PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
NOVEMBER 12, 1998

Present: Mayor Brad Olch; Council members Hugh Daniels; Roger Harlan, Shauna Kerr; Chuck Klingenstein; and Paul Sincock

Toby Ross, City Manager; Jerry Gibbs, Public Works Director; Eric DeHaan, City Engineer; Tom Bakaly, Finance Manager; Rick Lewis, Community Development Director; Nora Shepard, Special Projects Manager; Mark Christensen, Intern; Meg Ryan, Planner; and Jodi Hoffman, City Attorney

Pat Drewry Sanger, Counseling Center; Dave Peters, Joanna Charnes and Peg Bodell, Arts Council; Bev Evans, Utah State Senator; David Luber, Deer Crest Associates; Steve Deckert, and Richard Dudley, agents for the Silver Pointe Project

1. Council questions and comments. Roger Harlan pointed out that Hal Compton has resigned as Park City's Historian. Mr. Harlan expressed disappointment that Mr. Compton cited the TMI, Main Street Mall, and parking meters as detriments to the historic district and reasons for his resignation. The Friends of the Library are again sponsoring the Dickens House in Aspen Springs Friday, Saturday and Sunday; the Friends have raised some$30,000 for the Library. Paul Sincock disclosed that he received a call from David Molden, a landscape contractor, who believes the City is out of compliance with its own codes with the landscaping at the Public Works Building. Mr. Molden has received letters from Eric DeHaan and Patricia Parish who incorrectly indicated that the City Council approved a deviation for the project. Jerry Gibbs explained that the decision was based on evaluating snow removal storage needs and not extending the sidewalk. The design was reviewed administratively. Mr. DeHaan also pointed out that there is a tailings issue and staff was reluctant to disturb the area. He added that he spoke with Molden a number of times and unfortunately the project is slightly outside what is imposed on other people and it was a judgement call relating to saving tax dollars. Paul Sincock suggested that variations be conducted through a public process, like the Planning Commission. There was discussion among members about interviewing Historic District Commission applicants.

Ms. Kerr pointed out that Marion Litner wrote a letter to the editor with regard to mail service in Old Town. She understood that there are inherent problems with delivering mail in the area, but there is no reason why there can't be a data base with post office boxes and physical addresses. Ms. Kerr suggested that the Council meet with the Postmaster about postal service. UDOT should be contacted about better signage from downtown Salt Lake to Park City. She again suggested that there be a plaque at the stairs to Ontario in memory of Shorty Sorenson, installed by Christmas Eve. Frank Bell reminded Council of upcoming Olympic meetings and a work session was scheduled on November 23; scheduling community meetings was also discussed. Chuck

Klingenstein felt that the proposal from Keith Scott is interesting and he should be contacted about the Main Street Business Alliance. He continued that he attended an open house on the proposed motorcycle race to be held in September 1999 which was well attended.

2. Grant requests:

Downtown Task Force. Tom Bakaly explained that the newly formed Main Street Business Alliance (MBA) has not stipulated an amount in its letter, but in discussions with staff, the figure of $25,000 was mentioned. Since the presentation of the master plan to the City Council in mid-October, staff has been working with the Task Force and the MBA to identify a possible funding plan for MBA operations and capital improvements. The MBA and the Task Force are amenable to establishing an assessment district to help fund operations and a portion of the capital improvements. Other sources of funding discussed were restaurant tax funds, existing RDA funds designated for Main Street improvements and a contribution from the City, perhaps the Transportation Fund.

Chuck Klingenstein supports these efforts, but there should be a work plan. He suggested that funds be allocated but that the grant subcommittee review the plan. Mr. Klingenstein believes that this agency could eventually cut down on City staff time. Mr. Bakaly added that the grants subcommittee met this afternoon and there were similar comments about a work plan and matching contributions from business associations. Hugh Daniels, subcommittee member, felt that there needs to be a budget to determine a specific amount, and there needs to be a commitment from the business community before public funds are invested. Shauna Kerr agreed that there should be a commitment from the business community and a business plan. She was uncertain if staff workload would be decreased or exacerbated with this new group, but there needs to be an understanding up-front. Paul Sincock expressed similar concerns and felt the request should be defined as an on-going grant or one-time seed money. Roger Harlan concurred. It was decided to allocate money upon approval of a work plan by the grant subcommittee. Ms. Kerr recommended that the abbreviation be changed from “MBA” which is confusing as it is associated with the Municipal Building Authority. There was discussion about discussing these projects in conjunction with the capital management work session.

Counseling Center. Tom Bakaly explained this $5,000 grant request is a start-up program for at-risk youth and meets the requirements of the contingency fund. The Counseling Center receives an annual grant from the City for $7,500. This program is supported by the Eccles Center and Kimball Art Center. The grants subcommittee questioned School District support, and also felt this would be a more appropriate request for the Youth Advisory Council to consider; youth funds are planned to be distributed in the next couple of months. They felt that there could be a small grant provided for seed money. Mr. Bakaly explained that the Counseling Center is anxious to receive funding now, and will be applying for funds later through the Youth Advisory Council.

Ms. Pat Drewry-Sanger, Counseling Center, understood that youth funds would not be available until February and they are also looking at private funding. She hoped that they could obtain $2,500 from the contingency fund now and apply for the other half through the youth fund process. She believes the program will help to lower school absenteeism and juvenile delinquency. It is hoped to expand this into the County and apply for Juvenile Justice funds. Roger Harlan, grants subcommittee member, explained that they desired to see some support from the School District. Ms. Drewry-Sanger explained in detail her development of the idea of using the arts for at-risk kids. Ms. Kerr stated that she supports the program but is apprehensive about setting a precedence by bypassing the youth grant committee process when it is geared for youth. She is willing to advance some funds, but felt the application should go through the proper process for the balance. This would also be contingent on the School District matching it. Hugh Daniels stated that he would rather have it go through the Youth Advisory Committee as well. He feels it is a good program but it only reaches 12 kids for 12 weeks at a price of $5,000 and the Council has a responsibility to the community at large. Also, salaries aren't generally funded. He does not expect a repeat request next year and is particularly interested in the School District participating since the program specifically benefits school-aged kids on school property. Mr. Daniels stressed that the City can't be the bank for everybody all of the time. It should go to the youth group first to be evaluated and before anything is done, the School District should make a financial commitment. Chuck Klingenstein supported granting some seed money to get the program going. The Mayor agreed to provide some seed money, and remanding it to the Youth Advisory Committee for the balance, contingent on the Counseling Center obtaining matching funds from the School District. The Council agreed on a $1,000 matching grant.

Arts Council. Tom Bakaly explained that this request is for $8,750 as a matching grant for a cultural master plan. The County has committed, but has not actually issued a grant or taken formal action. The Arts Council has received a National Endowment Grant in the amount of $8,750. The grant subcommittee questioned details about a contract and if there was a connection to the City's General Plan. A cultural component was not contemplated, but could be added to the Plan. The subcommittee suggested that the Arts Council return with a more detailed proposal. Rick Lewis explained that this component could be included in a general plan, but is not a statutory requirement. Chuck Klingenstein discussed Telluride's cultural arts master plan and suggested that instead of just handing over a check for a master plan, to look at this as an opportunity for a contract for services where there is an actual product that ties into the City's General Plan. This is also an opportunity for the City and the County to work together on benefiting both planning jurisdictions by having sound reasons for requiring public art. Paul Sincock explained the state's policy for requiring art in its public buildings. He clarified that the master plan is the result of the County Commission's request for more information in consideration of the 1/10th of 1% sales tax for the arts requested to be placed on the ballot from the Arts Council.

Ms. Kerr added that she understood that this is a 1:1 matching grant which appears to be already met. Dave Peters, Arts Council, explained that they would like to expand the scope of the study. The interests of the County, however, may differ than those of the City. Joanna Charnes explained that this is a one-time opportunity from the NEA and added that she was invited to participate in a Summit County trip to Vail and Aspen to look at art in public places, etc. A former associate of Doug Dotson performs these studies and there will be a meeting on Monday; she requested that a City representative attend. Mr. Peters believed that the Olympic legacy could be a component of the study and the master plan would provide direction to the Arts Council grant committee on the desires of the community. The Canyons will also be contributing funds. Hugh Daniels pointed out that Park City is the only city in the County that is being contacted. He stated that he could support up to $5,000. Chuck Klingenstein stated that he is unsure if requiring cultural arts in a planning process is achievable. Peg Bodell explained that culture is not just art in public places and the reason they received the grant is because of the recognized need in Utah and the leadership needs to come from the County and the City. Chuck Klingenstein stated that he supports the $8,750 but the Arts Council must come back to the subcommittee to discuss the benefits of the end product. Shauna Kerr suggested that there by a request for proposals process; she stated that the City needs to see the components of the RFP so there are options and everyone is bidding on the same thing. Paul Sincock supported the $8,750 request, with a detailed plan and RFP, and the Arts Council approaching each municipality in the County for some sort of funding. The City Manager suggested that a staff member represent the City during the RFP process.

3. **Beverly Evans, Utah State Senator.** The Mayor congratulated Senator Evans on her election and felt that her involvement in Park City will be very beneficial. She expressed her intentions of learning the specific issues of communities. There will be opportunities to interface with the Legislature as it will be visiting Park City this year. Ms. Evans invited the public to contact her with concerns and issues.

4. **Main Street sculpture and mining exhibit.** Rick Lewis explained that a committee of citizens is interested in commissioning a sculpture and donating it to the City. It is proposed that the City install it in the Miners Pocket Park on Main Street. The sculpture would be a life-sized bronze of a miner. The park is located where there will be a bulb-out. It is in need of renovation, work there is already planned, and the timing is good. The committee is also requesting a member of the City Council to participate in the process. Roger Harlan complimented the initiative of the committee and supports the project. It was clarified that the committee is not requesting $50,000 but requesting that the City prepare the park for the sculpture. The City Council felt this is a great idea, supported the proposal, and Paul Sincock volunteered to work with the group.

5. **Deer Crest annexation.** Nora Shepard explained that the committee has been working on narrowing the issues associated with the annexation petition. The current Deer Crest request is for annexation with only one amendment to the Settlement Agreement to allow 105 overnight parking spaces at the Roosevelt Gap Lodge. There currently is provision to provide day spaces but no overnight spaces. There are a number of other things that have been discussed by the developers in the past and those would be negotiated if and when this property is annexed. She continued that the Planning Commission reviewed this particular component and the developer is committed to making other modifications in the project so that the net traffic does not increase, but in fact, decreases on Keetley Road. Modifications include Deer Hollow and a parking management plan. The annexation is noticed for a public hearing on December 3 and the Council could

conceivably act as early as December 10. This work session is to inform Council on what is happening and for initial reaction to the 105 overnight parking spaces.

Shauna Kerr stated that she has a problem with this; Hugh Daniels indicated that he hasn't decided; Chuck Klingenstein added that he has to be educated. Paul Sincock, subcommittee member, explained that originally Deer Crest requested 11 amendments to the Settlement Agreement in conjunction with the annexation, and the applicants were informed that the aspects of the Agreement will draw out the annexation considerably. He supports the request for 105 overnight spaces and feels it is reasonable because this will not result in increased traffic on Keetley Road. This also addresses the Ritz-Carlton project which was not contemplated at the time of the Settlement Agreement. Nora Shepard explained that approval on parking spaces would not grant approval on the Ritz-Carlton itself which still has to go to the Planning Commission and the Settlement Agreement needs to be revised by the City Council. She explained that the annexation resolution could be worded so that there is no increase in traffic on Keetley Road. Roger Harlan, committee member, explained that these parking spaces are underground and not visible. He supports the amendment as it may in fact decrease traffic which was the intent in the Settlement Agreement. Shauna Kerr stated that her point goes to the heart of the issue. The City entered into a contract which needs to be honored by everyone and this is another example of coming in after the contract is signed to change the terms. The Ritz-Carlton would be a wonderful hotel to have, but if it can't comply under the terms entered into, then it is not the Council's fault. The developer may have prematurely issued a press release of a hotel that he can't build now because it doesn't meet the City's requirements. Her concern is not so much the 105 parking spaces as it is with the other 11 issues. If the City annexes, there will be less control; the City has the most control at the time of annexation. The staff report indicates that once the property is annexed, any further modifications can be negotiated and processed. She has a difficult time entering into an annexation with issues outstanding and knowing that the Council will be continued to be asked to amend the contract and not knowing the aspects of the Wasatch County interlocal agreement. Paul Sincock emphasized that the Council is not agreeing to an annexation today. Ms. Kerr responded that the annexation is now prefaced by the 105 parking spaces and there are other issues to be negotiated subsequently. The other issues don't go away but are delayed to another time when the Council has less control and at this point, the Council "holds more cards". Roger Harlan felt the confusion is that the term "negotiating" should be "discussing". The Mayor stated that this is scheduled for a public hearing on December 3. Nora Shepard explained that the Settlement Agreement specifies that the City Council must act on an annexation agreement within 120 days which will transpire by the end of December. Paul Sincock pointed out that there is a Settlement Agreement, but it is out of the jurisdiction of Park City. Once the property is annexed, it is within the jurisdiction of Park City and there is just as much leverage once it is annexed if not more. The increase in commercial space is subject to an MPD process and City Council approval of an amendment to the Settlement Agreement. Mr. Sincock felt the developer is dealing in good faith and that Ms. Kerr's concerns can be addressed.

6. Review of regular meeting:

Business license amendments. Tom Bakaly, Finance Manager, explained that a year ago, the licensing process was amended and Council asked that staff come back in a year with an evaluation of the new system. Staff is suggesting a change for taxi cab and shuttle licensing and the calculation for ski resorts. The unit of measure for ski resorts was based on uphill capacity and the amendment proposes using skier days instead, which is proprietary information. The Finance Manager believed the change to be revenue neutral. It will be a three-year average as there was a concern that if just last year's skier day data is used, the business license fee would be too sensitive to gains or losses. Other issues that came up during the year dealt with large events which will be reflected in the upcoming master festival license amendments.

With regard to the current enforcement philosophy, Tom Bakaly explained that staff does not investigate every business and does not perform individual audits. The Department trusts the licensing data provided by businesses, although complaints are investigated. Mr. Bakaly added that nightly rentals are being proactively regulated, and staff believes it is meeting the intent of the ordinance. Ms. Kerr felt that focusing on the nightly rentals is a good start; audits are not realistic and random checks are probably more appropriate. Hugh Daniels felt that the only way to justify increased enforcement is if there is more income raised to cover staffing. It was the consensus of Council to continue present enforcement efforts.

Mark Christensen explained that the City received complaints about unlicensed taxi cab operators. Staff tailored Salt Lake City's ordinance to meet the needs of the community. The amendments include compliance with state and federal insurance limits, safety regulations set forth by the Airport Authority, and that drivers obtain a CDL license. It is proposed to install a sticker outside the vehicle to identify properly licensed taxis and shuttles. Inspections will be conducted by a state certified mechanic and a compliance form must be rendered by the applicant as a part of the business license form.

Hugh Daniels stated that he is somewhat suspicious about the ski resort methodology. He added that business license fees have not been raised for ten years; the contribution to the Transportation Fund has been decreasing over the years, and the benefits of the bus system need to be evaluated by next year in the context of raising fees. Monitoring pass holders was discussed. Paul Sincock agreed with Mr. Daniels comments regarding support of the transportation system through increased business license fees. He supports the ski resort amendment and the change in taxi and shuttle service licensing. The Mayor stated that this is on the agenda for a public hearing and action.

Call-up of Silver Pointe Project. Meg Ryan referred to information in the meeting packet which included the chronology of the project, Planning Commission minutes, and information on the original application. Through illustration of a map, Ms. Ryan orientated the public to the location of the project. This project is located among several zones, including HR-1, HRL, Estate, and RM. The project involves three different zoning areas, HR-1, Estate, and a portion of the RM and the project is surrounded by platted lots and roads which have not been built. This portion of Rossi Hill Drive is not improved to City standards.

The applicant first submitted a sketch plat and a subdivision application for the estate parcel portion and a plat amendment for the HR-1 portion of the property in June 1997. Ms. Ryan explained that the plat amendment is intended to consolidate the lots and portions of lots in Block 62 to improve Rossi Hill Drive through to Ontario and bring a private drive through the center of their property and then use Provo and McHenry for access points. This plan included five duplexes and one single family home. The applicant requested two units on the Slipper Parcel which were considered by the Planning Commission. The staff reviewed those against Chapter 15 of the Land Management Code and found that on the Slipper Parcel there is a minimum lot size which is three acres, but with a variance one unit would be allowed on that site. On the 11-unit parcel, staff found there was significant visual disturbance and basically no good cause for this type of development. She continued that staff recommended that the applicant consider a master planned development involving site planning. In January, the plat amendment and an MPD alternative were presented to the Planning Commission and the MPD approach was preferred.

Meg Ryan explained that the applicants withdrew their sketch plat and plat amendment in March and in May submitted an actual MPD project. The Planning Commission requested a density analysis. Staff's approach is what would be allowable under a permitted use. For Block 62, under the HR-1 zone, ruled by a floor area ratio and lot size parameter, with the improvement of Rossi Hill Drive for access, a permit could be pulled for 13 units. On the other parcel, staff assumed that one unit could be constructed with a variance from the Board of Adjustment. The applicants believe, however, that 16 units are attainable on Block 62 and that the Slipper Parcel is not estate but HR-1. There was discussion about the history of the estate designation and the transitional nature of the property with regard to zoning. In response to a question from Paul Sincock about designating a parcel estate to prohibit development, Ms. Hoffman explained that property owners are entitled to some reasonable economic use through a variance procedure through the Board of Adjustment. Typically, the size of the house size is restricted to a smaller size than allowed on a three acre parcel. Meg Ryan continued that the staff and applicants disagreed on the base density analysis. The project was reviewed at 14 units, to 13, to 12 and finally an 11-unit project was approved by the Planning Commission. Because a record of survey plat was a part of the application, Chapters 10 and 15 were utilized for review criteria. The staff believed that the Slipper Parcel is less visible throughout town and through the MPD process, that there could be a transfer of density that allowed higher density than allowed under the original application because of site planning flexibility. Chapter 10 provides for a clustered development in the least visually sensitive portions of the site.

Ms. Ryan continued that the Planning Commission approved an MPD and a record of survey project that had a total of five units on the Block 62 piece with a driveway access that encroached on a portion of Provo Avenue and utilities off of Rossi Hill Drive. Unit 1 has a height restriction of 20 feet; HR-1 units would be reviewed by the Historic District Commission. Unit sizes are 2,200 square feet plus a deck of 550 square feet, including the garage. The single family home is 2,750 square feet which included a deck and garage. The total square footage for the site is approximately 13,750 square feet. In response to a question from Roger Harlan regarding the height of Unit 1, it was explained that the final finished grade would not be lower. Steve Deckert, Alliance Engineering, displayed a rendering illustrating natural and finish grade levels. There are five units on the Slipper Parcel which are approximately 3,000 square feet for a total of 18,000 square feet across the site, including decks and garages. There is also open space meeting MPD criteria, some retaining walls, and the road will be improved to City standards. There was discussion about filling the depressed portion of the Slipper Parcel to level the building area.

Richard Dudley, representing Willow Ranch Development, relayed that over 14 months, there have been seven public hearings and numerous work sessions. They wanted to develop Block 62 into five duplex lots and a single family lot by replatting the existing Block 62 lot lines. The property is HR-1 and is not in the Sensitive Lands Area. They felt they had the right to use platted City rights-of-way to construct a road and place utilities in that right-of-way at their expense to make the replat feasible. The Community Development Department encouraged them to also include the Slipper Parcel in an MPD process as there could be a density transfer from Block 62 if there is an MPD for all of the property. Mr. Dudley stated that they preferred to go through the replat process and assess the reaction of the Planning Commission. Using the rights-of-way and the original plan made more sense from a marketing standpoint. They were aware that the Slipper Parcel was zoned estate, but proposed two units because the old estate zone allowed for a petition for anything less than 25% slope to be identified as RD zoning or 1:5 units. They believed they had an entitlement to more than a couple of units. At the September 10, 1997 public hearing, the Planning Commission suggested that it go through an MPD process and staff was directed to determine the existing density allowed in Block 62 and the Slipper Parcel. The Legal Department determined that they had a maximum of 13 units in Block 62 and at least one with a variance in the Slipper Parcel; Mr. Dudley indicated that they disagreed and believed they had 16.5 lots.

The next iteration was the 14 unit plan, with six units in Block 62 and the balance in the Slipper Parcel. Mr. Dudley pointed out his confusion with the staff's determination of base density as there is nothing in the code. The 14 unit plan also contemplated building a 3% grade portion of McHenry to City standards. The Commissioners were unconvinced about the density and wanted to hide the garage doors. They then submitted a 13 unit plan which accomplished hiding the doors by losing a unit. Staff supported this revised proposal recognizing that it met requirements of the Land Management Code. Issues discussed at the meeting dealt with clustered development in the least visually sensitive portion of the site and protecting ridges from development. With regard to the latter, Mr. Dudley did not understand what ridges are involved or disturbed. The plan was changed again by restricting Unit 1 to 20 feet. There was lengthy discussion at the meeting about not transferring additional volume with the transfer of density, and all of the units in the HR-1 parcel were reduced to 2,200 square feet including garages and this strictly followed HR-1 requirements. He believed after that meeting that the Slipper Parcel could dictate a 14,500 square foot lot maximum. Ms. Kerr asked if there was discussion about a variance for this parcel from the Board of Adjustment. Mr. Dudley indicated that there wasn't because this was an MPD application and units were being transferred. The next plan was a 12-unit plan with six 2,200 square foot units and six 2,400 square foot units. All meetings seemed to relate to the base density determination or entitlement; they consistently followed the Code but settled for considerably less. After again meeting with staff, they reduced the plan to 11 units which was finally approved by the Planning Commission.

See regular meeting minutes.

Prepared by Janet M. Scott

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 12, 1998

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, November 12, 1998. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Tom Bakaly, Finance Manager; Meg Ryan, Planner; Hope Bleecker, Transportation Director; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda. Hearing none, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF OCTOBER 29, 1998

Shauna Kerr made a clarification on Page 2 of the Work Session Notes. Roger Harlan and Hugh Daniels disclosed that they will be abstaining as they were not in attendance. Paul Sincock, "I move approval of the Minutes". Shauna Kerr seconded. Motion carried.

Hugh Daniels	Abstention
Roger Harlan	Abstention
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Paul Sincock	Aye

V PUBLIC HEARING

Ordinance amending Title 4, Licensing, of the Municipal Code of Park City by adding a new Chapter 15 regulating the licensing of taxis and shuttles; and amending Chapters 1 and 2 regarding the unit of measure for ski area license fees - See staff report and work session notes. Tom Bakaly explained that the fees for ski resorts are proposed to be amended changing the unit of measure from uphill capacity to skier days. This is a revenue neutral change for the ski resorts who are in agreement. There is a new ordinance pertaining to the regulation of taxi cabs and shuttle businesses. Shauna Kerr disclosed that she is a part-time, temporary, seasonal ski host at Deer Valley Resort, but does not believe this is conflict and will be voting. Chuck Klingenstein suggested that next year, staff look into increasing business license fees to support transportation services. He expressed concerns about using a three year average of skier days, and asked if a base was considered; everyone else pays a fee on a fixed number whether business is good or bad. He supported the taxi cab licensing change. Tom Bakaly explained it would be difficult to establish a base figure for the first year, but it could be considered next year. He continued that the decline would have to be extended over a number of years before it would result in a serious fee reduction, but staff will look into building a base next year. The City Manager pointed out that the ski resort rates have gone up when business has increased while other business license fees have remained the same. Roger Harlan added that the local ski resorts have been aggressive in their promotions and felt that numbers will increase.

The Mayor invited the public to comment.

Gordon Cummins, All Resort Express, applauded the staff for putting the ordinance together so quickly as it was long overdue. He was involved in the process and supports the ordinance, but urged Council to limit issuing additional licenses in the future because it diminishes the success rate of those who have licenses. Most cities only issue two or three taxi licenses. He added that the City is losing revenue by allowing companies to operate here without a Park City license. He explained that Park City businesses have to have a Salt Lake City license and a place of business at the airport. Ms. Kerr expressed that in her interpretation of the ordinance, that would be prohibited, but it would be difficult to enforce. Mr. Cummins agreed, but the provision needs to be tightened up in the future with regard to enforcement. Ms. Kerr understood that if business trade was restrained by the number of licenses issued, a franchise agreement would be employed as opposed to a business license provision.

With no further comments by the public or the Council, the public hearing was closed.

VI CONSENT AGENDA

Resolution finding and promulgating the results of a special bond election held in Park City, Summit County, Utah on November 3, 1998 to determine the issuance of $10 million General Obligation Bonds of the City and providing for related matters and ratifying and confirming acts done in connection therewith - Hugh Daniels, "I move approval". Chuck Klingenstein seconded. Motion unanimously carried.

VII NEW BUSINESS

1. Ordinance amending Title 4, Licensing, of the Municipal Code of Park City by adding a new Chapter 15 regulating the licensing of taxis and shuttles; and amending Chapters 1 and 2 regarding the unit of measure for ski area license fees - Hugh Daniels requested that staff come back to Council next year to report on the ski areas and the audit and to evaluate an increase for business license fees. Shauna Kerr, "I move approval". Paul Sincock seconded. Motion unanimously carried.

2. Award of contract for parking enforcement services to Ampco System Parking in an amount not to exceed $180,499 - Transportation Director Bleecker explained that this a one-year renewal with an option to extend for an additional year. It is desired to retain the same operating enforcement contract policies from last year and Ampco received a very favorable audit. The contract was rebid to make sure that the City was maintaining a fair market price, and there was committee consensus to renew the Ampco contract. Roger Harlan asked if there was consideration of in-house enforcement. Ms. Bleecker explained that this was reviewed last year and stated that it is not more cost effective. The net expenditures last year on the Ampco side were actually low $158,000 on a $205,000 contract. There is flexibility for enforcement when needed and staff can be pulled when it is not needed. In response to questions from Paul Sincock, Hope Bleecker commented on the number of bidders and Brian Anderson relayed that collection has cost about $12,000 for the current year, which is $7 per ticket to Ampco. Ms. Kerr urged staff to work with Ampco to reduce the City's costs to $6 per ticket so it is more competitive with Diamond Parking's bid. Paul Sincock understood that Diamond Parking, in the bid process, indicated that the parking management system is "management-heavy" and proposed a $12,000 savings. He explained that the ticketing, management, and base bid price, results in a $32,000 difference between the lowest and the next lowest bidder, and yet staff is recommending a higher bid. Hugh Daniels interjected that all of the latter information is from an agent of Diamond Parking who called all of the Council members, and this information may be one-sided. He believes that staff went through an exhaustive process and he is not willing to start over again. Ms. Bleecker explained that it is desired to retain an Ampco employee in-house as it is extremely helpful to her and the staff. The bid was designed for an in-house manager and when he is not needed, he isn't there; this flexibility has been very helpful in running a successful enforcement operation. Paul Sincock stressed his concern about continuously awarding a bid to the same contractor, even when it is not the lowest bidder. Other people will not bid if they feel the City is not open to changing vendors. Hope Bleecker noted that the Department changed its policy a number of times and Ampco's competence was questioned, and bids were let again. It has been a rocky road for some outside providers, but nonetheless staff is confident with the incumbent and recommended the award of the contract to Ampco.

Hugh Daniels stated that the low bid is not always the best bid and this is a bid on a number of different services. With regard to staff, Chuck Klingenstein indicated that one of the goals of the program is to ensure that it is service oriented, which may mean extra personnel which he supports. Paul Sincock suggested that next year, the City respond to the RFP as he would like to consider enforcement in-house and compare City costs with bids. Shauna Kerr, "I move approval subject to attempting to negotiate the ticket collection rate to be comparable to a $6 figure". Chuck Klingenstein seconded. Motion unanimously carried.

3. Call-up of Planning Commission approval of Silver Pointe Project, 11-unit Master Planned Condominium Development and improvement to Rossi Hill, 501 Rossi Hill Drive between Ontario Avenue and Rossi Hill Drive, Block 62 and the Slipper Parcel - applicants Richard Dudley and Craig Masters - See staff report and work session notes. Richard Dudley, Willow Ranch Development, discussed ridge line intrusion or visual impact concerns expressed by the Planning Commission. Mr. Dudley referred to vantage photographs taken with a balloon on the site included in Council's materials and emphasized that the development will only be seen in front of the existing duplex on McHenry. It can be seen from the Greyhawk Condominiums from Deer Valley Drive where the balloon may be the most visible. It breaks the Block 62 ridge, but there is a whole mountain behind it. From the bottom of Heber, it is not visible and it is barely visible from the Park City Mountain Resort parking lot. The site can not be seen from Park Avenue, but can only be seen on the Belt Route.

Mr. Dudley explained that because the properties have been lowered, the views are protected behind the project. There was discussion about existing vegetation and using the fill from Block 62 to level the Slipper Parcel. All of the garage door entries come off of the private driveway out of Block 62 and Rossi Hill Drive is not used other than to access a single driveway. Units 10 and 11 in the Slipper Parcel are both single family units which are compatible with the neighborhood. He referred to a neighboring 19 unit project under construction which is not much larger than Block 62. The property owners on Rossi Hill requested to down-zone their property and it is not fair of them to describe this project as incompatible. There is no traffic impact to them, and as proposed, all of the roads are City-standard. They are providing over 1,000 feet of roadway to the City which goes from Ontario to Rossi Hill Drive, and there is an improvement to the water system to Rossi Hill Drive by virtue of this project. The drainage problem in the area will also be corrected. He believed that they have arrived at a good plan that meets the criteria of Chapters 10 and 15 of the Land Management Code, and so did the Planning Commission.

Hugh Daniels asked if the project would be year-round homes; Mr. Dudley believed it would be a mixture. There is adequate snow removal and storage on the lower area, and there is an open space conservation easement to the City. The Mayor suggested that this be continued to next week to consider the new information presented this evening. The City Attorney suggested to open the public comment period and then continue it to the 19th. Chuck Klingenstein, "I so move". Paul Sincock seconded. Motion unanimously carried.

VIII 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 2:45 p.m. Members in attendance were Mayor Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Tom Daley, Assistant City Attorney; Mark Harrington, Deputy City Attorney; Jerry Gibbs, Public Works Director; and Jodi Hoffman, City Attorney. Shauna Kerr, "I move to close the meeting to discuss litigation". Hugh Daniels seconded. Motion carried unanimously.

The meeting opened at approximately 3:15 p.m.

* * * * * * * *

The meeting for which these minutes were prepared as noticed by posting 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