

**PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UT
NOVEMBER 19, 2009**

Present: Mayor Dana Williams; Council members, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Jon Weidenhamer, Economic Development Manager; Bret Howser, Budget Manager; and Max Paap, Special Events Manager;

Jason Moody, Economic Planning Systems; Jeff Ward, HMBA, Jewels Harrison and Kimberly Kuehn, PSSM; and Sara Pearce, The Sundance Institute

1. Council questions/comments. Joe Kernan spoke about the dedication of the People's Health Clinic facility yesterday; it is a great asset to the community. Roger Harlan reported on the School District meeting. Liza Simpson was pleased to learn about the work being done on getting public transportation to and from the Summit County Health Department Building where the People's Health Clinic is located. Jim Hier pointed out the conflict with the dates of Martin Luther King's Day and Sundance. Candace Erickson discussed the breakfast meeting hosted by the City with the School Board and County Council this week and discussed potential legislation this session. She commented on meeting the Leadership group on Monday and attending Recycle Utah's annual meeting. She also attended Friends of the Farm and Board of Health meetings. Mayor Williams noted that he was honored to attend a community graduation of young ladies from Brownies to Girl Scouts. He also attended the Leadership session, Ambassadors meeting and the dedication of the Summit County Health Building, and was pleased that the PHC has found a permanent home.

2. Park Silly Market economic analysis findings. Jon Weidenhamer explained that with the approval of the 2009 MFL, Council asked for a comprehensive economic analysis which is typical for a long term city services contract for a recurring event like Sundance, Arts Festival or Triple Crown. He believed that the economic study results show that PSSM is a *push* with regard to negative and positive benefits but that there are indirect benefits to the community. The community gathering aspect of PSSM is important and a good reason to pursue a longer term agreement. He indicated that his original staff report included volumes of history and minutes which were later cut out because he feels it's time to move forward. The HMBA Board likes the concept of the market but wants to minimize any negative impacts. In an effort to gather more information from the membership, staff asked for an additional week or ten days to get input from the street which delayed editing the report which now reflects that some sales have been down as much as 65% on Sundays.

Jason Moody explained that EPS is an economic firm with offices in Denver, Berkeley and Sacramento. EPS teamed with a survey team RRC from Denver who conducts a

lot of work in resort communities as well. Four surveys were done and the results were similar which gave them confidence in the report. The intercept survey was random and patrons on the street were asked a series of short questions. The second was an on-line follow-up with the participants of the intercept survey and the third was a short web survey of the HMBA members. The final survey was one where Main Street businesses were asked to relay detailed sales data which was more time consuming and the response rate was not good.

Mr. Moody explained that the intercept survey shows that permanent and seasonal residents represent about 50% of the market goes, then overnight visitors and then the day visitor. Sixty-seven percent of the people interviewed on the street said they were there because of the PSSM which was viewed as a positive to Main Street businesses. The sales from the market vendors were considered a negative by diverting sales from Main Street businesses. The web intercept survey showed a much higher level of spending than the intercept survey.

Jon Weidenhamer described the business zones consisting of five City blocks starting at Heber Avenue at Zone 1 and ending at 4th Street and up at Zone 4. With regard to the question to businesses about supporting the continuation of PSSM, 73% said yes, 27% said no. In response to the question about the impact on your business, roughly 40% said it was negative or very negative, roughly 40% said it was positive or very positive and 20% were neutral. It was found that the zones closer to the PSSM were less negatively impacted than in Zone 4. With regard to type of business, Mr. Moody found that the art retail galleries complained of negative impacts but on average, results were close to the mean. Thirty-eight percent of businesses indicated that there was no change on sales, 28% responded greater than a 10% change, and 15% said it was in the 4% to 10% range. He stated that only 19 Main Street merchants participated in the detailed sales survey. The impact on Sunday sales from the detailed sales survey showed 47% said it was positive, 53% said it was negative.

Mr. Moody referred to the summary table for all four surveys. The overall net impact as a percent of annual sales on Main Street is minimal; however, the negative impacts can represent a lot of money for some businesses. Other businesses reported positive impacts offsetting the negative impacts.

Bret Howser pointed out that staff is generally more comfortable with the intercept survey than the others because of the sample size and random selection. From a technical standpoint, it makes the survey more sound and the results more reliable than a self-selected survey which may bias the results. He discussed the majority of negative results from Zone 4. Staff has been working with the Special Events Division of the State Tax Commission to obtain a better idea of what the direct sales tax benefit of PSSM is to the City. Market vendors are required by the state to report separately to the Special Events Division and \$300,000 worth of sales was reported per year based on the 2008 data; the 2009 information is not complete yet. This results in about \$6,000 of sales tax revenue to the City or roughly 2%.

Jeff Ward stated that he doesn't agree with Jonathan Weidenhamer that it is a *push* because there are some significant negative impacts. He felt that the comments in the study lead the reader to a positive interpretation and he referred to a few examples. He did not feel it appropriate to relate the sum impacts of the market to an annual sales number for Main Street because it is fractional and seems minimal; this should be a seasonal percentage. Mr. Ward indicated that overall, the membership supports PSSM although negative impacts affect businesses located up on the Street. Adjustments need to be made so all businesses benefit. He referred to the \$500,000 loss experienced by the upper Main Street businesses and the \$250,000 gain by others during 15 weeks. This may make the City whole but there are more businesses suffering than benefitting and this needs to be addressed. The Mayor asked if the HMBA has suggestions. Mr. Ward stated that the report has not been reviewed by the organization but location, duration and frequency needs to be examined again.

Jim Hier pointed out the poor response from Zone 1 and discussed the fluctuation of sales during the winter and summer months. Joe Kernan expressed that he feels comfortable with the survey results except the one with only 19 respondents. In response to a question from Liza Simpson about using summer data, Mr. Moody explained that most of the information they have is annual and in most cases, annual data is preferred because it is a more conventional way of measure. Businesses tend to finance their operations annually. The shorter period of time used, the bigger the hit appears.

Roger Harlan complained about not having weekly sales numbers and questioned if vendors are reporting sales. Bret Howser acknowledged that reporting is done on an honor system like any other business, but the number of vendors that reported to the state and those reported by PSSM are very similar. Organizer Jewels Harrison stated that four times during the season, PSSM sends a complete list of vendor information to the state who then sends permits to the operator.

Kimberly Kuhn thanked EPS for the study which she felt is well done and the City for funding it at \$30,000. She is pleased with the results. The PSSM mission is for an eco-friendly open air market, a street festival and community forum where neighbors and friends come together to celebrate our community of fun and funky Park Sillians. The vision is to grow the experience of the inclusive quality of community, to create world-wide recognition of Park City, Utah as a place where local, national and international causes are brought to light and addressed in a spirit of celebration and connectiveness. On behalf of the board and the founders, she asked for clarity on a long term agreement today. The Mayor invited public input.

Ken Davis, HMBA, stated that he doesn't hate the market but hates what it does to some of the businesses on the street. He felt that some of the questions in the survey were misleading or inadequate and was surprised that the on-line survey was similar to what the HMBA created. He criticized the timing of the survey because sales figures for

the season were not known yet and the consultant established the level of sales decline based on that information. There were no qualifications or conditions to the question of whether or not the market should continue. They believe that the study did not demonstrate the full impact of the market on the street; it was disguised with using full year's worth of sales. Also the grouping of percentages is misleading. The PSSM attendance numbers were accepted without question while the perception of the merchants is not addressed. He criticized the report for not disclosing real losses and for not providing comparisons to other resort communities. He criticized the chart describing the different categories of patrons and questioned assumptions the consultant made. Main Street is being impacted and some merchants a lot more than others.

Teri Orr, Park City Performing Arts Foundation, explained that helping Main Street merchants during the summer has been a topic for a very long time. She has been in the summer business at Deer Valley for six years but to make that happen, they have had offices on Main Street. She stated that their sales were down 50% last season because the economy took a turn which affected the entire concert industry. The Foundation has a booth at the PSSM and she is surprised to learn how many out of state visitors come to the street. It is a great asset. Ms. Orr noted that she did not respond to the survey but emphasized that she couldn't be more supportive of the PSSM experience and the energy it brings to Main Street. There are many merchants who do not participate in the HMBA and she personally feels differently than the membership. Ms. Orr indicated that the Foundation loves being on Main Street and supports anything that brings more vitality there. PSSM is doing a great job in this bad economy.

Anita Wolf, Wolf Marketing, stated that she has done work for the City, HMBA, and PSSM. As a 15 year resident, she is well aware of the efforts to increase summer business and visitation. Rather than dwelling on the past, the data and the recessionary climate, we need to move forward. The HMBA and PSSM were asked how to increase the revenues for some businesses but to her knowledge, there are very few things implemented by the HMBA. She felt that PSSM is more than willing to create a win-win situation. PSSM brings 7,000 people to town every Sunday during a downtime. She believes that the HMBA needs to find a way to pull those people up the street because they are here. There are plenty of great collaborative ways to do that and the HMBA needs to take more initiative in that regard. Stop combating PSSM and start partnering.

Mary Black, 20 year resident, former HMBA board member and six year property owner on Main Street, relayed that many Park City residents do not shop on Main Street and feel it is for tourists only. The HMBA has come up with ideas to get locals to Main Street but none have been successful. She acknowledged that although her business has grown, some others have suffered but she feels that PSSM has been effective in bringing locals and day-trippers to Main Street. A good product mix and sales staff are important for a successful business and according to the economic survey an average of 6,000 people visited Main Street during the festival in 2009. As a business owner,

Ms. Black stated that she is in favor of PSSM and if it has enough funding, she suggested a secondary location be created on upper Main Street. She reiterated the importance of a good product mix and encouraged a long-term agreement be granted to PSSM. The current hours and frequency should remain the same and a presence on upper Main Street should be encouraged.

Brent Giles stated that he is a supporter of the PSSM and its zero waste program. For the PSSM to reduce its waste for the year to two bags this summer was unbelievable. He feels his business has had more exposure because of PSSM. He is pleased to be a partner with this organization and what it has delivered to the community both in the forms of being green and in promoting awareness of community. He plans to sponsor them as long as they are here with a zero waste program.

Monique Beeley explained that she is the publisher of Outdoor Utah which is a summer recreation publication. She has been a resident for 15 years and over the years has seen the summer visitor change and summer visits increase. The organizers of PSSM are doing a tremendous job promoting Park City on Sundays and this is a great asset to the state and the community.

Melanie O'Neal, Mountain Body, stated that she has been in business on Main Street since 1996 and has operated from upper and lower Main Street locations. She feels the community needs PSSM because it brings *light* to Main Street. She feels upper Main Street should be more positive and not be so envious. People get back what they put out and she feels that upper Main Street gets more consistent business and lower Main Street has to work harder. PSSM provides free marketing for Main Street whether or not a shop makes a sale.

Kevin Doolin, Doolin's Sports Bar and Grill, explained that he received the email from EPS who wanted a lot of information and maybe too much. His Sundays were up 30% because of PSSM, acknowledging that he is right in the middle of it. The rest of the week he was down 10% to 15% because of the economy. He agreed that it's tough to make it on lower Main Street because people traditionally walk up the street. PSSM has grown every year and he doesn't understand how having 90,000 people on Main Street during the summer can be bad. He felt it will grow and benefit upper Main Street. Don't stop it now. He encouraged the issuance of a longer license to keep PSSM.

Mac MacQuoid relayed that Main Street has suffered over the years and PSSM is a refreshing change. He hoped that the survey factored in the poor economy as contributing to declines over the year. PSSM is great for Main Street and should be supported because it is a community benefit for residents and visitors.

Emerson Oliver, Zona Rosa, stated that the PSSM increased his business on Sundays and the PSSM food vendors did not compete with his restaurant. He felt restaurants can benefit because the PSSM is bringing people to the street and it is a good thing.

Mark Spencer, Spencers Grill, explained that he has had a booth at the PSSM since day one. His business is located on Bonanza Drive and bringing his product to PSSM has definitely increased his business. He has had a lot of experiences with markets and PSSM is well done and should be supported.

Christine Miller, Miller Vance, stated that she is a 14 year resident. There are many options for the PSSM and she felt Main Street does not want to lose it to New Park or other locations clamoring to have this market because of the vitality it brings. She spoke about the growth of the event and feels it is unfortunate that some businesses feel hurt although it is difficult to tell if it is because of economics or the competition of PSSM products. She emphasized the importance of supporting the market for the community and the HMBA should come up with suggestions for marketing upper Main Street.

John Stafsholt, Woodside Avenue, spoke about PSSM attracting families because of its entertainment factor. He spoke about alternating the market on upper and lower Main Street as a test run.

Monty Coates, upper Main Street merchant, felt that PSSM does an excellent and professional job of running the market. However, he believes that it does draw patrons away from his business and he experiences an incremental drop in business on Sundays. He noted that the event and numbers are growing and we should find ways to stretch that energy throughout the street and PSSM should be required to find ways to accomplish this.

Melanie Reif, 819 Park Avenue, acknowledged that her comments are different than the merchants but it is essential that Council members know about the impacts of PSSM on the neighboring community. They are awakened at 5:30 a.m. every Sunday morning during the summer by organizers setting up and accessing two storage pods parked across the street from their house which creates a lot of noise. She relayed that contractors are not allowed to begin work on Sundays until 9 a.m. and starting so early is excessive and unreasonable especially for those directly impacted. They have made numerous complaints but the police indicate that there is nothing they can do about it. She urged Council to give her issue full attention and take it into account. The music venue at the bottom of Main Street is directly across the street and blows them out of their house all day; this should also be considered. She asked that the starting time be dramatically adjusted and the music venue be moved to another location. The storage pods should be moved to an area where they do not have impacts on the neighborhood. The noise level emitted from the music venue should also be examined. Ms. Reif believed that issues can be resolved so PSSM can operate and not be disruptive to residents. Just because PSSM is a permitted event does not allow it to infringe on others private property rights.

Liza Simpson asked the number of food vendors and Jewels Harrison responded a total of five cooking vendors offering an expanded menu. The variety of snack food offered

ranged from three to five a week which is less than previous years. Ms. Simpson asked if the HMBA is satisfied with these efforts. Ms. Harrison explained that the HMBA's position was no food at PSSM and they didn't eliminate food but reduced the number of food vendors last year. Jeff Ward stated that there was no resolution on this issue and there was confusion over what constitutes food and what is a snack and it wasn't pursued further. He felt that not providing food at the market would drive people up the street. Ms. Simpson spoke about the City providing Main Street merchants with the opportunity to hold sidewalk sales on Sundays, but there were very few merchants who participated. However, she is not impressed that food vendors were dropped from eight to five and then PSSM added snack vendors. She hoped that there will be more of a spirit of true compromise.

The City Manager pointed out that action is not scheduled and the input has been helpful. He asked for direction on whether staff should move forward on discussions on a longer term contract and suggested moving forward and returning soon. There are timing issues for PSSM with regard to the MFL. Both a one year or multi-year agreement can be explored together and issues may be resolved more effectively in a longer term contract as opposed to a one year contact.

Because this is a festival and not a private business, Mr. Hier believed the Council has the responsibility to address upper Main Street issues. He spoke about conducting a better analysis to identify the losses for upper Main Street businesses and mitigation needs to be addressed because of the City's role in providing the street. Candace Erickson stated that she is disappointed with the economic report because it basically told them what they already knew. She pointed out the irony that the report cost \$30,000 and the City receives \$6,000 in sales tax revenues annually from PSSM. She felt we need to move on. The City needs to be involved because of reported losses but she loves what PSSM does for the community and would love to see it continue. She felt that everyone needs to work with specific businesses on a plan.

The Mayor asked if the City should move toward a long term agreement. Ms. Erickson favored a long term agreement, while Mr. Hier stated that he would rather work on a one year contract to resolve issues before moving toward a long term. The City Manager suggested a parallel track where both approaches are examined because there may be policy and/or financial trade-offs to compare. Roger Harlan commented on hearing the same arguments over the years driven by the competition for available dollars. The trolley was suggested last year to move people up the street and he feels it is underutilized and very few merchants took advantage of the City's sidewalk sale option. Joe Kernan felt the report was worthwhile as he did learn some things. Although it would be great to solve the problems now and move on to a long-term contract, members care about the businesses being negatively impacted. He is not convinced that the benefits have to be equal for upper and lower Main Street. Businesses on lower Main Street have struggled a lot and played a big part in creating PSSM and perhaps lower Main Street should benefit a little more for its effort. He suggested continuing to work on this.

Jewels Harrison stated that there have been some great suggestions from the audience, but she made it clear that the event takes place on lower Main Street and their sponsor is located in that area. She indicated that they are not closed to the idea of expanding and growing in the future but that requires financial sustainability. In order for that to occur, they need the security of a long term commitment from the City to continue to work with PSSM as a partner. They need to know tonight whether a long term contract will be negotiated or not and need clarity about moving forward to rally funds to continue to grow and incorporate ideas.

Liza Simpson indicated that she agrees with Mr. Hier and the City Manager that there be a dual track looking at a single year MFL and a multi-year license and comparing impacts and benefits. The Mayor acknowledged that it is not definitive. Most members are willing to look at long term but there are issues that need to still be considered. Mayor Williams indicated that spending \$30,000 and obtaining sales information from only 19 businesses is pathetic when the HMBA was asked to motivate the membership. He is supportive of a long term arrangement with PSSM. Joe Kernan believed that an annual review would occur even with a long term commitment.

Ms. Kuehn asked if the consensus is for one year or five years and Mr. Bakaly indicated that staff will work with them. She made it clear that because there is no clear decision tonight that they need to look at other options at this point.

3. Hot air balloons. Because of the lack of work session time, this item was continued to December 3, 2009.

4. Sundance supplemental agreement. Jonathan Weidenhamer explained that on October 29, 2009 the Council adopted the 2010 supplemental plan but members requested additional information on a few specific items. He stated that for 7th to 9th Street businesses, the circulation plan has been changed to allow local traffic access to businesses which he explained in detail. Staff strongly feels that the \$20 rate should remain because it is effective in discouraging cars in the district but that it be dropped to \$10 beginning on Wednesday. With regard to the Racquet Club, no parking signs and barricades will be installed on streets and the City will assist the HOA with manning someone at the main entrance. The City will fund it up to \$650 if the HOA operates and manages it. No parking information will appear on Sundance materials. Mr. Weidenhamer pointed out that Sundance has identified an operational outreach plan relating to the customer service line. The response time has improved and all complaint calls will go specifically to Sara Pearce. Liza Simpson thanked Ms. Pearce for her work on these issues.

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 19, 2009**

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6:40 p.m. at the Marsac Municipal Building on Thursday, November 19, 2009. Members in attendance were Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Matt Twombly, Project Manager; and Tyler Poulson, Sustainability Coordinator.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

None.

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

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF OCTOBER 29, 2009 AND MINUTES OF NOVEMBER 5, 2009

Roger Harlan, "I move approval of the work session notes and minutes of October 29 and November 5, 2009". Jim Hier seconded. Motion unanimously carried.

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

1. Consideration of a service provider agreement with Millcreek Consulting and Development Inc., for the project and construction management of the Racquet Club Remodel Project in the amount of \$85,570 in a form approved by the City Attorney – Matt Twombly discussed related issues with the remodel of the Racquet Club dealing with phasing, implementing sustainable strategies, pre-qualifying bidders, and managing the budget. Staff is recommending entering into a contract to effectively address all components within the timeline and has advertised for outside services. He explained that five firms responded and Millcreek submitted a proposal closest in advertised scope of work and has experience with large projects. The contract provides that the City can opt out of the construction management portion if Council decides not to proceed with the project and staff is recommending approval.

Dana Williams discussed creating a list of building failures to answer the public's questions about the reasons for the remodel. Matt Twombly responded that a presentation on the project will be made on December 3 and this request can be addressed in the staff report.

The Mayor invited public input; there was none. Candace Erickson, "I move we authorize the City Manager to enter into a service provider agreement with Millcreek Consulting and Development Inc. for the project and construction management of the Racquet Club in an amount not to exceed \$85,570, in a form approved by the City Attorney". Liza Simpson seconded. Motion unanimously carried.

2. Consideration of an anti-idling Resolution for motorized vehicles in Park City, Utah and declaring Park City, Utah to be an Idle-Free City for motorized vehicles – Tyler Poulson explained that on October 29, 2009, Council directed staff to draft an anti-idling resolution for the City. Clean Air Park City provided draft language and exceptions were added by the City for auxiliary power units, emergency vehicles, and situations where health and safety considerations justify idling. Staff will continue to explore an anti-idling ordinance. Discussion ensued on idling taxis and the Mayor invited public input.

Sandra Nugent and Mary Jacquin, Clean Air Park City, expressed their appreciation of the Council's support.

Spike Englebert, taxi cab driver, stated that cabs should not be allowed to park and idle on Main Street. Additionally, drivers do not pay for parking on the street. It's wrong to pollute and it should be stopped. Cabs should not be lined up on Main Street when they are not needed and there could be some sort of ordinance regulating them.

Liza Simpson, "I move to adopt a Resolution declaring Park City an Idle-Free City". Jim Hier seconded. Motion unanimously carried.

3. Consideration of approval of a Co-Tenancy Agreement with the Boyer Company regarding approximately 200 acres of property known as PC Heights in Summit County, Utah – Mark Harrington explained that last week the Council approved the land purchase agreement and the co-tenancy agreement before Council tonight lays the foundation for how the City and the Boyer Company will interface as joint owners of the property. He emphasized that it is the intent to implement the plan deliberately, cautiously and openly and he discussed pertinent elements of the co-tenancy agreement. It does not give additional density transfers or bonuses to Boyer and the agreement is a foundation on how to refine the plan. Boyer can exercise and require the City to buy the rest of the property at a pre-determined price after two years. This is not a buy-out because the project is in trouble but rather an effort to meet the City's primary objectives for the area, including affordable housing and open space. Mr. Harrington stated that the agreement fully contemplates a full public process and provides two years to move forward with a private partner and ensure that public components are in place. Mr. Harrington explained compliance with CT District zoning and language modifications made by Council last week. The agreement restricts either party from unilaterally transferring their interest without the consent of the other party. The Mayor invited public input; there was none.

Liza Simpson, "I move that we approve the Co-Tenancy Agreement, in a form approved by the City Attorney". Joe Kernan seconded. Motion unanimously carried.

VII OLD BUSINESS (*Continued Items*)

Consideration of approval of Findings of Fact, Conclusions of Law and Order remanding the North Silver Lake Conditional Use Permit to the Planning Commission – Candace Erickson excused herself from discussion and/or voting. Mark Harrington referred to the draft findings in the meeting packet which should reflect Council's basis for the remand which as worded, grants in part and denies in part the appeal. Liza Simpson brought up unanticipated consequences of the wildlife interface regulations and Mark Harrington understood that the intent was to make the Planning Commission aware of landscape limitations which may lessen the mitigation plan which may have to be revisited.

Tom Bennett, counsel for North Silver Lake LLC, expressed concern over Finding No. 12 relating to the Sensitive Lands Ordinance and asked that the wording *with the exception of Building 3* be stricken because it was never discussed by Council. He corrected Finding No. 25 to read 220 feet as opposed to 120 feet and suggested that the language for bonding read *considered* rather than *required*. The issue needs to be addressed by the Planning Commission. He thanked the Council for its work on this project and will use the findings as guidelines in moving forward with the remand to the Planning Commission.

Jim Hier believed viewpoints are described in the SLO, specifically the view of Building #3 from certain vantage points and Mark Harrington recommended a language amendment. With regard to bonding, Mr. Hier recalled that members wanted to ensure completion of phases of the project. Mr. Harrington recommended language regarding site restoration in conjunction with building phasing. Ms. Simpson felt that the change from *require* to *consider* in Order #3 was not strong enough and it was decided to change *consider* to *address*.

Liza Simpson, "I move that we approve the Findings of Fact, Conclusions of Law and Order remanding the North Silver Lake Conditional Use Permit back to the Planning Commission (as amended)". Roger Harlan seconded. Motion carried.

Candace Erickson	Abstention
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye
Liza Simpson	Aye

VIII ADDITIONAL DISCUSSION – AGENDA ITEMS

Park Silly Sunday Market - Joe Kernan expressed concern about not giving the PSSM organizers clearer direction on a longer term contract during work session. The Mayor noted that the organizers are not present to discuss this matter productively. Mr. Kernan felt it would have been helpful to provide a timeline to them and the Mayor believed they were not paying attention when the City Manager was speaking about a parallel review of a yearly and long-term agreement. Candace Erickson felt that there are some issues that need to be addressed before a long term contract is granted and Mr. Kernan pointed out that Sundance seems to *jump through hoops* every year even with a long term City services agreement. Jim Hier added that there are elements that need to be reviewed every year.

IX 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 3:30 p.m. Members in attendance were Mayor Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, Liza Simpson, and Council-elect Alex Butwinski and Cindy Matsumoto. Staff present was Tom Bakaly, City Manager; Deb Wilde, Code Enforcement Officer; Ron Ivie, Chief Building Official; Roger Evans, Building Official; Michelle Downard, Building Code Enforcement Officer; Tom Daly, Deputy City Attorney; Phyllis Robinson, Public Affairs Manager; Thomas Eddington, Planning Manager; and Mark Harrington, City Attorney. Roger Harlan, "I move to close the meeting to discuss property and litigation". Joe Kernan seconded. Motion carried unanimously. The meeting opened at approximately 4 p.m. Jim Hier, "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

Janet M. Scott, City Recorder