lounge	324 Main St.	PARK PLACE FINE ART
VAYDA ENTERPRISES DBA Lighthouse Lumination Lounge W/Hryate Spa (Lumati Life)	324 Main St.	PARK PLACE FINE ART
VAYDA ENTERPRISES DBA Lighthouse Lumination Lounge W/Theta Wellness Centers LLC	324 Main St.	PARK PLACE FINE ART
VAYDA ENTERPRISES DBA Lighthouse Lumination Lounge W/ABI Ferrin LLC (Moon Rising)	324 Main St.	PARK PLACE FINE ART
VAYDA ENTERPRISES DBA Lighthouse Lumination Lounge W/Hathor Studios	324 Main St.	PARK PLACE FINE ART
VAYDA ENTERPRISES DBA Lighthouse Lumination Lounge W/Reef Life Foundation	324 Main St.	PARK PLACE FINE ART
VAYDA ENTERPRISES DBA Lighthouse Lumination Lounge W/Energy 4 Life Centers	324 Main St.	PARK PLACE FINE ART
VAYDA ENTERPRISES DBA Lighthouse Lumination Lounge W/2050 House/Feedia LLC	324 Main St.	PARK PLACE FINE ART
Access Film Music LLC	427 Main St.	The Cabin
Music Lodge W/Alliance for Women Composers	255 Main St.	Treasure Mountain Inn
Music Lodge W/Enlighten Wellness Clinic	255 Main St.	Treasure Mountain Inn
Music Lodge W/White Claw	255 Main St.	Treasure Mountain Inn
Music Lodge W/Group Black Agency..RE Film Screening	255 Main St.	Treasure Mountain Inn
Music Lodge W/Upstate California Film	255 Main St.	Treasure Mountain Inn
Music Lodge W/Cleveland Film Commission	255 Main St.	Treasure Mountain Inn
Music Lodge W/Costa Rica Film Commission	255 Main St.	Treasure Mountain Inn
Music Lodge W/Savannah Film Commission	255 Main St.	Treasure Mountain Inn
Impact Lounge w/Hollywood Climate Summit	2175 Sidewinder Dr.	Prospect HOA
Impact Lounge w/The Tech We Want (Omidyar Network)	2175 Sidewinder Dr.	Prospect HOA
Rendezvous Cinema Center W/Neau Water	900 Main St.	Loma
Music Lodge W/Lalo Tequila	255 Main St.	Treasure Mountain Inn
Music Lodge W/Casamigos	255 Main St.	Treasure Mountain Inn
Music Lodge W/Patron	255 Main St.	Treasure Mountain Inn
Music Lodge W/Don Julio	255 Main St.	Treasure Mountain Inn
Music Lodge W/Jose Cuervo	255 Main St.	Treasure Mountain Inn
Music Lodge W/Ocho	255 Main St.	Treasure Mountain Inn

City Council Staff Report

Subject: **McPolin Farm 2025 Event Update**
Author: **Paige Galvin**
Department: **Executive**
Date: **January 21, 2025**

Recommendation

Receive an annual update on the 2025 McPolin Farm activities and consider holding a public hearing to approve the City sponsorship of 2025 proposed special events, which enables the final staff approval of the special event.

Executive Summary

The McPolin Farm has a long history, which includes:

- In 1922, the McPolin family built the barn from recycled timber salvaged from an old tailings mill.
- In 1947, the McPolin family sold the farm to D.A. Osguthorpe, a Salt Lake City veterinarian.
- In 1990, the City purchased the Farm and surrounding land, making it Park City's first open space acquisition.
- In 2016, the City completed major structural upgrades of the Barn. At the time, the City Council provided direction to incrementally increase the number of local community events at the Farm, but still within the total annual allowance of 12. This included consideration for applicants outside the City, specifically non-profits. The discussion further stipulated that the events should be passive and non-invasive of department resources and the property's historic preservation values.
- In 2019, the McPolin Farm Conditional Use Permit (CUP) was updated to reflect Council's direction.

As you know, the City Council is the landlord of the McPolin Farm and property. The Friends of the McPolin Farm (Friends) are a nine-member advisory committee that advises the staff liaison (Paige Galvin) for the McPolin Farm. The Friends are dedicated to facilitating events and community enjoyment of the McPolin Farm while honoring governing documents and use policies to preserve the property's agricultural and farming history.

Analysis

There are several highlights from 2024, including:

- Saying farewell to Insa Riepen who was a member of the Friends of the Farm for over 20 years.
- Welcoming two new Friends of the Farm, Jenny Adams and Ian Hartley
- Began the process of restoring the farm equipment
- Expanded our outreach to homeschoolers and City staff in addition to the locals and visitors

2025 Goals

The Friends discussed and outlined goals for 2025, which include:

- Continue expanding our barn tours to various demographics
- Complete the repairs of the farm equipment
- Secure funding or grants to help fund the replacement of the shed doors
- Continue to explore planting a garden

Special Events at the Farm

Per the CUP requirements, special events at the McPolin Farm shall be processed by staff under a Special Event Permit and considered by City Council for action. This is slightly different from the typical special event process, under which the City Council delegates administrative approval authority for smaller Level One, Two, and Three events to the Special Event Manager.

The Friends of the Farm committee reviewed the events listed below on December 2, 2024. Any new event that meets the CUP criteria must return to City Council for consideration.

Below is a list of the proposed events for 2025, which are status quo from past years. Each event has been reviewed for compliance with Special Events municipal code Title 4A and the McPolin Farm CUP. This year we plan six events similar in size and scope to those held in the past. Parking is limited at the McPolin Farm Trailhead. Per each event permit, we require two shuttle vans from the PC MARC to mitigate public safety impacts. There is also a bus stop adjacent to the barn, and we encourage people to walk or bike to events. All noise stemming from events will be kept within noise limits unless otherwise noted:

• Full Moon Snowshoe – Saturday, February 8, a Level One Event that sells out at 70 tickets for a chili dinner, music, and guided beginner or advanced snowshoe tour along the White Pine Touring track under the full moon. Two staff/volunteers will drive two PC MARC shuttles to the barn for guests, who may also be dropped off by private transportation. Staff from the Building, Parks, Streets, and Sustainability departments all contribute to the success of this community event.

• Your Barn Door Is Open (YBDIO) - Saturday, June 28, a Level One Event that hosts around one hundred community members for live bluegrass music, dancing on the patio, catered dinner, and self-guided tours inside the barn. It is one of only four times a year that the barn is open to the public. For this event, we apply for a noise variance as we have the band in the shed.

• Barn Tours – On July 12, August 16, and September 13, we will have two one-hour guided tours at 4 p.m. and at 5:30 p.m. Tickets are $10 per person. This is permitted as a Level Two Event. The barn has the capacity to accommodate twenty-five people for each scheduled tour.

• Scarecrow Festival – Saturday, October 4, a Level Two Event that typically sells out. There are two types of tickets sold: One ticket grants a group of four people to attend the Festival, which includes scarecrow-making materials, face painting, pumpkin painting, and refreshments. The other ticket is for a support structure and the straw to stuff a scarecrow without access to other activities and refreshments. Seasonal Events | Park City, UT

Funding

McPolin Farm event costs are within the approved budgets and estimated at $6,900. Additionally, ticket sale revenue goes to the capital projects fund to augment the barn capital projects for the McPolin Farm.

City Council Staff Report

Subject: GRAMA, OPMA, and Ethics Training
Authors: Margaret Plane, City Attorney
Michelle Kellogg, City Recorder
Date: January 21, 2025

Background

The City Council will receive training on the Open and Public Meetings Act (OPMA), the Government Records Access and Management Act (GRAMA), and ethics regulations including the Municipal Officers and Employees Ethics Act (MOEAA).

Analysis

OPMA

OPMA is the state law that requires the actions and deliberations of the state and its political subdivisions to be conducted openly. The City Council will review a training video prepared by the Office of the State Auditor that describes public meetings, public hearings, closed meetings, agendas, notice requirements, and minutes and recordings. This short video complies with the annual training requirement.

GRAMA

GRAMA recognizes the public's right to access information about the conduct of the public's business and the right of privacy to personal data collected by the government. Under GRAMA, a record is public unless otherwise expressly provided by statute. The statute enumerates more than 150 types of records that are private, controlled, or protected. Many materials are excluded from the definition of "record," such as temporary drafts, proprietary software, a daily calendar, and material that is legally owned by an individual in the individual's private capacity.

The Police Department has a separate GRAMA tracking system. Below is the number of requests received for non-Police records as well as Police records. Exhibit A summarizes the number of requests received by each department (other than Police) in 2024.

Year	Non-Police GRAMA Requests	Police GRAMA Requests	Police Incident Reports	Police Requests - Body/Car Cam
2019	314			
2020	397			
2021	409			
2022	372			
2023	437	644	109	55
2024	524	887	283	52

Ethics
All City officers and employees must follow MOEAA, which sets up standards of conduct and requires disclosure of actual or potential conflicts between personal interests and public duties. City Code 3-1 also regulates conflicts of interest.

The Declaration of Policy in Park City Code section 3-1-1 captures the expectations of public service: "The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government."

The general principles of the ethics rules are simple:

- Openly disclose conflicts. Avoid actions or creating perceptions that your votes can be influenced or bought.
- Don't use information or contracts to your personal benefit. It is improper to profit from your public service, and you must recuse yourself from voting on any question in which you have a substantial interest.
- Don't tell secrets. Council Members receive confidential information relating to property sales or purchases; personnel matters; litigation; and beyond. The confidentiality belongs to the organization and, with limited exceptions, only a majority of the Council may decide to disclose confidential information.

The law requires written disclosure of some interests and oral disclosure of others. New written conflict of interest disclosures for elected officials were passed during the 2024 legislative session (see HB80, "Candidate and Officeholder Disclosure Modifications"). Under this new requirement, elected officials must file an annual conflict of interest disclosure that includes additional information, and the disclosure must be posted on the city's website.

Not all conflicts of interest are illegal, unethical, or bad. Generally, we advise City officers and employees: When in doubt, ask! When in doubt, disclose! Disclosure is the minimum standard and is required when these touchstones are met:

1. Do you or a close family member have an interest in an entity that does business or anticipates doing business with the City? Generally, an "interest" is a monetary interest, ownership interest, or employment.

    * If you have a substantial interest in a business that does or anticipates doing business with the City, Park City Code 3-2-8 requires disclosure and recusal.

2. Do you or a close family member own a business regulated by the city?

3. Do you have another personal conflict of interest?

There are also prohibitions on receiving gifts—public office may not be used for personal gain. Gifts that would tend to improperly influence a reasonable person in your position, or that are contingent upon City or City Council action, are prohibited.

Receiving compensation for a transaction with the City without proper disclosures, or accepting prohibited gifts, may result in removal from office and felony or misdemeanor charges; possible charges depend on the total value of the compensation, conflict of interest, or assistance received.

The City Council will discuss a series of ethics scenarios that highlight the nuances of the ethics rules.

Exhibits

Exhibit A: Non-Police GRAMA Requests by Department

Requests by Department

This table breaks down how many requests were received and closed by each department, as well as median fulfillment speed for each department in this reporting period.

Department	New	Closed	Median	Average
Affordable Housing	0	0	0	0
Budget	3	3	2	4
Building	335	292	7	8
Business Licensing	25	26	3	4
City Attorney's Office	6	5	14	35
City Manager	1	1	4	4
City Recorder	17	18	3	4
Community Engagement	1	1	3	3
Economic Development	0	0	0	0
Emergency Management	1	1	4	4
Engineering	20	20	10	10
Environmental Regulatory Affairs	4	3	4	5
Finance	2	2	8	8
Human Resources	4	3	2	4
Ice Arena	6	6	3	4

Library	0	0	0	0
Parking	0	0	0	0
Planning	126	116	9	10
Public Utilities	12	13	5	8
Public Works	3	3	9	7
Recreation	2	2	4	4
Resident Advocate	2	2	4	4
Special Events	3	3	12	12
Sustainability	4	4	6	7
Trails and Open Space	6	5	10	20
Transit	3	2	4	4
Transportation Planning	2	2	39	39
Not Assigned	30	30	1	2

Message Templates Report

This table includes all message templates used within this reporting period

Message Template	Times Used
Extraordinary Circumstances Delay	6
No Records Found	70
No Response from Requester	1
Portion Denied	17
Records Are Online	6
Records Denied	10
Records Provided	321
Request Withdrawn	4
Thank you for your submission	569

Closure Response Report

This table includes all closure responses and totals used in this reporting period.

Closure Response	Times Used
Duplicate Request	3
No Records Found	104
Records Denied	13
Records Provided	356
Request Withdrawn	18

Tag Report

This table includes the tags applied to requests opened in this reporting period.

Tag Name	Times Used

LAWS GOVERNING

ELECTED OFFICIALS

OPMA, GRAMA & MOEEA

"Sunlight is the best disinfectant."
U.S. Supreme Court Justice Louis Brandeis (1856-1941)

OPMA
Public's business is done in public
Criminal penalties
Court of public opinion

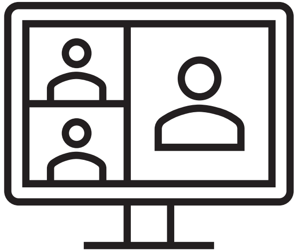
GRAMA
Balance public interest with privacy interest

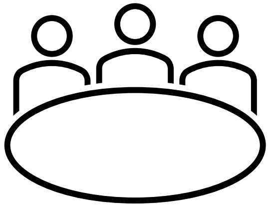
MOEEA (the Municipal Ethics Act)
- Openly disclose conflicts
- Don't use your position to benefit personally
- Don't tell secrets

PARK CITY 1884


Open & Public Meetings Act
An LG Digital Short

OPEN & PUBLIC MEETINGS ACT





- Public's business is done in public
- Criminal penalties
- Court of public opinion

TEXTING?

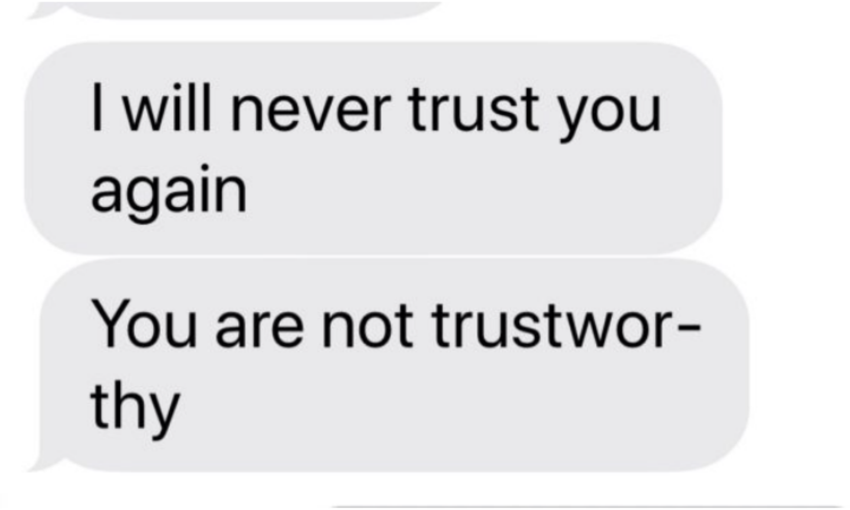
To Text during a meeting . . .

. . . Or not to text during a meeting?

EDUCATION

Salt Lake City School Board drama exposed in public records requests

Oct 20, 2020, 5:59 PM



BY JOHN WOJCIK
KSLNewsRadio

SALT LAKE CITY, Utah — Text messages and emails obtained through public records request by a parent show vitriol and profanity between members of the Salt Lake City School Board, and potential violations of open meetings laws.

TEXTING?

Don’t have a private meeting within a public meeting.

Texts created in your public capacity as members of the City Council are records and may be public records.

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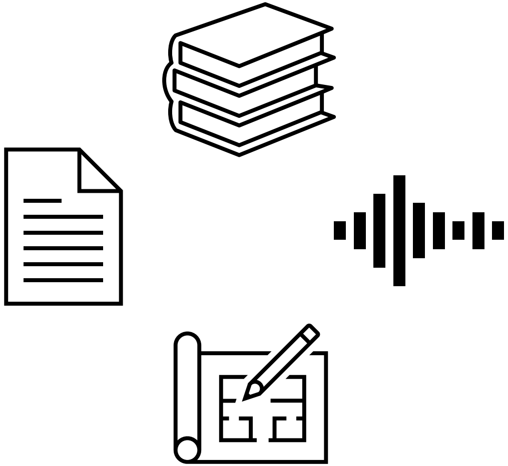
GOVERNMENT RECORDS ACCESS & MANAGEMENT ACT

Public Access Restricting Access

GRAMA Recognizes Two Constitutional Rights:

- The public's right of access
- An individual's right to privacy

WHAT IS A RECORD?



- Books, letters, documents, plans, photographs, recordings and electronic data
- Information that is prepared, owned, received, or retained by government

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A RECORD IS NOT …

Personal notes or communications:

- Outside the employee’s job capacity
- Unrelated to the conduct of the public’s business

Examples:

- Temporary drafts
- To-do lists
- Daily calendars
- Personal property
- Texts between employees scheduling lunch together

PARK CITY 1884

FOUR TYPES OF RECORDS

Public

Private

Controlled

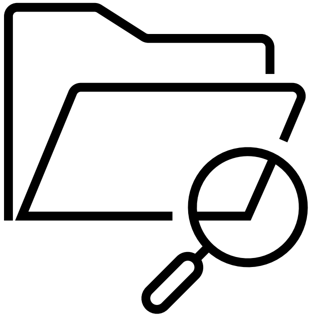
Protected

PUBLIC RECORD EXAMPLES

- Administrative staff manuals
- Contracts
- Compliance documents
- Drafts circulated outside the government entity
- Drafts relied on to make a decision
- Final audit reports
- Business, occupational, and professional licenses

PRIVATE RECORD EXAMPLES

Contains information on individuals



- Medical history
- Library patrons
- Employee records: home address, phone number, Social Security number, insurance coverage, marital status, pay deductions
- Race, religion, disabilities, performance evaluations
- Records describing a person’s personal finances

CONTROLLED RECORD EXAMPLES

Contains medical, psychiatric, or psychological data about individuals

Records are restricted because releasing the information to the subject could be detrimental to:

- Their mental health
- To the life or safety of an individual
- When the record release would constitute a violation of normal professional practice

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PROTECTED RECORD EXAMPLES

Contains information that is restricted in the public interest

- Commercial financial information that could give unfair competitive advantage
- Drafts
- Records that if released, would interfere with investigations, discipline, licensing, etc.
- Records that would deprive a person of a right to a fair trial
- Records subject to attorney client privilege
- Transcripts, minutes, or reports of the closed portion of a public meeting

PARK CITY
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APPEAL PROCESS

- 1st appeal - City Manager
- City Manager has 10 business days to respond*
- If denial is affirmed:
  - State Records Committee
  - or District Court

** 5 days if requestor shows that the record request would benefit the public, rather than the requestor.*

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ETHICS

Municipal Officers and Employees' Ethics Act
(Municipal Ethics Act, Utah Code 10-3-1301)

Utah Public Officers' and Employees Ethics Act
(Government Ethics Act, Utah Code 67-16-1)

Other sources include Park City Code (Chapter 3, Ethics), Utah Procurement Code (for certain employees), federal law (criminal conduct of an organization)

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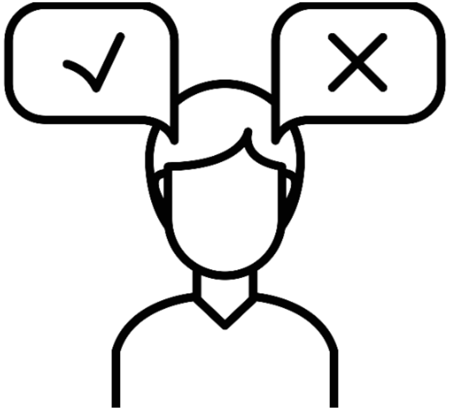
ETHICS



- Openly disclose conflicts
- Don’t use your position to benefit personally
- Don’t tell secrets

ETHICS

Openly disclose conflicts

- Written disclosures
- Oral disclosures

ETHICS

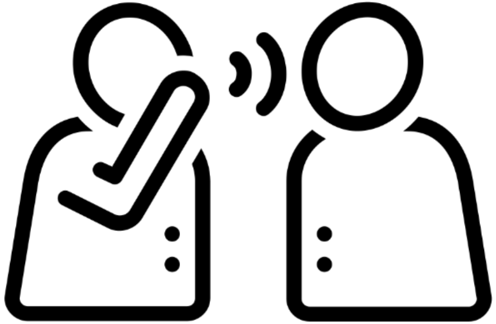
- Don’t use your position to benefit personally
- Gifts that would improperly influence a reasonable person to depart from the faithful and impartial discharge of public duties are prohibited
- Gifts that are contingent upon specific action are prohibited

ETHICS

These are *not* gifts:

- Occasional, nonpecuniary value less than $50
- Award publicly presented in recognition for public services
- Any bona fide loan made in the ordinary course of business
- A political campaign contribution

ETHICS



Don’t tell secrets!

Do not disclose or improperly use private, controlled, or protected information acquired in your official position or in the course of official duties as a City Council Member.

ENFORCEMENT

Criminal penalties are possible for improper disclosure of public secrets, using your office to further your personal economic interests, and taking gifts or bribes for official action.

Conviction of a crime related to misfeasance or malfeasance in office may lead to removal from office.

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ETHICS SCENARIOS