PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
DECEMBER 2, 2010

Present: **Mayor Dana Williams; Council members Alex Butwinski, Candace Erickson; Joe Kernan; Liza Simpson; and Cindy Matsumoto**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Michael Kovacs, Assistant City Manager; Kent Cashel, Transportation Manager; Pace Erickson, Operations Manager; Deb Wilde, Code Enforcement Officer; Shelley Hatch, Finance Analyst; Matt Cassel, City Engineer; Tyler Poulson, Environmental Analyst; Brian Anderson, Parking Manager; Diane Foster, Sustainability Manager; Roger Evans, Interim Building Official; and Bret Howser, Budget Manager

Justin Dalton, Director of Transportation for Cisco; Sandra Nugent, Clean Air Park City

1. Council questions/comments. Alex Butwinski commented on the spirited discussion on TDRs by the Planning Commission. Candace Erickson reported on the Historical Society meeting today where the demolition of 657 Park Avenue was discussed as well as the concept of community councils so that neighborhoods are noticed of applications not just adjacent properties. Liza Simpson agreed that the Planning Commission meeting last night was productive. She also attended the HPB meeting where Sara Werbelow was appointed as the liaison to the design review team. She reported on the Lodging Association meeting and skiing. Ms. Simpson suggested moving the street area under the Town Lift Bridge up in the snow removal priority system. Kent Cashel encouraged revisiting the parking program because it is an on-going challenge to clear snow when cars are allowed to park there. She believed that moving it up in priority may make a difference. Candace Erickson relayed that a citizen contacted her about idling at red lights on SR224 during the middle of night when no one is on the road and wondered if there is a way to change them to blinking red lights. Mr. Cashel seriously doubted that UDOT would consider a flashing red light at intersections but will make a call to confirm.

Mr. Butwinski commented on calls he received about properties throwing snow in the street and who to call for enforcement. Mr. Cashel advised that no one is dedicated to enforcement which is addressed on a complaint basis. Deb Wilde confirmed that Code Enforcement handles enforcement on a complaint basis. Snow has to be stored on the property or hauled away. Shelley Hatch noted that snow removal operators must sign a disclaimer that they understand the rules at the time of business licensing. Matt Cassel responded to questions about the status of the Bonanza Tunnel Project.

2. Main Street early deliveries and anti-idling discussion.

Main Street deliveries - Michael Kovacs explained that the City received complaints from the neighborhood in October about early deliveries which triggered enforcement action by the Police Department. Idling of engines contributes to noise issues. Utah Code specifies that unattended vehicles can not be left running and the City has special parking and delivery restrictions on Main Street and Swede Alley together with internal policies. Park City's policy encourages employees limit idling to a minute. He stated that the noise ordinance provides that deliveries can not be made between 10 p.m. and 7 a.m. which is restrictive and the street becomes quickly populated. Running vehicles are limited to 15 minutes unless other equipment is involved and another section of the noise ordinance limits noise by decibel level and zone. The Police Department is currently responding on a low priority complaint-based approach for enforcing the ordinance and delivery companies have suggested moving toward earlier delivery times to better avoid conflicts. Mr. Kovacs suggested maintaining the current ordinance but to reaffirm Council's low enforcement priority.

Liza Simpson emphasized that the flurry of complaints last summer originated from one person. Chief of Police Wade Carpenter explained that complaints are dealt with on an individual complaint basis and sometimes complaints lead to other offenders. He hoped that complaints will be largely curtailed with the anti-idling campaign and agreed that most complaints were from one individual. The Mayor invited public input.

Justin Dalton, Director of Transportation for Cisco, explained that refrigeration units in delivery trucks create most of the noise and these can be shut off. The hours in the ordinance can work in the summer but if enforced in the winter, will create significant traffic problems. Safety is most important and Cisco would like to make deliveries about 3 a.m. Drivers are trained to reduce noise as much as possible. He explained that Cisco was unaware of the ordinance until cited last summer and emphasized that with a small window for deliveries, more trucks will be needed which creates other negative impacts.

Liza Simpson pointed out that 80% of Cisco's deliveries are key-drops which mean businesses have given permission to access their stores and deliver in the early morning hours. In response to a question from Candace Erickson, Mr. Dalton indicated that deliveries are made six days a week. Ms. Matsumoto asked about anti-idling training acknowledging that refrigeration units were described as creating the noise issue and Mr. Dalton described adjusting the units and stated that Cisco trucks are not idling; after one minute engines automatically shut off. The refrigeration units can be turned off and Nicholas & Company has the same policy. The Chief stated that there have been no recent complaints but if there is a complaint, the Department must respond.

Alison Butz, PCHA, stated that the membership's biggest concern is having deliveries made before patrons come to the street. It is felt that enforcement on an individual basis is working. PCHA prefers an earlier delivery time but can tolerate the status quo.

The Mayor suggested that the delivery companies continue to work on adjusting refrigeration units to mitigate potential noise impacts. Liza Simpson reiterated that it was one guy making 99% of the complaints and perhaps this issue needs to be revisited in the spring because of the hours issue. If deliveries are being managed with key drops, and trucks are not idling, and the refrigeration units are turned off, the Mayor felt amendments to the ordinance should be considered. Ms. Simpson suggested 5 a.m. Joe Kernan believed noise can be adequately mitigated which is the problem and is comfortable with changing the time. Candace Erickson discussed moving the time back to 3 a.m. to realistically meet everyone's needs. Ms. Simpson did not believe having a truck on Main Street at 9 or 10 a.m. is a problem. Mayor Williams suggested conducting a trial period for six months over the winter and if successful, eliminate the time limit. Liza Simpson felt that the hours of 3 a.m. to 9 a.m. would be best from the standpoint of conflicts. Cindy Matsumoto encouraged Cisco to instruct its drivers to turn off their engines immediately rather than waiting a minute. She expressed her support of a trial period. Mark Harrington interjected that the times in the ordinance could be different for summer and winter seasons.

Given the level of non-compliance, the City Manager recommended amending the ordinance or enforcing it as written. All members were supportive of amending the ordinance and Tom Bakaly indicated that a draft will return to Council and a public hearing scheduled.

Anti-idling Ordinance - Tyler Poulson stated that the City Council approved an anti-idling resolution in November 2009. Salt Lake City recently completed a public input session on a draft ordinance. An ordinance, rather than a resolution, clearly conveys the public health and environmental damage done by vehicle idling and it more efficiently encourages people not to idle their vehicles. This is similar to the no-texting law which has changed behavior for many individuals and staff feels that an anti-idling ordinance can provide that same type of benefit in Park City. Mr. Poulson discussed the advantages of anti-idling legislation which has become a hot topic in the state of Utah. The EPA designated seven Utah counties as fully or partially non-attainment zones for air quality in the past year which prompted stronger support for action on idling. Utah Monster Clean Air is a state-wide organization and Clean Air Park City is the local chapter with the goals of promoting public awareness and education. The Governor has designated September as idle-free awareness month. Mr. Poulson indicated that 2 billion gallons of fuel are unnecessarily idled away on an annual basis in the United States. Anti-idling ordinances have been adopted by a variety of communities which were collected and reviewed by staff and the ordinance, as drafted, considers Park City's normal operations. The draft resolution specifies one minute and the Salt Lake Council is considering two or three minutes.

Liza Simpson was pleased to learn of the effectiveness of passing an ordinance without it becoming an enforcement burden. Tyler Poulson stated that Parking Services will be the code enforcer within its existing patrol area. Police will also have the ability to respond and enforce the ordinance. Much like the taxi complaint form, there can be an idling complaint form which will help track violations that can be followed up with mailed warning notices. Staff recommends warnings as the first line of defense and will return in a couple weeks with a draft ordinance. Parking Manager Brian Anderson advised that parking enforcement ceases at 8 p.m.

Sandra Nugent, Clean Air Park City, supports the ordinance and noted that the organization will continue their educational efforts. She spoke about campaigning on Main Street and on Bonanza. They have a presence in the schools and the City has done a great job of posting signs at the schools. The Mayor spoke about the airport being well posted and it may be worthwhile to talk to the local banks about installing similar signs.

All members were unanimously supportive of moving ahead with an ordinance. Diane Foster added that Summit County is working on a resolution hoping it could become a County-wide ordinance. PCMR, Deer Valley and the School District all have anti-idling policies in place.

3. State legislature environmental update. Tyler Poulson referred to his staff report where three items are called out. Electronics recycling is being drafted by the Utah Department of Environmental Quality and the City has taken on a passive role while Recycle Utah has been actively involved in the state stakeholders group. The next item is the Governors ten year energy plan. Consistent with the Council's desire to reduce the carbon intensity of electricity, staff has been providing input on the plan, focusing on renewables and energy efficiency as top priority resources that should be included. He indicated that the public comment session has closed and a lot of feedback reflected that although the vision is good there needs to be defined and tangible policies in a strategic plan. Staff has offered to serve on any stakeholder's group and has provided written comments.

Thirdly, the state legislature has adopted the most recent international energy conservation code for commercial buildings, but not for residential construction. Mr. Poulson relayed that this will be again considered in January and Park City's Interim Building Official has been heavily involved in moving it forward. He felt that this is sensible to adopt because from an individual household perspective, the energy savings realized outweigh the additional cost of $1,000 to a 30 year mortgage. Energy savings are estimated just under $200 per year and the main opposition is coming from the Utah Home Builders Association who objects to additional regulation. Park City is among a variety of local governmental agencies as well as Questar and Rocky Mountain Power who are very supportive of the new code. He noted that the City received a resolution drafted and distributed by Utah Clean Energy which is included in the staff report. Staff is seeking direction from Council about passing this resolution in advance of the upcoming state legislative session expressing Park City's desire to have the state adopt more efficient energy codes for residential construction.

In response to a question from Liza Simpson, Mr. Poulson indicated that the Park City Home Builders Association is supportive of the code. The Mayor asked if the City has the ability to adopt this code regardless of the state. Interim Building Official Roger Evans explained that the City is prohibited from adopting something that is more stringent than the state. The City can only make recommendations to home owners. All Council members were supportive of passing a resolution encouraging the state legislature to adopt the international energy conservation code for residential construction.

4. *Budgeting for Outcomes* update. Bret Howser stated that over the past several years, staff has provided financial updates on projected revenues during the fourth quarter. The City is not in a shortfall mode and sales tax is up from last year and roughly on pace with the budget. Franchise taxes are a little behind and development fees are on track and there is not enough information to forecast property taxes. Revenues seem fairly healthy this year and are meeting budget projections. He emphasized the importance of the long term financial picture and adjusting expenditures should be considered to help balance the budget in the future.

Mr. Howser displayed a PowerPoint presentation and explained that the Budgeting for Outcomes exercise is in Phase 4 which is prioritization. The results team, represented by departments, already conducted a preliminary analysis of the bids submitted by departments for City programs and proposed a recommended prioritization which is included in the Council meeting packet. He suggested that members review the bids, adjust the recommended prioritization as needed, and give direction about levels of service. This is not an actual budget process but a way for Council to develop strategic direction to staff for the upcoming budget session.

In response to a question from Cindy Matsumoto, Mr. Howser indicated that numbers are based on 2010 current levels. Staff would like a better idea of how Council goals are being achieved and the associated costs and to identify the priority of programs to be used as a tool in making budget decisions. He detailed the scoring process and key factors utilized by the results team assessing impacts, and pointed out that some goals have key factors that are more similar to each other. He advised members that if results team scores are used to compare programs, to consider them within a Council goal. The impact score for programs was based on a relative curve.

In response to a question from Joe Kernan, Mr. Howser explained that staff is not making recommendations about enhancing or reducing service levels. Staff is identifying what programs have a greater impact on achieving a goal. The fact that something is a high priority does not necessarily mean that Council wants to spend more money on it. High priorities would probably not be cut first or completely.

Spending more on programs relate to a greater impact and this is where the cost benefit index comes into play.

Bret Howser acknowledged that the cost benefit index is an imperfect and untested tool but compares the relative value of the program or service to the relative cost. A program that scores high with a relatively low cost will result in a higher cost benefit index score and additional dollars will leverage the initial investment. He emphasized that the return is not expressed in dollars because the value is based on subjective scores assigned by the results team and limited in that capacity. Ms. Simpson understood that the list does not represent staff's prioritization for funding levels but prioritization based on Council goals. Mr. Howser explained that the cost benefit changes based on levels of investment. Joe Kernan asked if revenue sources are identified for programs. Bret Howser explained that all City expenses to provide programs and services are being paid and how they are being paid for is decided by Council. He encouraged first asking what services should be provided and at what level and then determining how to pay for them. Mr. Howser indicated that user fees are included in bids and their net impacts and reducing a service may result in higher net costs. Discussion ensued on programs with associated user fees and an order for examining costs and revenues. Joe Kernan continued to express concerns about the statement that everything is going to be paid for from somewhere. Bret Howser stated that by law, the City has to have a balanced budget. There has to be a revenue source for everything and the first step is to identify our wants collectively, at what levels, and then determine how to fund them. Rewording some language in the BFO document was discussed.

Mr. Howser noted that the bid packet contains scope, cost and performance measures. He hoped that with the existing ICMA data, two to four relevant benchmarks per Council goal will be identified. Joe Kernan named a variety of specific services relating to police, recreation and streets which he felt are good comparisons to benchmark. He suggested that department heads call other jurisdictions about service levels. The Mayor agreed with Mr. Kernan that most communities benchmark these services in order to budget the cost. Michael Kovacs interjected that the ICMA data reflects national standards based on participating progressive cities. Those measures are perfect because they match well with Park City as opposed to Utah communities who may not be tracking information. Mr. Kernan did not feel that programs have to be a perfect match to compare levels of service. Park City can call other communities that measure their services in different ways and still gain something from that information. Another tool to is conducting citizen surveys. Mayor Williams felt it beneficial to know how Park City operations compare with other resort towns.

Michael Kovacs mentioned that it may take a while to set up the system. The ICMA data has been received and a comparison to national standards can be created very rapidly. He believed Mr. Kernan is talking about efficiency performance measures and costs. Tom Bakaly stated that the exercise should determine whether the services provided by the City are enhanced and how that relates back to costs and suggested that staff create ways to do that. The Mayor spoke about the direct return on trails demonstrated by visitor use and conducting simple comparisons was again discussed. Bret Howser discussed a meeting with CAST and the difficulty in getting the group to simply agree on how to compare services. Cindy Matsumoto asked for a copy of the 2007 citizen survey. She indicated that she doesn't receive many citizen complaints which seem to imply overall satisfaction with current levels. The City Manager indicated that another survey should probably be conducted. Liza Simpson felt it very helpful to have the ICMA data. Tom Bakaly suggested focusing on a few bigger programs next work session and the BFO schedule was discussed.

Alex Butwinski questioned including the ridership measure and felt that members need to agree on specific benchmarks for staff to analyze or the exercise will take a very long time. Tom Bakaly explained that the goal is to prioritize the service and some members may need different information to make a decision than others. He encouraged members to focus on the goal which is to prioritize the service. After setting priorities, more information can be provided as needed. Joe Kernan felt that productivity and efficiencies may have to be examined at another time. The City Manager again discussed setting priorities and discouraged digging into every performance measure or benchmark. Liza Simpson felt that as part of the process, the Council asked the departments and the teams to come up with performance measures that they felt were both clear to communicate and effective and that is why bus ridership was addressed. Candace Erickson pointed out that the enhanced level in the model related to the park and ride improvements and getting more people off the road, not the number of bus riders. She agreed with Alex Butwinski that this is probably a poor performance measure. Ms. Simpson described it as an anomaly because it is a one-time thing. The City Manager reiterated that the right information needs to be provided to prioritize. Mr. Kernan pointed out that significant work would have to be done by transit to arrive at options for different levels of service. Mr. Butwinski felt the list of services should be filtered so that time is not wasted on items that don't need to be addressed.

Bret Howser explained that bids represent main portions of a service and some services are easier to illustrate. The results team looked at the performance measures and in many cases changed them or sent them back to the department for more clarity. He understood from members that they need more work before more Council time is invested. Alex Butwinski agreed but admitted that he hasn't scrutinized all 140 programs. He is pleased that staff has already gone through that process so there will be less poor examples. Mr. Howser added that refining the process will be on-going. The Mayor felt that information could be clearer because the park and ride was not an intuitive conclusion for enhancing transit, acknowledging that there is probably a learning curve in interpreting the report. Joe Kernan felt that the result will be a helpful budgeting tool.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 2, 2010

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, December 2, 2010. Members in attendance were Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Michael Kovacs, Assistant City Manager; Wade Carpenter, Chief of Police; and Bret Howser, Budget Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Pay plan discussion – Joe Kernan requested scheduling a work session on the pay plan in two weeks. He would like to understand the positions of members to determine if January raises should be held until this discussion occurs. Arguments have been made that the structure of the pay plan reflects the philosophy that City employees are valued, should be retained and therefore should be paid at near the average of the top five of 35 towns. However, he pointed out that other towns like Aspen do not pay at the top five which represents a savings. He hoped that the pay plan can be addressed on December 16 so that everyone's position is disclosed and a decision can be made on how to move forward.

Alex Butwinski did not support the December 16 date. However, he felt that the Council has been talking about adjusting the pay plan and a general public discussion among Council members may result in consensus on direction. He believed that all members want to make adjustments but not necessarily to change the philosophy of the pay plan and he referred to his earlier comment about a hybrid system consisting of step and grade and pay for performance elements. Liza Simpson stated that she does not want to discuss the pay plan on December 16 and is looking forward to a robust discussion on the pay plan sometime to make sure it is effective. The Council made a decision in June about the merit increases for this year and to revisit this after performance reviews have been conducted is unfair. Candace Erickson believed that members made a commitment at that meeting but would like to listen to the recording. She recalled voting to give raises but during the next six months to examine the pay plan for possible adjustments which would be in place for the upcoming budget.

Cindy Matsumoto thought she voted for something different than what Ms. Erickson and Simpson stated they voted for. She thought she voted to give the 5% raises provided the Council would review the pay plan well before now so that a new policy would be in place by January. She acknowledged that she failed to follow through on her expectation and should have expressed her concern. She would like to listen to the recording of the meeting to determine if a discussion on the pay plan is warranted on December 16. Joe Kernan believed that delays will prompt confusion among employees and didn't think Council made a commitment in June and is also looking forward to listening to the recording. Commitments to employees and to the public need to be balanced. The Mayor summarized that based on member input, the decision is 3:2 to wait, which prompted more discussion.

Mr. Butwinski acknowledged that he did not follow up by asking the status of the pay plan but felt there is too much business on the December 16 agenda to add this item. He admitted that he does not have a clear recollection of what he voted on and discussion. Tom Bakaly read an excerpt from the minutes on the motion to approve the pay plan as proposed with a 5% capped six month circuit breaker. Ms. Simpson recalled that merit bonuses were not as much of a concern as people moving too quickly through grades. Joe Kernan emphasized that he and Ms. Matsumoto believed the pay plan discussion would occur before January and believed that it would affect the January raises. This interpretation is not going to be reflected in the minutes and now it will be two years before a new pay plan is implemented. Cindy Matsumoto expressed her interest in clearing up misunderstandings. Discussion ensued on the amount of money involved with raises and the City Manager indicated that $100,000 remains for the next six months. Knowing this, Joe Kernan suggested that the Council put off the pay plan discussion for the next elected Council. There doesn't need to be a rush because Council is not going to change anything and he withdrew his request. All other members disagreed and felt a meeting on the pay plan is important. Candace Erickson expressed her disappointment that this discussion did not happen in August or September; it is December, and there has only been one work session and the presentation on the history of the plan. Ms. Matsumoto felt that it is good that Mr. Kernan brought this up. The Mayor recalled that Council would look at the pay plan right before the budget. Liza Simpson agreed with Ms. Erickson's comments and hoped that a meeting can be scheduled reasonably soon so that there is a good discussion and staff receives some direction. The City Manager stated that January raises will be given for the past six months.

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

1. <u>Terminated lease at Prospector Lodge</u> - Michelle Aimone, resident, stated that she has lived at Prospector Lodge for five years, before Talisker purchased her unit. She feels she has been a good tenant. She is disabled but Talisker is trying to kick her out for no legitimate reason and on November 15 she received a letter terminating her lease. There is no affordable place for her to live this time in the season and she felt it is a matter of discrimination.

Michael Kovacs indicated that he spoke with Ms. Aimone's attorney about contacting the City's housing specialist who will assist as necessary.

2. <u>All Terrain and/or Utility Vehicle shuttles in Park City</u> – Gary Moss referred to a packet of information he distributed to members on his proposal. He submitted an application for a taxi license using ATVs and it was denied based on a traffic code stipulating that street legal UVs could not be used in municipalities of a population greater than 7,500. He is in compliance with regard to insurance and endorsements. He distributed photos of businesses using UVs in the City and the County on public streets without licenses. He argued that the original intent of the restriction was focused on recreational ATVs not UVs. The traffic code has been ignored in Park City until he applied for a license.

Joe Kernan explained that enforcement is often based on a trigger like applying for a business license or building permit. Mr. Moss emphasized that these UVs are operating illegally and suggested that the ordinance be changed to allow companies to apply for permits to operate these vehicles on City streets. If vehicles are not licensed, they are probably not insured and not being inspected. He is not asking for special treatment but for attention to all companies using UVs.

Joe Kernan expressed his willingness to hold a work session on this request. Candace Erickson noted that a serious discussion on ATVs was conducted at the ULCT where she did not support loosening restrictions. In response to a question from Liza Simpson about passing a law in conflict with state code, Mark Harrington explained that the Traffic Code enables a municipality to adopt a law allowing certain ATVs on public roads. Chief Wade Carpenter stated that he has spoken with Mr. Moss on several occasions and pointed out that the photos he has distributed are vehicles located on private property which is entirely different than operating on public streets. ATVs can be operated on private property and state law does not differentiate between ATVs and UVs. The primary reason the Traffic Code allows a municipality to adopt an ordinance allowing the use of secondary streets or highways is to enable small cities to access ATV trails throughout the state of Utah. He felt that SR224 is problematic because there are 10,660,000 cars traveling this road annually and this is a much different than a rural community. Chief Carpenter stated that Park City definitely exceeds the 7,500 population trigger and allowing use directly creates a problem with trying to determine what an ATV or UV is.

The Mayor asked members their preference. Liza Simpson stated that she is generally happy to schedule anything on work session, but feels this idea is incredibly dangerous, especially in the winter. Cindy Matsumoto agreed with her comments. Candace Erickson again relayed that she voted against this at the ULCT's meeting. Mr. Moss felt there are misperceptions about the safety of ATVs and Ms. Matsumoto pointed out that there are no crash ratings. Alex Butwinski stated that he is inclined to say no but there probably should be a work session on this and Ms. Matsumoto indicated that she could be swayed. Joe Kernan suggested that Mr. Moss individually lobby members to obtain three votes to hold a work session. Mr. Moss indicated that just because it has never been done here before means that it is dangerous. Park City accepts risks for many activities like the skate park, bike park and free bus system. He has complied with insurance and state requirements. Ms. Erickson stated that she feels ATVs are *Disneyland-looking*, tacky and offensive to the community.

The Mayor indicated that the majority of the Council is not interested in scheduling this request on an agenda. Alex Butwinski encouraged Mr. Moss to call him because he can easily change his mind. Joe Kernan stated that he is open to the idea.

Mary Cook, Homestake Condominiums, felt that a lot of education needs to take place before this is allowed.

With no further comments, the public input session was closed.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 11, 2010

Joe Kernan, "<u>I move to approve the Notes and Minutes of November 11, as corrected</u>". Alex Butwinski seconded. <u>Motion unanimously carried</u>.

V NEW BUSINESS (New items with presentations and/or anticipated detailed discussions)

1. <u>Consideration of an Ordinance approving the Little Belle Condominiums Fifth Amended Plat, Unit 3, to expand the private ownership area of Unit 3, located at 7175 Little Belle Court, Park City, Summit County, Utah</u> – The Mayor opened the public hearing; there were no comments from the audience. He closed the hearing and requested a motion to continue to

December 9. Candace Erickson, "I so move". Liza Simpson seconded. Motion unanimously carried.

2. Consideration of an appointment to the Public Art Advisory Board to fill an unexpired term to July 2011 – Alex Butwinski, "I move that we appoint Linda McCausland to the unexpired term to July 2011 on the Public Art Advisory Board". Liza Simpson seconded. Motion unanimously carried.

3. Consideration of a Resolution of the City Council of Park City, Utah finalizing the terms and conditions of the issuance and sale of its Sales Tax Revenue Refunding Bonds, Series 2010 in the aggregate principal amount of not to exceed $2,300,000; and related matters – Bret Howser explained that this action is a refunding of the Lower Park Avenue Redevelopment Agency bond. This is not new debt, but simply calling the bonds and reissuing them as sales tax bonds for the purpose of saving money. The savings is 13% which is in excess of up to $200,000 in present value terms. He relayed that the true interest cost was 1.79%.

Consultant Dave Miner clarified that the Council is actually approving $1,525,000 of bonds. They were able to downsize the issue to create more savings and even though this is a sales tax revenue bond, the City will still be using tax increment revenues to pay the debt service so it will not reduce the amount of sales tax revenue available through the General Fund. The amount of tax increment that the project area is generating is about $1.6 million and debt service on the refinanced bonds will be about $325,000. The benefits of reduced debt service will accrue to the project area and create more cash to allow investment and infrastructure there and frees up the reserve fund. He clarified that this is a negotiated sale and George K Baum & Company was contracted with to offer the bonds to the public. Comparables bonds in the marketplace are considered in the negotiation and the good name of Park City continues to carry significant weight in the market where investors are willing to pay more for the City's bonds.

The Mayor opened the public hearing; there were no comments. Candace Erickson thanked Mr. Miner and bond counsel for their hard work and great results. Joe Kernan, "I move we approve New Business Item 3". Liza Simpson seconded. Motion unanimously carried.

VI ADDITIONAL DISCUSSION – AGENDA ITEMS

VII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2:30 p.m. Members in attendance were Mayor Dana Williams, Alex Butwinski, Candace Erickson, Joe Kernan, Cindy Matsumoto, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Tom Daley, Deputy City Attorney; Diane Foster, Sustainability Manager; Jason Christensen, Legal Intern; Joan Card, Environmental Regulatory Affairs Manager; Jon Weidenhamer, Economic Development Manager; Thomas Eddington, Planning Manager; and Mark Harrington, City Attorney. Cindy Matsumoto, "I move to close the meeting to discuss property and litigation". Joe Kernan seconded. Motion carried unanimously. The meeting opened at approximately 3:30 p.m. Alex Butwinski, "I move to open the meeting". Liza Simpson seconded. Motion unanimously carried.

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

Prepared by Janet M. Scott, City Recorder

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