PARK CITY 1884

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

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, November 12, 1998.

AGENDA

Closed Session

2:45 p.m. Litigation

Work Session - City Council Chambers - Lower Level

3:15 p.m. Council questions and comments
3:30 p.m. Grant requests
- Downtown Task Force
- Counseling Center
- Arts Council

4:00 p.m. Main Street sculpture and mining exhibit
4:10 p.m. Deer Crest annexation
Review of regular meeting
4:40 p.m. Business license amendments
5:00 p.m. Call-up of Silver Pointe Project

Regular Meeting - City Council Chambers - Lower Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

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

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

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

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

2. Award of contract for parking enforcement services to Ampco System Parking in an amount not to exceed $180,499

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

VIII ADJOURNMENT

Posted: 11/9/98

PARK CITY
1884

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

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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, "<u>I move approval of the Minutes</u>". Shauna Kerr seconded. <u>Motion carried</u>.

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

V PUBLIC HEARING

<u>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</u> - 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

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: November 12, 1998
DEPARTMENT: Administrative Services
AUTHOR: Tom Bakaly, Finance Manager TB
TITLE: Additional Grant Requests
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: The City Council should do the following:

1) Provide direction about the use of grant contingency funds for a one-time grant award to the Counseling Center for a pilot after school primary prevention program for at risk kids.

2) Provide direction about the use of grant contingency funds for a one-time grant award to the Park City Arts Council for the completion of a county-wide cultural master plan.

3) Provide direction about the use of grant contingency funds for a one-time grant to the Park City Restaurant Association on behalf of the Main Street Business Alliance (MBA) for the purpose of actually forming the MBA and developing funding mechanisms for the long term financing of the MBA and the Main Street/Swede Alley capital improvements.

4) Provide direction about the other attached requests from the MBA and the Main Street/Swede Alley Master Plan Task Force (Task Force) to facilitate the execution of the Main Street and Swede Alley Master Plan that was presented to City Council last month.

DESCRIPTION:

A. Topic: Grant Disbursement

B. Background:

In May of 1996, the City Council adopted a new policy that governs the disbursement of grant funds. In addition to establishing criteria for determining grant recipients, the policy also established categories in which organizations receiving grants were placed. Each category then gets a portion of the total funds appropriated for grants. The total amount of funds available for grants is a percentage (2.25%) of the General Fund budget for each year.

In anticipation of new organizations or new requests from existing programs, the City Council designated one of the categories as the grant contingency fund. This "reserve" is for organizations, programs or endeavors that arise throughout the year. The requests from the Counseling Center, the Park City Arts Council and the MBA would fall into the contingency category per City policy.

During May of 1997, as part of the annual budget process, City Council formed a Grants Subcommittee to review the additional grant requests and make a recommendation to the City Council. The Grants Subcommittee consists of Council member Daniels, Council member Harlan, and a City staff representative (Tom Bakaly). Due to the fact that the MBA and Task Force wanted this issue to come before City Council as soon as possible, and Hugh Daniels is out of town, the Grants Subcommittee has not formally met or taken action on these requests.

C. Analysis:

The Counseling Center: As part of last year's budget process, the Counseling center was added to the list of grant recipients under the category of special services. The annual grant that the Counseling Center receives is $7,500. The Counseling Center has requested an additional $5,000 for a pilot after school primary prevention program for at risk kids. A detailed grant request is attached. The Counseling Center hopes that the "seed" funds from the City will allow the program to get started and then become eligible for Juvenile Justice funds that are allocated to each State. The Eccles Center for the Performing Arts and the Kimball Center are also partners with the Counseling Center for this program. Please see attached letters of support.

The Counseling Center applied for a grant for this program to the Park City Arts Council for the City allocated Arts and Culture grant funds that the Arts Council distributed on behalf of the City. The Counseling Center did not receive a grant from the Arts Council. In addition, staff has informed the Counseling Center that they could apply for City allocated Youth grant funds through the Youth Advisory Council (YAC). Representatives from YAC have told staff that they will be awarding this year's youth grant allocation in the next couple of months. The Counseling Center stated that they would pursue that avenue, but since this was a pilot program, they would also like to apply for City grant contingency funds. The Counseling Center has also indicated that any funds the City could grant to them for the program would be helpful. This request meets the criteria for grant contingency funds as well as youth grant funds distributed by YAC.

The Park City Arts Council: The Park City Arts Council has requested a one-time contingency fund grant in the amount of $8,750 for the development of a county-wide cultural master plan. Please see the attached letter. The Park City Arts Council has received a grant from the National Endowment for the Arts for $8,750 and Summit County for $8,750 to be used for the cultural master plan. The Park City Arts Council hopes that the additional "matching" contribution from the City will enable them to proceed with the cultural master plan. The request from the Park City Arts Council is in addition to the roughly $41,000 that they have already distributed this year to the arts and culture community per the existing grants policy. The Park City Arts Council received approximately $13,000 of the $41,000 for their other arts and culture programs. The additional grant request does meet the general criteria of the grants policy in that it is one-time and is supported by other governmental and non-profit organizations.

The Main Street Business Alliance: Following the presentation of the Main Street and Swede Alley Master Plan to City Council last month, the Task Force has continued to develop the plan and explore funding mechanisms for the construction of the facilities identified in the plan. In addition, and as sort of an "offshoot" of the Task Force, Main Street businesses are in the process of forming and formalizing a Main Street Business Alliance (MBA). The purpose of the MBA will be to develop funding mechanisms to assist in financing capital improvements identified in the Master Plan. In addition, the MBA will be responsible for programming activities, promotions and events designed to make Main Street an exciting place for visitors to congregate.

Using the non-profit status of the Park City Restaurant Association, the MBA is requesting a one-time contingency fund grant for the purpose of hiring needed expertise to set up the MBA, explore funding options and needs with the Main Street businesses and the City staff, and develop a plan to provide the funding necessary to support the activities of the MBA and partial funding of capital improvements on a long term basis (Please see attached letter). The MBA and the Task Force have not stipulated an amount of the request in their letter. In recent funding 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 (General and/or Transportation Fund).

If the City and the MBA were to do all of the capital improvements identified by the Task Force, the contribution from the City would be sizable. Staff informed the MBA that the City funded capital improvements are included in the Capital Improvement Program (CIP) prioritization process that is initially coming to the City Council on November 19, 1998. The MBA and the Task Force wanted to proceed with requesting funds from the City to facilitate establishment of the MBA and "keep up the momentum" of their planning efforts. The request from the grant contingency fund is in keeping with the spirit of the intended purpose of the fund.

In addition to the grant request, the Task force and the MBA have requested that the City Council consider other actions relating to the Main Street capital improvements (Please see second page of attached letter). It is staff's recommendation that these requests be considered in the context of the CIP prioritization efforts that will begin with a conceptual presentation to City Council on November 19th. Due to the funding, project management and construction timing intricacies of these projects, staff recommends that the City Council not make commitments to Main Street projects out of context from the other CIP priorities that the City Council has identified.

However, staff does favor moving the projects along. We intend to initiate design of Main Street "bulb-outs" immediately. Funds are currently available in the Main Street RDA for this purpose. Staff is also preparing a Request for Proposals (RFP) for design of the two transit centers. As a separate component of that RFP, staff will solicit proposals for the design of a parking structure. Before awarding a contract for design, staff would need formal direction from City Council that it wishes to design a parking structure in the Swede Alley area. In addition, staff could pursue design of Swede Alley improvements as the design of the Transit Facility and parking garage are developed if City Council so directed.

D. Department Review:

This request has been reviewed by the Finance Division of the Administrative Services Department, the Community Development Department and the City Manager. The Grant Subcommittee members have not taken action on these requests at this time. Staff is hopeful that the Grants Subcommittee will meet prior to the Council meeting on Thursday and orally report their recommendation at the meeting.

ALTERNATIVES:

1) Approve the requests and recommendations of the Counseling Center, Park City Arts Council and the Task Force/MBA either partially or in total.

2) Deny the Counseling Center request and recommend that they seek funding through the youth grant process administered by the Youth Advisory Council during the next few months.

3) Deny the Park City Arts Council request and recommend that they seek funding through the arts and culture grant process. Since funds for this year have already been allocated, this would mean that additional funds would not be available until July 1, 1999.

4) Deny the Task Force/MBA grant request or stipulate some sort of matching requirement based upon revenues received from restaurant tax or from business contributions.

5) Continue action relating to the Task Force/MBA request until the CIP prioritization presentation on the 19th of November.

6) Do Nothing: Same as denying the request

SIGNIFICANT IMPACTS:

There is approximately $75,000 in the grant contingency fund. Approving all three requests would bring the total to about $36,250 (assuming a $25,000 grant request for the MBA). The amount of $36,250 is slightly lower than the annual appropriation to the grant contingency fund. This means that the contingency fund "carry-forward" or unused balance from prior years would be exhausted by these three grant requests.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

Staff needs City Council policy direction about how to proceed with these requests.

RECOMMENDATION:

The City Council should provide direction concerning the $5,000 grant request from the Counseling Center. The City Council should provide direction concerning the $8,750 grant request from the Park City Arts Council. The City Council should provide direction about the grant request from the Main Street Business Alliance (MBA). City Council should also provide direction concerning the other requests from the MBA.

The Counseling Center

Strengthing Homes • Enriching Community

November 5, 1998

Tom Bakaly
Director of Finance
PARK CITY MUNICIPAL CORPORATION
P O Box 1480
Park City, UT 84060-1480

Dear Tom:

As you requested, I am writing to inquire if there is funding in the Contingency Fund or Youth Recreation monies that could be allocated to fund a pilot after-school primary prevention program for at-risk children between the ages of 9 years and 12 years (4th - 6th grades). The pilot population would be drawn from McPolin Elementary and Treasure Mountain Middle School only, although the larger program envisioned would encompass Summit County. I am enclosing a draft proposal describing the program in detail. The plan is to partner The Counseling Center and Eccles Center. The Eccles Center would provide the space for the group. As you can see, part of the project is a research component which will also include questions relating to low cost housing and how housing and transiency impact children's self esteem and resiliency factors. I have been collaborating with Shelley Weiss, Connexion Amigos; Phyllis Robinson, Mountainlands; Teri Orr, Eccles Center; and Jean Case, Kimball Art Center. Tina Cox, Police Department, has been invited but has been unable to attend our meetings. We are hoping to meet also with the Juvenile Probation officer with the courts. The Guidance Counselors at the schools are very supportive; and Mike Bailey, Alternative Education teacher at Treasure Mountain Middle School expressed a need for interventions for sixth graders and was very receptive to the idea. I intend to make an appointment with the principal at McPolin Elementary and to talk with at least one school board member this week.

1910 Prospector Ave • P.O. Box 681499 • Park City, UT 84068-1499 • 435 / 649-2426
a professional private non-profit service since 1982

A United Way Agency

Tom Bakaly
November 5, 1998
Page -2-

I applied for a grant through the Park City Arts Council for two groups during the 1998 - 1999 school year, but was not funded because the program did not fit their mandate of reaching as many people as possible with the arts.

I am sure you can see how this proposal is directed at very different needs from the $7,500 grant we already have from the city. The latter is to enable The Counseling Center to provide counseling to indigent or low income individuals within the Park City limits. It is for treatment services versus the program I am proposing which is a prevention program targeting a population at-risk but hopefully soon enough to prevent problems for the individuals as well as the community at large. I would envision this program to be a part of a larger collaborative community venture addressing the diversity of economics and culture in our community.

I hope this letter is helpful along with my draft proposal. Please do not hesitate to call me with questions.

Sincerely yours,

Pat Drewry Sanger

Pat Drewry Sanger, APRN
Certified Child and Adolescent
Psychiatric-Mental Health Specialist

Grant Proposal (Draft) for At-risk Children (9-12 years of age)

Name of Organization: The Counseling Center and The Eccles Center
Name listed on 501(c)(3) exemption (if applicable): The Counseling Institute
The Park City Performing Arts Foundation
Name & Title of contact person: Pat Drewry Sanger, A.P.R.N.
Address: 1910 Prospector Ave., Suite 200;
P.O. Box 681499
City/State/Zip: Park City, UT 84068-1499
Phone: (435) 649-2426 **Fax:** (435) 655-9877 **E-mail:** pdrewry@sisna.com

Printed Name & Title: Pat Drewry Sanger, APRN, Child and Adolescent Psychiatric-Mental Health Specialist

1. **Description of organization or applicant profile:** (i.e., mission statement, goals & objectives or professional biography)

The Counseling Center is a private, non-profit agency serving residents of Summit and Wasatch counties with much of our work received by residents of Park City and those employed within the city's boundaries. Our mission is to promote individual growth, strengthen family relationships, and enrich our community through the delivery of therapeutic and educational *community-based* services.

The Counseling Center offers crisis help, brief therapy and long term psychotherapy, conducts several school- based therapeutic programs, and offers public educational workshops. Individuals, couples, children, families, and groups are regularly served regardless of ability to pay.

Our goal is to provide quality programs to the community at- large while also providing excellent outreach services that meet the needs of low-income residents, and victims and perpetrators of family and societal abuse. Because of our location in Park City we are able to serve families who find it difficult to tap into resources along the Wasatch Front. The Counseling Center has an on-going relationship with other service organizations such as Valley Mental Health, schools, law enforcement, courts and victims' shelter.

The Eccles Center: (to be described)

Pat Drewry Sanger, A.P.R.N.: Pat has specialized as a child and adolescent psychotherapist for 15 years in private practice and at the Virginia Beach, VA, Comprehensive Mental Health Services. She has been a trainer in parent education groups using Systematic Training for Effective Parenting for over 20 years as well as having experience in previous years as a public health and school nurse. She organized and facilitated groups for children and adolescents throughout her career as a school nurse, through the mental health agency ,and during the ten years in private practice. She has also facilitated groups for young people and parents in family life education throughout her career. In most of her work she incorporated use of art and/or movement. She moved to Park City in 1997 to settle, having been drawn by the beautiful mountain surroundings and small friendly town. In March ,1998, she was invited to join The Counseling Center as its child specialist.

3. Description of project:

THERAPEUTIC ART-BASED CHILDREN'S GROUP:

Pilot program for 12 weeks involving up to 12 children between the ages of 9 years old and 12 years old living and attending school within the the city limits of Park City. Primary goals for this project are to provide creative outlets for expression of feelings and increasing sense of competency and motivation to offset boredom, restlessness and isolation often leading to juvenile delinquency .

A strong research component will be included in the project with a control group of equal the number of children with similar profiles as the children participating in the therapeutic group. Questions related to living situations, transiency, and cultural diversity will be included as part of the research component for the purpose of identifying factors affecting children's self esteem, motivation and adaptability or resiliency .

Based on the findings of the pilot program, a more comprehensive community program expanding to include all of Summit County is envisioned which will include a mentoring program and possibly parent education. Collaboration with the various organizations or institutions involved with serving the youth in Park City and Summit County such as the justice and police departments, the schools, Connexion Amigoes and Mountainlands is crucial to develop a strong encompassing program to meet the needs of the community. Volunteer and leader training programs would be needed in the expanded model.

<u>Constituency and number of people served</u>:

* Children identified as "At Risk" between the ages of 9 years old and 12 years old. Examples of "At Risk" children would be those who have learning disabilities, Post Traumatic Stress Disorder or depression; underachievers or minority poor.
* Referred by teachers, school counselors, case workers, physicians, therapists, etc.
* Residents of Park City.

A group of a maximum of 12 children or a minimum of 8 children will be formed in January, 1999, for the purpose of providing a therapeutic art-based program for 12 weeks. The program director will initially contact potential referents by letter explaining the program and the criteria for selection of the children. A release form will be included for the parents to sign when their child is identified by the teacher or counselor, etc. A selection process based on most immediate need will be implemented if there are more children referred than group size allows. Those not selected for the first group will be given first consideration when selection for the next groups begin. A priority will be to create a mix of children representing different factions in the community based on culture and economic levels.

Volunteers to be involved:

One or two volunteer artists in one modality of the arts will be needed for a four week period to provide an experiential opportunity for these children in that particular art form. The artist(s) will be asked to offer their time for two hours during the group and an additional 1-2 hours at the end of the month for an exhibit or performance in the community.

In addition to the professional coordinator and group facilitator, Pat Drewry Sanger, APRN, a maximum of four adult volunteers per group will be recruited to provide more individual attention to the children during the experiential portion of the group process. Optimally at least one of these volunteers will speak fluent English and Spanish. The number of volunteers will be based on the number of children in the group.

Group Description

The proposed program is set up to combine the therapeutic benefits of group therapy and the enrichment and stimulation gained through experiential participation in various art modalities, i.e., pottery, painting, music, dance, drama, stage craft and filmmaking.

The group will meet after school at either The Eccles Center or the Kimball Art Center. Forty-five minutes of that time will involve pre- and post-activity facilitated by Ms. Sanger for warm-up and group formation and process and closure respectively. The remaining one hour and forty-five minutes will be the experiential activity led by the volunteer artist(s). There will be either an individual or group product resulting from the four weeks of work to be completed by the fourth week. Following the last meeting an exhibit or performance will be arranged for parents and interested public in a community facility, such as the Kimball Art Center or The Eccles Center.

Rationale:

Children between the ages of 9 and 12 years of age are probably the most likely to be under-supervised than younger children and adolescents. Parents are more likely to leave children 9 years of age and older alone or in charge of younger siblings while both parents work. School achievement often begins to decline at 4th grade because higher level cognitive skills are required to synthesize information. Assignments in the upper elementary grades usually require adult support and guidance in organization, studying, and preparation for projects. For the population targeted they are less likely to have parental involvement due to parent(s) working, poor family organization and/or high stress.

The selection process will be aimed at children with evidence of sensitivity and caring capacity despite possible records of aggressive , disruptive or atypical behaviors. These children are often the most "threat-sensitive"; having been exposed at an early age to violence, fear, helplessness and/or hopelessness. Therefore their defense may be a "fight or flight" response.

Ways of identifying the child who has empathy and a conscience despite the disruptive behaviors is through observation of the child being helpful to others when in a "safe" situation; showing affection and/or responding to positive reinforcement and/or discipline. The children described are likely to be the most potential risk to society as a whole in the future. Children who are withdrawn and/or need social stimulation and inclusion will be also be selected. There is a potential for using this program as an option for children referred to the City Diversion Program.

The arts access the unconscious and creative part of the individual even when there are difficulties in interpersonal relationships due to lack of trust. By exposing these children to the creative arts while they are still at a malleable age, they will have a better chance to find talents and recognition of those talents which will increase self esteem. Even more important they will learn new ways to express themselves and are more likely to develop a more integrated and balanced personality. By increasing their capacity to express their feelings and project their experiences through art forms, the potential for acting out their frustration and anger in antisocial ways should be decreased.

An important goal of the program will be to facilitate increased communication and empathy between economic classes and cultural differences. Young people who do not feel accepted for themselves and who are victims of prejudice are more likely to act out against the community as a whole in anger and hopelessness.

Interacting on a personal level with highly motivated, caring adult role models in a safe, nurturing environment and participating in creative, fun experiences will hopefully lead toward development of :

* higher level coping and problem solving skills
* willingness to take creative risks
* increased empathy for themselves and others
* increased self motivation and esteem.

Measurement:

* A pre- and post- standardized behavioral checklist will be completed by classroom teachers , parents, and the children themselves. The Auchenbach Behavior Checklist is planned to be used . The data will be compiled and scored to provide statistical data by an experienced research psychologist, Barbara Boineau, Ed.D, working in collaboration with Ms. Sanger. A control group is planned as well. These will be youth with similar behavior profiles but not in the

group. The hypothesis of the study will be that the children in the group will have less absences from school and improved academic performance and behavior in school. They will also show less incidence of juvenile delinquency in the community.

* Report cards
* Attendance records.
* Volunteer numbers and hours logged.

Payment for research services and testing materials is included in the following categories: "fees for professionals" and "material and supplies."

4. **a. Amount requested from Park City Municipal Corporation: $5,000**
b. Amount to be requested from private funds: $2,000
c. Amount in kind : $1,000
c. Total project cost: $8,000

5. **Project budget breakdown:** (totals must match)

Expenses		**Revenue**	
Fees for professionals:	$ 4,600	**Private cash support:** currently exploring from IHC and/or UT Arts Foundation	$ 2,000
Materials & supplies:	$ 1,400	**Government support:**	$
Advertising/printing:	_	**In-kind support:** (non monetary)	$1,000
Space rental:	$ 600	**Grant amount from 4a:**	$ 5000
Other: (be specific) **Administrative and insurance policy:**	$ 1,400	**Other:** (be specific)	$
TOTAL:	**$8,000**	**TOTAL:**	**$ 8,000**

The expanded version would cost approximately $24,000 including leader and volunteer training. There would be 3 groups run per calendar year in addition to other facets of the program such as mentors and parent education. Federal monies may be applied for if there is a decision to proceed with an expanded version, ie. Juvenile Justice Title V funding. Also the County would be asked to participate as well.

6. **Counseling Center Support funding:**

State of Utah Division of Child and Family Services
United Way
Private foundations: IHC, Eccles
Private donations primarily raised biannually at fund raiser.
Third party payers and client fees.

7. A. List proposed donor(s) for this project with amount requested.

PCMC
Possibly IHC and /or Utah arts foundation

B. List committed donor(s) for this project with amount funded.

The Eccles Center will allow use of "black box" stage for children's performance, walls for exhibit, and space to implement the program.

Kimball Art Center will allow exhibit of children's work and space for the group process when working on painting or pottery.

8. Have you previously made a grant request or received funding from the Park City Arts Council, Park City Municipal Corporation, or other public entities?

No___ **Yes**_X_ **When**_July 1997_ **Amount funded**_$7,500_

If yes, provide a brief history of project(s) previously funded:

Funding received from Park City Municipal Corporation for Low Income Counseling for individuals and families living and/or working within Park City Municipal boundaries.

THE
George S. & Dolores Doré
ECCLES CENTER
for the Performing Arts

During the first few months of operation at the Eccles Center it has become quite apparent that there is a need to catch young adults who are falling through the cracks. These are the students who are not performers on stage nor on the field and may have only sporadic academic success. The magic of the theater is still a powerful force and we have watched several students become theater 'groupies" in the most positive sense of the word. The ability to learn how the lights and sound and technical aspects of theater create a show and the confidence gained by being the "wizard" who runs those behind the scenes machines is a special kind of magic to behold.

In addition to offering wall space in both the upper and lower lobbies to display the eventual visual art produced by the students in this program, the Park City Performing Arts Foundation would form a collaboration with the Counseling Center to structure some after school technicalworkshops with our technical director, Alan Tucker who teaches classes for the Stage Hands Union in Salt Lake City, as well.

We fully support the efforts of the Counseling Center in this worthwhile endeavor!

Sincerely,

Teri Orr

Post Office Box 1297 Park City, Utah 84060
435 655-8252   435 645-7672 fax

KIMBALL
CENTER

June 17, 1998

Park City Arts Council
333 Main St., 2nd Level
P.O. Box 4455
Park City, UT 84060

Dear Park City Arts Council,

In response to the grant application designed by Pat Drewry Sanger on behalf of the Counseling Center, Kimball Art Center would like to offer total support for the therapeutic, art-based, at-risk children's program.

Specifically, Kimball Art Center would like to invite the parents, teachers and interested public to an exhibition of artwork created by the children participating in the program. Due to the small number of entries, this exhibit would most likely be held in the atrium, hallway and/or area of the Badami Gallery downstairs.

On a personal basis, I believe Pat Drewry Sanger to be especially qualified, dedicated and entirely capable of coordinating such a worthy project in the interests of the community, the schools and particularly, the children.

Thank you for the opportunity to express our support for this program.

Sincerely,

Jean Case
Exhibits and Art Education Curator

638 Park Avenue P.O. Box 1478 Park City, Utah 84060-1478 801-649-8882 Fax: 801-649-5889

November 5, 1998

To: Park City Municipal Corporation

Park City Arts Council

Mayor Bradley Olch,
Councilpersons:
Hugh Daniels, Roger Harlan,
Shauna Kerr, Chuck Klingenstein,
Paul Sincock

The Park City Arts Council requests $8,750.00 from the Park City Municipal Corporation's 1998 Contingency Fund for a National Endowment for the Arts *ARTS REACH* Grant 1:1 Match. This is the first time in seven years that the Park City Arts Council has applied for a grant from the National Endowment for the Arts.

The grant's intent is to support a cultural assessment, and development of a cultural arts master plan for Park City and Summit County. The relevance of obtaining the grant at this point in time is due to the growth of Park City and Summit County, to have a cultural master plan in place prior to the 2,002 Winter Olympics. The National Endowment for the Arts has already approved the grant request. We are working with the Snyderville Planning Commission, Summit County Board of Commissioners, and Doug Dotson, all of whom support the need for a cultural master plan and are willing to match the grant for at least $8,750.00. We have an endorsement letter from Myles Rademan, and support from Blaise Carrig, of The Canyons Ski Resort.

Doug Dotson, Summit County Community Development Director for Summit County, Donna Van Buren, Sndyerville Planning Commissioner, and myself will be meeting November 16th to discuss the total cost of a cultural art master plan. We have $8,750.00 granted from the NEA, $8,750.00 committed from Summit County, $2,000.00 from The Canyons Ski Resort. The NEA Grant requires a 1:1 match. We anticipate the total cost will be $30,000.00, and therefore request PCMC to contribute to this one time only opportunity to conduct a professional comprehensive arts plan.

We thank you in advance for your consideration.

Joanna Charnes
Executive Director

Joanna Charnes

Post Office Box 4455
Park City, Utah
8 4 0 6 0
801-647-9747

NATIONAL ENDOWMENT FOR THE ARTS

The Nancy Hanks Center
1100 Pennsylvania Avenue NW
Washington DC 20506-0001
202/682-5400

Ms. Joanna Charnes
Executive Director
Park City Foundation for Arts & Humanities
P.O. Box 4455
Park City, UT 84060

SEP 14 1998

Dear Ms. Charnes:

On behalf of the National Endowment for the Arts, it is a pleasure to inform you that your organization has been awarded a grant.

Grant Number: 98-6200-3078

Grant Amount: $8,750

Awarded to: Park City Foundation for Arts & Humanities

Category: Leadership Initiatives: ArtsREACH

Period of Support: October 15, 1998 to May 1, 1999

Grant Project: To support a cultural assessment and the development of a cultural arts master plan for public art, as described in your application (A98-022031) and the enclosed project budget.

The enclosed "General Terms & Conditions" provide detailed information concerning the Endowment's regulations and procedures, the administrative requirements that apply to your grant, and your responsibilities as a grantee. Instructions for requesting the grant funds and reporting on your project are also enclosed. Please read this material carefully.

If you have any questions regarding the administrative requirements of this grant, our Grants & Contracts Office staff will be happy to assist you. They may be reached at (202) 682-5403.

Congratulations on your grant award!

Sincerely,

Bill Ivey

Bill Ivey
Chairman

Enclosures

PARK CITY

Public Affairs

June 23, 1998

ARTSEARCH
Americans for the Arts
1000 Vermont Avenue
NW 12th Floor
Washington, DC 20005

Dear ARTS REACH Grant Committee:

I am writing on behalf of the Park City Arts Council to endorse their grant submittal for a cultural arts assessment. The Park City Arts Council is a public non profit cultural arts organization funded by Park City Municipal Corporation and Summit County.

As the Director of Public Affairs for Park City, I see the importance and immediacy for a cultural arts assessment to be commissioned as soon as possible. The community is growing exponentially, and new transplants are eager to replicate the cultural amenities they were accustomed to in their former and more urban lifestyle. It is timely for the Park City Arts Council to embark in a cultural needs assessment not only to determine the cultural priorities for the local community, but to help determine how cultural venues can more positively impact and promote tourism and economic development.

Salt Lake City is the host city for the 2002 Winter Olympics. However, 40% of the sports venues will be taking place in the greater Park City area. We anticipate that many culturally-based proposals and endeavors will be cropping up, and we therefore feel it is important to have a cultural plan in place.

The Park City Arts Council is the cultural grantor for Park City Municipal Corporation and therefore, the logical organization to undertake a cultural needs assessment.

Please contact me with any questions.

Sincerely,

Myles C. Rademan
Director of Public Affairs

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (801) 645-5013 • FAX (801) 645-5078

NE / Ann Hicks F 202 632 5 / PARK CITY, UTAH

23

Arts Council awarded grant

Park City group to benefit from $8,750 National Endowment for the Arts funding

"This is a real coup," said Joanna Charnes, executive director of the Park City Arts Council, upon learning Thursday that her organization earned a $8,750 ArtsREACH grant from the National Endowment for the Arts.

Charnes, executive director of the Arts Council, said this is its second NEA grant since the organization was formed six years ago. She said the grant will be used to create and administer a cultural survey, which will eventually form a cultural master plan.

Because the ArtsREACH grant is a "matching grant" based on financial support from both the private and public sectors in the community within which the grant is given, said Charnes, the Arts Council will need to receive matching funds from Park City, Summit County and, hopefully, the three ski areas.

"We had made proposals to all three resorts and to the city and to the county, and the response was 'let's wait and see if you get the funding'," Charnes explained, further noting, "I'm very gratified that the NEA recognized the need for cultural planning and cultural surveying."

Three other Utah organizations also received part of the $35,975 endowed by the NEA upon Utah, including Alta Community Enrichment, Granite School District, and Ogden City Arts.

According to an NEA press release, the Park City Arts Council's grant request was based on using the grant for "preparations for Park City's hosting of the upcoming Winter Olympics, which will include the arts in an area with a mix of industries including ranching, agriculture, and skiing.

ArtsREACH is an NEA pilot program designed to increase the level of direct NEA grant assistance to arts organizations in underserved areas.

The pilot project targeted states that have received five or fewer direct arts endowment grants during one of the previous two years. During this past fiscal year, 20 states were eligible to apply, including: Alabama, Arkansas, Delaware, Idaho, Indiana, Iowa, Kansas, Mississippi, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, West Virginia, and Wyoming.

South Summit asks for bond

by Stephanie Howell
OF THE RECORD STAFF

The South Summit Board of Education has voted to hold a bond election during the upcoming general election on Tuesday, Nov. 3. The amount of the bond will be $4 million, which will go toward the expansion and renovation of the South Summit Middle School.

According to South Summit School District business administrator Zane Woolstenhulme, seven classrooms and a band room will be added to the school, along with a 500-seat auditorium. The cafeteria will also be expand-

"We figure this will buy us about eight years of growth based on our projections," Woolstenhulme explained. At that point he said a new elementary school would probably be needed.

Woolstenhulme said the bond would not result in a tax increase. "Right now we are levying a tax that's generating money which is going into a reserve fund for capital improvements," Woolstenhulme explained, adding that this money will be used to service the loan. Woolstenhulme estimated that the levy generates approximately $600,000 per year, and there i-

month the funds invested with the State Treasurer accrued 5.55 percent.

The last bond election held in South Summit School District was in 1988 for $6 million to build a new high school. Currently the outstanding bonded debt in the South Summit School District totals $2,390,000.

According to a brochure produced by the South Summit School District, if the bond is not passed the district will go ahead with the project, by dipping into reserve funds. "These reserves will probably be exhausted and leave the district with less flexibil- to deal with future problems

Fueling a good

Brad Simons, left, and Katie Green of Questar Gas Co Center's Larry Finan a $12,000 check to build a new arena. Questar Gas employees are volunteering their ti month.

Barn work will cost c

• Continued from A-1

Presently, the buildings are all too dangerous and too worn out to be used for public recreation.

Johnston said that after this first stage of reconstruction is completed, the City will have secured two of the compound's buildings and added 30-feet to the northern-most building. The increased space will be used for a restroom facility and a day-locker so visitors may rest and relax in the

The first two building expected to be completed spring.

The famed barn, howeve cost upwards of $5 million to r struct and, because the city d yet have those funds, the bar not be rebuilt until a later date

According to Johnston, the sent reconstruction effort i result of several years' work b officials, who have felt that sinc destruction of the Silver

Park City Arts Council

June 23, 1998

ARTSREACH Committee
Americans for the Arts
National Endowment for the Arts
Washington DC 20005

4. EXECUTIVE SUMMARY

The Park City Arts Council was created in 1991 with an NEA Salary Assistance Grant of $7,500.00 Since then, the organization has grown dramatically. We are now funded equally with municipal and county dollars.

We are now the granting entity for Park City. We receive 1/3 of our budget from private out-of-state foundations. We hold two special events per year.
We staff volunteers and concessions at one of the Sundance Film Festival venues.

We distribute a three-time a year cultural arts newsletter which we send to every postal patron throughout Summit County. We produce a successful weekly film series featuring foreign, independent & Sundance films.

We sponsor performances in each elementary school throughout Summit County. We coordinate an art appreciation program in the elementary schools called "Masterpieces in Art." We coordinate "Artists in the Schools", hiring local professional artists to teach their craft/medium in the classroom.

4a) Our community is one of the most rapidly growing areas nation-wide; with an unusually high level of sophistication and education per capita among residents. Park City is a major ski resort comprised of affluent, urban transplants with high expectations for cultural amenities. Yet Park City resides on the west side of a large rural county whose industry is ranching and agriculture-driven. Henceforth, the cultural needs and interests among county constituents provide a dichotomy and challenge.

Post Office Box 4455
Park City, Utah
8 4 0 6 0
801 647 9747

Park City boasts a full palate culturally. We have the:

- Park City Art Festival
- Sundance Film Festival
- Slamdance Film Festival
- Park City International Music Festival
- Park City International Jazz Festival
- Utah Music Festival
- Egyptian Theatre
- Kimball Art Center
- Park City Film Series
- Institute at Deer Valley
- Eccles Center for the Performing Arts
- Park City Singers

Interestingly, although skiing, golfing and mountain biking are the predominant tourism attractions, the events that draw the most people at any given point in time are cultural in nature: The Park City Art Festival and the Sundance Film Festival. There is also a high correlation between tourists who ski and who have an expectation to go to the theatre, concerts, and art galleries during their stay.

4b). In Park City, many residents are middle-aged early retirees or second homeowners. Most residents have at least a bachelors degree. the population of Park City is 7,500. the population of Summit County is 22,000 and has grown 40% over the last five years. Ethnicity is mostly caucasian. However, over the last three years an influx of hispanics have moved to this area due to the availability of jobs in the building industry.

4c) Challenges: If ever there were a need to undertake a cultural needs assessment or survey of the new population that has moved to Park City over the last five years, now is the time.
Salt Lake is the host city for the 2,002 Winter Olympics. However, most of the skiing venues, approximately 40% of them will take place in the Park City area. Due to the increasing popularity of Park City as a ski resort (it is a 30 minute drive from Salt Lake International Airport which is a major hub for Delta Airlines), and the exposure the Olympics will have on Park City, everyone who is moving here has an idea for a new project they feel should be implemented-yet there is no plan to determine whether or not the project is a priority. Although new cultural ideas are being suggested, it is of utmost importance that any new cultural arts project benefits the residents of our community in addition to the tourist.

5a) Our project's goal is to implement a cultural needs assessment and a cultural arts master plan for public artr so that we have a framework in which to make effective cultural decisions. We need to determine where art should be located, and if the community feels government should subsidize culture and if so, to what extent. With the broad range of development occurring in the greater Park City area, we need to determine what type of cultural art, if any, should comprise public space ie a new ski resort, a planned community, and a new town center. We also need to collaborate to promote cultural tourism. We have received a grant from the Summit County Restaurant Tax Grant Committee to commission a Cultural Arts imaging brochure that will be sent to people interested in what is going on culturally in Park City. This brochure will also be handed out at travel agency and ski shows.
Our goals for the next three years include:

- Promoting Cultural & Heritage Tourism
- Establishing a Public Art Program including policies, guidelines, & site specifications, & commissioning publicsculptures
- Establishing a cultural art master plan to provide a framework from which better decisions can be made pertaining to cultural arts endeavors
- Create a cultural arts imaging brochure that packages all of the arts & their phone numbers/FAXes/websites into one user friendly brochure
- Develop a directory of local artisans that includes photos or their work

Our mission statement (see attachmt) is to foster and increase cultural arts awareness in the greater Park City area, & to make sure that cultural arts are accessible to everyone in the community.

The relevance of engaging in a cultural arts needs assessment at this time is due to the growth of the community, the impending reality that the Winter Olympics will be here within four years at which time Park City will receive even greater international exposure that it already does, and that we should have public art, perhaps more cultural venues that will showcase cultural resources that we have yet impress visitors.

5b) We have been steadfastly coalition building, expanding our Board of Directors to 20 individuals representing all aspects of cultural arts in this area (see attached). We meet monthly. Two of our board members and our Executive Director attended PUBLIC ART 101 sponsored by the Seattle Arts Commission in order to learn how to advocate and implement a Public Art program is a small community. In the last three months we have been attending public city and county meetings advocating that public art be incorporated in to any design review and new design process. We received $1,500.00 from the Utah Arts Council this year to be applied toward establishing a Public Art program. We have been able to get the Summit County Planning Department to request that large-scale projects include public art in their master plan and that they work with us (we are also known as the Summit County Arts Council) to make public art a collaborative process.

5c) The Park City Arts Council will be the lead organization because we are a public non profit cultural arts umbrella organization. Our board represents city and county cultural interests and organizations. We receive funds from both city and county. We are the cultural arts grantors for Park City Municipal Corporation and will probably do the same for Summit County.

We are establishing a Public Art Committee right now and will be meeting July 15th for the first time. We are using policy and guidelines from: Salt Lake City Public Art Master Plan, the Santa Fe Public Art Master Plan, the Bellevue, Washington Public Art Master Plan, & the Seattle, Washington Public Art in Public Places Master Plan. We would like to hire David Holz, (see attached) an emminent expert in establishing Public Art, as our consultant for a fee not to exceed $9,000.00. By March 1999 we would like to have policy guidelines in place to begin implementation.

We would like to hire Dan Nechemias, (see attached) a local who has a Master's in Public Policy and Survey writing, to do our Cultural Needs Assessment for $8,500.00. Our timeline is to commission a cultural needs assessment October 1, 1998 and complete it by December 1, 1998.

We have the support of Park City Municipal Corporation, Snyuderville Planning Commission of Summit County, Egyptian Theatre, Kimball Art Center, and our Board Members to do a needs assessment and to establish a public art program. Our matching funds are as follows:

Utah Arts Council	$1,500.00
Park City Arts Council	$1,250.00
Snyderville Planning Commission	$3,000.00
Park City Municipal Corporation	$2,000.00

MATCHING FUNDS RAISED PENDING APPROVAL FOR THIS GRANT:
$8,750.00

Main Street/Swede Alley Task Force
c/o Community Development Department
Marsac Building
Park City, UT 84060

November 5, 1998

Mayor Brad Olch, Park City
Park City Council Members
Marsac Building
Park City, UT 84060

Re: Execution of the Main Street and Swede Alley Master Plan

Dear Mayor and Council Members:

The Main Street/Swede Alley Master Plan Task Force thanks you for your support in the development of the master plan for Main Street and Swede Alley. The assistance of the City staff was invaluable in the development and presentation of the plan.

Following the presentation of the Master Plan to City Council, the Task Force has continued to develop the plan and explore funding mechanisms for the construction of the facilities identified in the plan. In addition, Main Street businesses are in the process of forming and formalizing a Main Street Business Alliance (MBA). The purpose of the MBA will be to develop funding mechanisms to assist in financing capital improvements identified in the Master Plan. In addition, the MBA will be responsible for programming activities, promotions and events designed to make Main Street an exciting place for residents and visitors to congregate.

Our preliminary analysis indicates that the proper way to fund the activities of the MBA and assist in financing the capital improvements on Main Street and Swede Alley is through a special assessment district (or similar mechanism). The district would encompass those properties fronting Main Street and Swede Alley. A portion of the funds raised by a special assessment would be used to fund the on-going activities of the MBA ($150,000 to $200,000 annually) and a portion would be used to provide part of the funding for the capital improvements ($200,000 to $300,000^{+} annually).

Long-term, the MBA will be self-funded through the assessment district. However, much work needs to be done in the immediate future to fully explore funding needs and alternatives and to set-up the MBA and funding mechanism.

The Task Force and MBA would like to meet with the City Council on Thursday, November 12, 1998 to discuss the purpose of the MBA and make a request for a grant from the City to provide funds on a one-time basis to the Park City Restaurant Association and/or the Historic Main Street Association for the purpose of hiring needed expertise to set-up the MBA, explore funding options and needs with the Main Street businesses and the City staff, and develop a plan to provide the funding necessary to support the activities of the MBA and partial funding of capital improvements on a long-term basis.

At the time the Main Street/Swede Alley Master Plan was presented to City Council, the Task Force identified several activities that needed to be pursued immediately in order to meet the timetable envisioned in the Master Plan for capital improvements. Specifically, the Task Force recommended that design of the "bulb-outs" for Main Street be started now so that a design could be finalized in early winter and the project bid, allowing for the construction of at least one "pair" of bulb-outs in the spring (1999), prior to the summer business season, with the balance being constructed in the fall down-season (1999). It appears that sufficient funds are currently available in the RDA to pay for the bulb-outs.

In addition, the Task Force recommended that a parking structure be constructed at the same time that the Transit Facility on Swede Alley is constructed. The two facilities need to be integrated from a traffic and circulation standpoint. Also, the Task Force recommends that all of the construction be accomplished at once on lower Swede Alley to avoid having a perpetual construction zone.

We understand that the Transit Facility is tentatively planned for construction in the summer of 1999. The Task Force requests that the design and engineering for a parking structure be undertaken simultaneously with the design of the Swede Alley Transit Facility. As the Transit Facility and parking structure designs progress, the redesign of lower Swede Alley should also be undertaken to reconfigure surface parking (to increase efficiency), provide trash collection facilities, improve Swede Alley/Main Street connections, and improve pedestrian circulation.

We were pleased with the reception by City Council of the concepts put forth in the Main Street/Swede Alley Master Plan. We now request that the Council take action to move the projects identified in that plan forward. The immediate action required is the development of designs and construction plans for the projects. Ideally, one person would be put in charge of the Main Street/Swede Alley projects to expedite and coordinate design and construction.

In summary, the Task Force and the MBA would like your consideration of the following:

1. Provide an initial grant to the Park City Restaurant Association/Historic Main Street Association for the specific purposes of forming the MBA and developing funding mechanisms for the long-term financing of the MBA and Main Street/Swede Alley capital improvements.
2. Initiate design of Main Street "bulb-outs" immediately
3. Design the proposed parking structure concurrently with the design of the Swede Transit Facility
4. Pursue design of Swede Alley improvements as the design for the Transit Facility and parking garage are developed

We appreciate your consideration and look forward to having an opportunity to discuss the above on November 12th.

Best regards,

Frederic L. Jones	Steve Hooker	Paul Brown
Main Street/Swede Alley Task Force	Historic Main Street Association	Park City Restaurant Assoc.

PARK CITY
1884

CITY COUNCIL STAFF REPORT

DATE: November 12, 1998
DEPARTMENT: Community Development Department
AUTHOR: Rick Lewis and Alison Kuhlow R.
TITLE: Public Art Proposal
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Express willingness to accept statue, indicate support for the public art proposal of a bronze statue at Miners Pocket Park and appoint a Council member to assist with this project.

DESCRIPTION

Applicant: Committee for a Sculpture of a Miner
Location: Miners Pocket Park on Main Street
Zoning: Historic Commercial Business District
Adjacent Land Uses: Commercial

B. Background

The Committee for a Sculpture of a miner, which represents Park City Artists, the Park City Arts Council, Kimball Art Center, the Historical Society, the Park and Recreation Advisory Board and interested citizens, is working on a public art project to honor the mining history of Park City. The primary goal of the committee is to educate and engage visitors and citizens to study Park City's mining past.

The committee has commissioned a bronze statue of a miner, outfitted in underground mining clothes and gear, using a local resident, Jim Ivers, as the model. The committee wishes to donate the statue to the City for installation on Main Street, preferably in Miners Park. Miners Park is owned and maintained by Park City Municipal Corporation. In addition to the statue, the committee is interested in coordinating with the City to include additional exhibits in Miners Park that emphasize Park City's mining heritage. The proposed improvements need to be in place by August 1, 1999, to have the exhibit and statue completed by Miners Day 1999.

The committee is specifically requesting that the City Council agree to accept the statue once it is completed and to fund its installation. They further request the designation of a City Council member to work with the committee to develop a suitable site, within the Park, for the statue.

C. Analysis

The proposal for the Miner Statue and mining exhibit is consistent with the policies and actions listed within the Downtown Action Plan, which was accepted by the Council on October 16, 1998.

The proposed location, Miners Pocket Park, is one of the few remaining City owned parcels on Main Street where such a display could be located. The site has also been suggested, by the Downtown Action Plan, as a site for one of the Main Street "bulb-outs". Renovation of the park has been anticipated in conjunction with the construction of the "bulb-out". Staff is anticipating scheduling the first "bulb-out" construction in this area of Main Street for the Spring of 1999, which would align closely with the time from for the statue. A statue and mining display area is compatible and would enhance the proposed street improvements.

The Land Management Code, Section 8.29 specifies a process and review criteria for the Outdoor Display of Art. Section 8.29 states if the art display is located in the Historic District, it must be reviewed by the Historic District Commission. If Council approves proposed location of the Miner statue, the Committee will need to present the application to the Historic District Commission for approval prior to its installation.

The Committee for a Sculpture of a Miner has also requested Council to appoint a member to their committee to help with the development of the site. The City Manager intends to assign staff members to help in the development of the Park, if Council endorses the project.

D. Department Review

The request has been reviewed by the Community Development Director and the Parks Department. At the time an application is submitted for Historic District Commission Review, the proposal will be discussed at a Staff Review Meeting where members of all applicable City Departments will review the proposal.

ALTERNATIVES

A. Express the City's willingness to accept the statue and indicate general support for the proposal, site location and funding for the necessary improvements and appoint a Council member to work with the committee in developing a suitable site for the statue.

B. Appoint a Council member to work with the committee and request the Committee obtain approval from the Historic District Commission prior to accepting the statue.

C. Continue the item and request further evaluation from the Staff regarding the proposed location and funding sources.

SIGNIFICANT IMPACTS

No plans have been prepared for the site of the statue. The cost to improve Miners Park and prepare the site for the sculpture and display could be up to $50,000. There will be an ongoing, operational and maintenance cost for the statue and any displays in the park. Bronze statues should be waxed at least once a year to protect the finish. The improvements to the park could be paid for from the same source that would be used to fund other Main Street and Swede Alley improvements.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION

The committee will have to locate an alternative location for the statue. The statue has been commissioned. Failure to accept the statue may cause the Committee to rethink the project.

RECOMMENDATION

The City Council should express its willingness to accept the statue and indicate support for the proposal and appoint a member of the Council to serve on the committee.

EXHIBITS

Exhibit A - Location Map
Exhibit B - October 16, 1998 Letter from Sarah Jones
Exhibit C - October 20, 1998 Letter from Joanna Charnes
Exhibit D - October 22, 1998 Memo from Sarah Jones
Exhibit E - October 23, 1998 Memo from Sarah Jones
Exhibit F - November 3, 1998 Memo from Sarah Jones

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Miners' Park

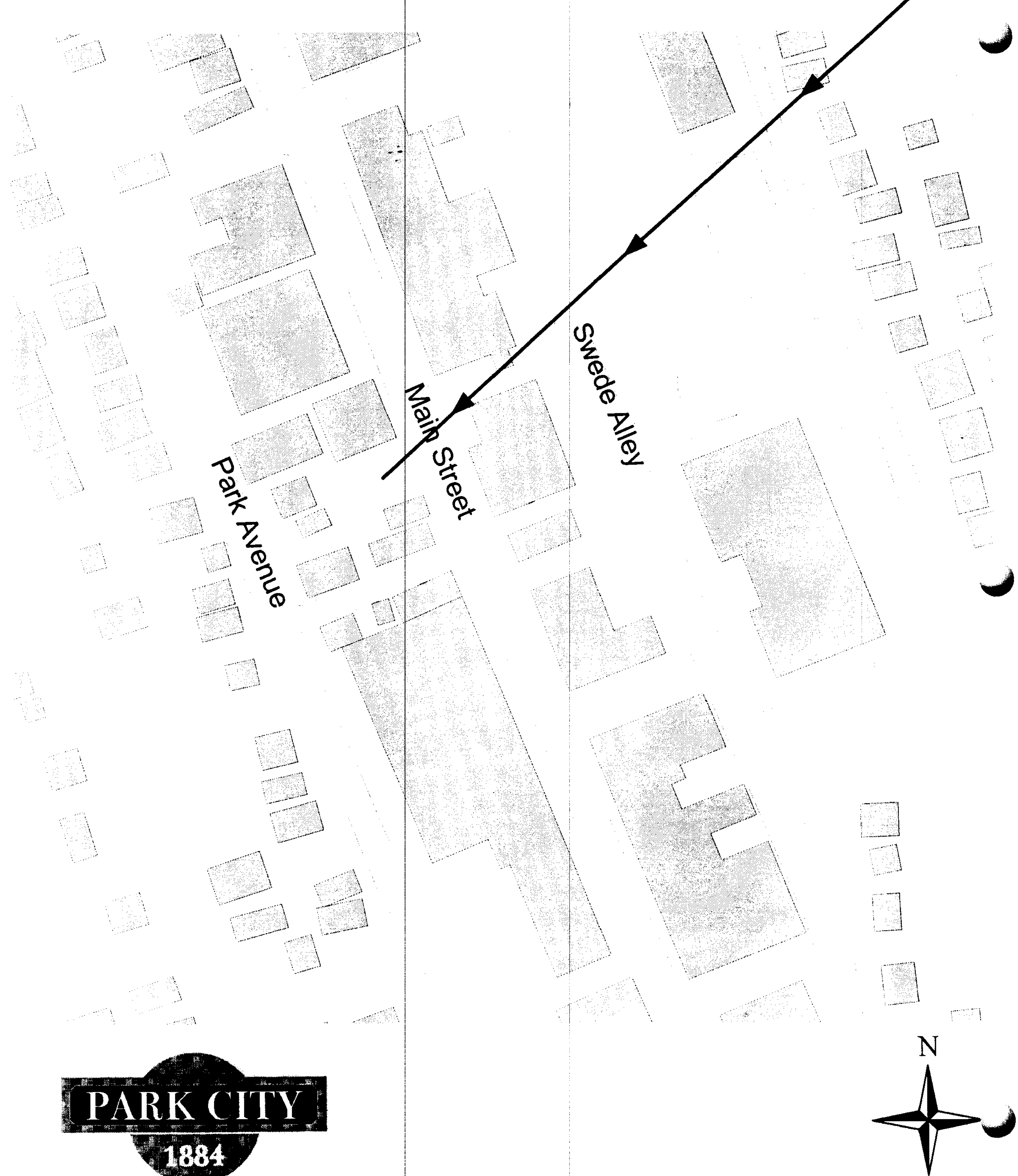

Exhibit A - Location Map

October 16, 1998

City Council
Park City Municipal Corp.
P. O. Box 1480
Park City, UT 84060

Re: Miners' Park Mining Exhibit

Dear Council Members:

A committee* has formed to commission a life-size bronze sculpture of a miner to be donated to the city of Park City. For the following reasons, the committee believes this is an important project:

- Enhance the Historic Main Street area
- Honor the mining history of Park City
- Educate and engage visitors and citizens to study our mining past
- Enrich Old Town through the addition of public art.

We have agreed that the figure be based on an outstanding citizen of both historical and modern Park City. We have selected Jim Ivers, a prominent mining figure, author, philanthropist and citizen of Park City.

We understand that the Miners' Park in the 300 block of Main is being considered for renovation. We would like this space to be designated for a mining exhibit which would clude this sculpture.

A detailed proposal will be submitted to you next week.

Sincerely,

Sarah H Jones

Sarah Jones, Chairperson
Phone: 649-2085

*Committee members include: Marianne Cone and Jossy Lownes, Park City artists; Joanna Charnes, Park City Arts Council; Peg Bodell, Kimball Art Center; Ron Butkovich, Historical Society and Historic District Commission; Susan Ruttenberg and Lynn Fey, fundraisers; and Dell Fuller, Parks and Recreation Advisory Board

Exhibit B - October 16, 1998 Letter from Sarah Jones

October 20,1998

Dear Park City Council Members:

Park City Arts Council

The Park City Arts Council is pleased to endorse the accompanying proposal to commission a public sculpture pertaining to Park City's Mining history, using Mr. James Ivers as a model.

We are thrilled that a group of Leadership 2,000 graduates has prioritized the commissioning of a public sculpture. We feel that this project more than adequately conveys the rich cultural heritage and history of Park City, and that the sculpture will be well situated so that it will be appreciated by locals and tourists alike.

Fortuitously, the proposal to commission a public sculpture coincides with the goals of the Park City Arts Council: to establish an Art in Public Places program, by year end 1998. Our board of directors have prioritized Public Art as one of the four new objectives for the Park City Arts Council. We attended a Public Art 101 Conference in Seattle this year, specifically called *How to Establish Public Art in a Small Community*. We are accumulating public art documents created by other cities who have thriving public art programs such as Taos, Santa Fe, Aspen, Vail, Seattle, Bellevue, Telluride and Salt Lake. We are beginning to prepare Public Art Policies, Procedures and Guidelines. We have been working with the Downtown Main Street/ Swede Alley Task Force, lobbying that Public Art guidlines are incorporated into downtown recommendations (which they were).

We are impressed that the Committee for this project is working in a professional, thoughtful, and thorough manner to implement this Public Sculpture commission.

The Committee has been very analytical and realistic in selecting a sculptor who will successfully depict the character of a "Park City Miner" without presenting an exorbitant fee. The Park City Arts Council is also impressed with the fundraising strategy proposed by the committee. The public and private sector will be equally solicited for contributions. Grants will also be written to support the project.

The Park City Arts Council hopes that the attached proposal will be the initial one of many to follow. We look forward to continuing to work with the committee for the "Miner in Bronze" as we further develop our policies and procedures for Public Art.

Sincerely,

Joanna Charnes

Joanna Charnes
Executive Director

Post Office Box 4455
Park City, Utah
84060
801 647 9747

Exhibit C - October 20, 1998 Letter from Joanna Charnes

To: Rick Lewis and Alison Kuhlow
From: Sarah Jones, Chairperson 649-2085
Committee for a Bronze Sculpture/ Miner's Park

Date: October 22, 1998

Thank you for meeting with me last week to discuss the possibilities of a sculpture of a miner for Miner's Park. Members of the committee appreciate the support that you have shown for public art in Park City.

The Committee has commissioned artist Peter Fillerup to proceed with a sculpture of a miner to be given to the city in September 1999.

The Committee has submitted a proposal to the Park City Municipal Corp. and City Council outlining the project. The proposal should be on the agenda for October 29, 1998. We would appreciate your support on this proposal. I will give you a call after the 29th to hear of the response and possible action on this proposal. Please call me if you have concerns or questions concerning our proposal.

Exhibit D - October 22, 1998 Memo
from Sarah Jones

Date: October 23, 1998

To: Park City Council
Park City Municipal Corp.

Re: Main Street Sculpture and Mining Exhibit

Committee: Members include:

Sarah Jones, Chairperson
Marianne Cone and Jossy Lownes, Park City Artists
Joanna Charnes, Park City Arts Council
Peg Bodell, Kimball Art Center
Ron Butkovich, Historical Society and Historic District Commission
Susan Ruttenberg and Lynn Fey, fundraisers
Dell Fuller, Parks and Recreation Advisory Board

Project: The committee wishes to expand the story of Park City's mining past by enhancing Miners' Park on Main Street. This project is divided into two phases.

Phase I is the donation to the City of a larger-than-life-size bronze sculpture of a miner.

Phase II would be to redesign and rework Miners' Park to include the sculpture and to enhance our history of mining.

Proposal: The committee proposes that Park City Municipal Corporation accept the gift of a commemorative bronze sculpture of a miner and assist in locating a public space on Historic Main Street, preferably Miners' Park, in which to place it. In addition, we ask that the City consider funding up to $50,000 for design, site work and installation.

Purpose: The purpose of this project is:

- To enhance the Historic Main Street area
- To honor the mining history of Park City
- To educate visitors and citizens about our mining past.
- To add the element of public art into the heart of Old Town.

Phase I: The committee has commissioned a sculptor, Peter Fillerup, to proceed with a life-size bronze figure of a miner outfitted in underground mining clothes and gear, using as a model Jim Ivers. Jim is a third generation Park Cityite, a mining engineer and mining leader, past president of United Park City Mines Co., author and philanthropist. An interpretive panel will include information about the figure.

Phase II: Plans for this phase are still being considered. Representatives from this committee would like to work with City planners and landscape architects

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Exhibit E - October 23, 1998 Memo from Sarah Jones to redesign and rework Miners' Park to make a more cohesive exhibit about mining. Preliminary ideas include:

- Brick pavers with names of mines or mine claims (Weary Willie, Show Me, etc.)
- Additional mining equipment
- A brief mining history of Park City
- Additional interpretation about the exhibit
- A sign that directs visitors to Park City Museum for a more comprehensive history of town
- A water feature using mining equipment
- Appropriate lighting

Schedule: We anticipate Phase I being completed in time for a Miners' Day 1999 unveiling. In order to have a cohesive exhibit, it will be necessary for the redesign and reworking of the space to be completed by August 1, 1999.

We believe it is important to include the public in this process. When a site has been decided upon and Phase II has some substantive ideas, we would like a meeting where the public can give their input. We propose to have a model prepared at that time.

Thank you for your consideration of this project.

Sarah Jones

Sarah Jones, Chairperson
649-2085

Memo

November 3, 1998

From : Committee for a Sculpture of a Miner
Sarah Jones, Chairperson 649-2085

To: Toby Ross, Park City Manager
Brad Olch, Park City Mayor
Park City Council Members

The Committee asks that the City Council vote to accept the gift of a heroic size bronze statue of a miner to be unveiled on Miners Day 1999.

The Committee asks that City Council appoint a council member to work with our group in 1999 to develop a suitable site for the statue.

Please refer to the attached proposal dated October 23, 1998 for more details on this proposal.

PARK CITY
1884

CITY COUNCIL REPORT

DATE: November 9, 1998
DEPARTMENT: Planning
AUTHOR: Nora L. Shepard
TITLE: Deer Crest
TYPE OF ITEM: Annexation Petition

SUMMARY RECOMMENDATIONS: Work Session Only.

DESCRIPTION:

A. Topic.

Deer Crest, LLC has submitted a petition for annexation for a portion of the Deer Crest Project. This annexation was anticipated in the 1995 Settlement Agreement between Park City and the developer. The requested annexation is consistent with the Settlement Agreement, with one modification being requested by the developer.

B. Background.

An Annexation Petition for portions of the Deer Crest Project has been received by the City. The Annexation Petition included a request to modify the 1995 Settlement Agreement in a number of ways. The Planning Commission reviewed the Petition and some of the planning-related modifications being requested. They held a public hearing and forward a positive recommendation to the City Council in the Annexation.

The staff and a subcommittee of the City Council (Roger Harlan and Paul Sincock) have met with the developer several times to discuss the proposed amendments to the Settlement Agreement. Based upon those discussions, the applicant has amended the Annexation Petition to request annexation of the Snowtop, Deer Hollow and Roosevelt Gap portions of the Deer Crest project, as outlined in the 1995 Settlement Agreement, with only one exception.

The Settlement Agreement allows for the development of hotel units (105 units of 2,000 sq. ft. in size) at the Roosevelt Gap site, if it is developed in conjunction with the Snow Park Hotel site and is connected to the Snow Park Hotel by a funicular. Access to the Roosevelt Gap portion of the hotel was to occur primarily from the Snow Park site via the funicular. Only 50 day parking spaces were allowed at the Roosevelt Gap site in an effort to decrease vehicle trips on Keetley Road.

The applicant now requests and additional 105 overnight spaces at Roosevelt Gap. The applicant has agreed to make modifications to other areas of the project and to propose a parking management plan to ensure that this increase in parking will not result in an increase in traffic on Keetley Road.

C. <u>Analysis</u>

The staff supports the simplification of the annexation request. Once the property is annexed, any further modifications can be negotiated and processed.

Because the annexation area lies within Wasatch County, an interlocal agreement between Park City and Wasatch County is being negotiated and will have to be acted upon prior to or concurrent with the Annexation.

A public hearing on the annexation has been scheduled and noticed for December 3, 1998. The purpose of this work session is to discuss the process and the proposed modification to increase the parking at Roosevelt Gap to allow 105 overnight parking spaces.

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: November 12, 1998
DEPARTMENT: Administrative Services
AUTHOR: TJB Tom Bakaly, Finance Manager and Mark Christensen, Intern MJC
TITLE: Amendments to the Business License Ordinance and Fee Schedule
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: The City Council should: 1) conduct a public hearing concerning the proposed Business License Ordinance and fee schedule changes; 2) amend by ordinance Title 4 of the Park City Municipal Code as it pertains to Business License fees and the regulation of taxis and shuttles (attached); 3) adopt the proposed Business License Fee Schedule effective January 1, 1999 (attached); and 4) provide direction concerning enforcement philosophy as it pertains to business licenses.

DESCRIPTION:

A. Topic: Proposed amendments to the Business License Ordinance and Fee Schedule

B. Background:

Last year, the City's business license system went through a major overhaul. In addition to updating the business license computer system, the entire fee structure was changed in order to comply with changes in the State Law. The State Law provides for regulatory licenses and allows Park City to raise revenues from a business license by "imposing a business license fee on businesses in order to provide an **'enhanced level'** of municipal services in an amount that is reasonably related to the services provided." Because all of the revenue from business licenses goes into the operation of the transit system, the City was able to show a clear nexus between a transit system that is free to the users and an enhanced level of service for City businesses.

Naturally, some businesses receive a greater benefit from the free transit system than others, so last year some business license fees went up for individual businesses and some went down depending upon the enhanced level of service received from the free transit system. The level of service received was determined by a consultant's study in accordance with State Law. This shift in business license fee burden was to be revenue neutral overall even though business license fees had not been raised in approximately ten years.

Due to the large scale of changes to the business license system, City Council asked staff to return in a year and report about the operation of the business license system. As part of Council's discussion last year, the two ski resorts (the largest fee payers) questioned the use of uphill capacity as the unit of measure for their business license fees. It was agreed that uphill capacity would be used for 1998, but staff was directed by City Council to work with the resorts to identify an alternate unit of measure.

C. Analysis:

Overall, the implementation of the new business license system and fee structure went rather well given the extensive nature of the revisions. From a revenue standpoint, business license fees for FY 1997-98 were $566,292 compared to $511, 243 from the prior year. When you control for the fact that there were more businesses and nightly rental units in 1998 and the ski resort licenses went up due to increases in uphill capacity, the business license fees remained revenue neutral compared to last year as directed by City council. Staff is not recommending an increase in business license fees at this time. It is important to note that business license fees only make up about 1/4 of the transit center revenues. Using the enhanced level of service analysis, the City could raise business license fees in the future to cover a larger percentage of the transit operation.

Over the course of the year, a few issues did come up that staff would like to address as part of the revision to the business license ordinance that is before City Council. Those issues are: What unit of measure to use in calculating the fee for ski resorts? and; How to regulate taxis and shuttles? A few issues also arose relating to filming businesses and businesses connected with large events. These issues will be addressed in changes to the Master Festival License Ordinance that will come to the City Council in the next couple of months.

Ski resort unit of measure: For the last 10 years, uphill capacity was used as the unit of measure for determining the business license fees for the ski resorts. Given the emphasis on providing enhanced uphill capacity to skiers and limiting the number of lift tickets sold, the ski resorts questioned whether uphill capacity was the best unit of measure when drawing a "benefit nexus" to the free bus system. City staff has met with the ski resorts and both parties are in agreement that skier days would be a better unit of measure. Staff recommends using a three year rolling average of skier days to minimize fluctuations in business license fees due to strong or poor business performance. Therefore, for 1999 the resorts have provided skier day information from 1998, 1997 and 1996. Skier days include complimentary tickets and an estimate of skier days attributed to passes. The City will have the right to audit the information provided by the ski resorts.

Overall, the amount of revenue collected from the resorts will remain about the same compared to last year. Roughly 36% of the business license fees collected are from the two resorts. The ski resorts understand that this change in unit of measure will cause a slight shift in business license fees from one to the other. This means that Park City Mountain Resort's fees will most likely increase and Deer Valley's fees will decrease when you take into account fee calculation rounding issues. The rate per skier day will be $.21. Due to the proprietary nature of skier day information, it is difficult to give much more detail on the nature of the fee calculation. Staff will be able to answer any additional questions that it can without violating the confidential nature of the skier day information.

Regulating the Licensing of taxis and shuttles: Over the last several months, the City has been asked by existing taxi and shuttle businesses to modify its regulatory and licensing practices for taxis and shuttles. The taxi and shuttle businesses are concerned that individuals have been operating taxi and shuttle businesses without a business license, proper insurance, or compliance with general safety standards. The City has met frequently with the taxi and shuttle businesses and have developed the attached ordinance that regulates the operation of taxis and shuttles. The City used Salt Lake City's taxi and shuttle ordinance as a model, but tailored Park City's ordinance to the specific needs of a resort town.

The ordinance requires $1,500,000 of commercial insurance, creates vehicle stickers that will enhance identification and enforcement efforts, creates safety inspections procedures as a requirement for operation, and identifies general business and driver specific requirements for both taxi and shuttle operation. The fee structure for taxis and shuttles and inspections has remained unchanged. Staff believes that it has worked well with the taxi and shuttle businesses to develop an ordinance that meets the needs of the Park City community. Some of the existing businesses were interested in more stringent regulations, but some of those were determined by staff to be a barrier to business entry. Staff anticipates a review of this new ordinance next year after a Winter of operation. Once again, some of the issues concerning taxis and shuttles and large events will be addressed in the upcoming revisions to the Master Festival License.

Enforcement Philosophy: As part of the administrative fee that businesses currently pay as part of their business license, there is an enforcement component. A code enforcement officer or building inspector inspects new businesses and the City responds to inquiries about specific businesses. Staff is currently in the process of reviewing nightly rental units in the City to ensure that they are properly licensed. Recently, staff has received comments suggesting that businesses are understating their size or not securing licenses at all. While our system certainly is not perfect, staff believes that business license compliance is fairly high. Staff would like direction from City Council about whether to adopt a more aggressive enforcement philosophy.

D. Departmental Review:

Revisions to the Business License Ordinance and fee structure has been reviewed by the City Manager's Office, the Administrative Services Division, Legal Department, Police Department, Transportation Division and Special Events Division.

ALTERNATIVES:

1) Adopt the attached changes to the business license ordinance and adopt the attached business license fee schedule effective January 1, 1999. This is staff's recommendation.

2) Make changes to the proposed new ordinance and fee schedule. Such changes may include an alternative unit of measure for ski resorts, enforcement changes or specific changes to the taxi and shuttle regulations. As an example, City Council may want to implement a more comprehensive enforcement program. This action could cause the administrative/regulatory fee to increase.

3) Continue the Item: Business License notices should be sent out by December 1 according to

the existing ordinance. City Council could continue the item until November 19, 1998 and still comply with this deadline.

4) Amend the ordinance only so that notices could be sent out later than the December 1, deadline. This additional time would allow staff to address and correct any identified problems with the new Business License Ordinance and fee schedule and continue to inform businesses of the proposed changes. The effective date of the license would have to be January 1, 1999 per State law, but the payment date could be extended past January 1 for this year only. Keeping the December 31 deadline would require a shorter turnaround time for businesses to submit their renewals if notices were allowed to go out after December 1.

5) Do Nothing: Same as Continuing the item.

SIGNIFICANT IMPACTS:

The proposed action amends the City's current business license ordinance and business license fee schedule to address issues that arose during the first year of operation of the new system and fee schedule. The changes to the fee schedule are designed to be revenue neutral overall, but the ski resorts may experience fee fluctuations (up or down). These fluctuations are caused by shifting the fee burden due to changes in the unit of measure for ski resorts.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If City Council would like staff to take a significantly different approach to business licenses, City Council should amend the current business license ordinance so that notices could be sent out after December 1. City Council should provide staff with direction for amending the business license ordinance and/or fee schedule. Some of the issues addressed in the taxi and shuttle regulations would need to be handled in some alternative way.

RECOMMENDATION:

The City Council should:

1) Conduct a public hearing concerning the proposed Business License Ordinance and fee schedule changes.

2) Amend by ordinance Title 4 of the Park City Municipal Code as it pertains to Business License unit of measure and taxi and shuttle operation regulations (attached).

3) Adopt by ordinance the proposed Business License Fee Schedule effective January 1, 1999 (attached).

Ordinance 98-___

AN 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 CHAPTER 1 AND 2 REGARDING THE UNIT OF MEASURE FOR SKI AREA LICENSE FEES

WHEREAS, an average of skier days is a more appropriate unit of measure than uphill capacity because uphill capacity does not reflect whether a ski area limits the number of tickets sold; and

WHEREAS, changing the unit of measure for ski resort business license will not significantly effect the revenue collected; and

WHEREAS, the taxi community requested more formal licensing procedures and requirements from the City; and

WHEREAS, a public hearing was held on November 12, 1998; and

WHEREAS, the following ordinance is deemed by the City Council to be in the best interest of the residents of Park City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

SECTION I. Chapter of Title 4 of the Municipal Code of the City of Park City, Utah is hereby amended by adding the following definition to read as follows and the remaining definitions are renumbered accordingly.:

OO. SKIER DAY. A three year average of the total number of lift tickets sold annually, including daily lift tickets, resident coupons, complimentary tickets, and an estimated average of season pass holders daily use. The three year average shall be calculated by the Ski Resort and shall include the three most recent years of operation from November 1 thru June 30. The City may audit the analysis and any business records relied upon for the analysis. The calculation shall be submitted to the Finance Department by October 15th of each year.

SECTION II. Chapter 2 of Title 4 of the Municipal Code of the City of Park City, Utah is hereby amended to read as follows:

4- 2-17. REGULATORY AND SERVICE ENHANCEMENT FEES IMPOSED.

There is hereby imposed and levied an annual business license fee on the types of businesses and in the amounts described below in the Business License Fee Schedule:

(See Business License Fee Schedule Next Page)

(new schedule attached as Exhibit A)

SECTION III. Title 4 of the Municipal Code of the City of Park City, Utah is hereby amended by adding a chapter 15, which said chapter shall read as follows:

TITLE 4 - LICENSING

CHAPTER 15 - TAXICAB AND SHUTTLE LICENSING

4- 15 -1. DEFINITIONS.

All words and phrases used in this chapter shall have the following meanings unless a different meaning clearly appears from the context:

(A) **CERTIFICATE OF INSPECTION.**
The form pursuant to subsection 4-15-5 certifying the taxicab or shuttle has passed all requirements established in the Park City Vehicle Inspection Checklist.

(B)**CONTINUING TRIP**.
Any round trip service prepaid for the same calender day originating outside of Park City limits.

(C) **FARE**.
"Fare" means the charge for hire of a taxicab to deliver a passenger with zones determined by each taxi company.

(D) **SHUTTLE**.
A vehicle that travels between fixed locations for a set or predetermined fare.

(E)**SHUTTLE BUSINESS LICENSE**.
A Park City business license issued by Park City authorizing the licensee thereof to conduct a shuttle business.

(F) **SHUTTLE STICKERS**.
"Shuttle Stickers" are stickers issued by the city indicating that the owner of the vehicle has meet all requirements to obtain a business license from the city.

(G) **TAXICAB.**
A vehicle used to transport passengers for a fee. These vehicles must meet the requirements of this chapter.

(H) **TAXICAB BUSINESS LICENSE.**
A Park City business license issued by Park City authorizing the licensee thereof to conduct a taxicab business.

(I) **TAXICAB DRIVERS LICENSE**.
"Taxicab driver's license" means the permission granted by the State through the issuance of a Z endorsement for a person to drive a taxicab or shuttle having less than fifteen passengers including the driver.

(J) **TAXICAB STICKERS**.
"Taxicab Stickers" are stickers issued by the city indicating that the owner of the vehicle has meet all requirements to obtain a business license from the city.

4- 15- 2. REQUIREMENTS FOR TAXI OPERATION.
(A) No person shall operate or permit a taxicab owned or controlled by such person to be operated as a vehicle for hire upon the streets of Park City without first having obtained a taxicab business license from the city in accordance with the procedures established in this chapter.
(B) No person shall operate or permit a taxicab owned or controlled by such person to be operated as a vehicle for hire upon the streets of Park City without first having obtained commercial transportation insurance coverage for at least $1,500,000.00 per vehicle. Proof of this commercial insurance shall be required upon the issuance of a taxicab permit.
(C) No person shall operate or permit a taxicab owned or controlled by such person to be operated as a vehicle for hire upon the streets of Park City without first having obtained a certificate of inspection.
(D) All vehicles that have been licensed by the city shall be issued two stickers that shall be used as identifying markings. One of the taxicab stickers is to be placed on the back of the vehicle on the drivers side, below the window and above the bumper. The other taxicab sticker is to be placed in the center of the drivers door below the window. These stickers shall be issued by the city and the numbers on the sticker shall correspond to the numbers on the business license.
(E) All taxicab shall have in the drivers possession a copy of the current certificate of inspection or AVI inspection certificate, a copy of the business license, proof of insurance as required in 4-15-2 (B). Failure to produce any of this information may result in the issuance of a citation.
(F) For the purpose of this section, the term "operate for hire upon the streets of Park City" shall not include the transporting, by a taxicab properly licensed in a jurisdiction outside the corporate limits of the city, of a passenger or passengers for hire where a trip shall originate with the passenger or passengers being picked up outside of the corporate limits of the city and where the destination is either within or beyond the city corporate limits. The term "operate for hire upon the streets of Park City" means and shall include the soliciting or picking up of a passenger or passengers within the corporate limits of the city, whether the destination is within or outside of the corporate limits of the city.
(G) All office space must comply with the Park City Land Management Code.

4- 15- 3. REQUIREMENTS FOR SHUTTLE OPERATION.
(A) No person shall operate or permit a shuttle owned or controlled by such person to be operated as a vehicle for hire in Park City without first having obtained a shuttle business license from the city in accordance with the procedures established in this chapter.
(B) No person shall operate or permit a shuttle owned or controlled by such person to be operated as a vehicle for hire upon the streets of Park City without first having obtained commercial

transportation insurance coverage for at least $1,500,000.00 per vehicle if the shuttle seating capacity is fifteen or less including the driver. If the vehicle seats sixteen or more passengers the owner is to provide proof of commercial transportation insurance coverage for at least $5,000,000.00 per vehicle. Proof of insurance shall be required upon the issuance of a shuttle business license.
(C) No person shall operate or permit a shuttle owned or controlled by such person to be operated as a vehicle for hire upon the streets of Park City without first having obtained a certificate of inspection.
(D) All vehicles that have been licensed by the city shall be issued two stickers that shall be used as identifying markings. One of the shuttle stickers is to be placed on the back of the vehicle, on the drivers side, below the window and above the bumper. The other shuttle sticker is to be placed in the center of the drivers door below the window. These stickers shall be issued by the city and the numbers on the sticker shall correspond to the numbers on the business license.
(E) All shuttle drivers shall have in the drivers possession a copy of the current certificate of inspection or AVI inspection certificate, a copy of the business license, proof of insurance as required in 4-15-3 (B). Failure to produce any of this information may result in the issuance of a citation.
(F) For the purpose of this section, the term "operate for hire upon the streets of Park City" shall not include the transporting, by a shuttle properly licensed in a jurisdiction outside the corporate limits of the city, of a passenger or passengers for hire where a trip shall originate with the passenger or passengers being picked up outside of the corporate limits of the city and where the destination is either within or beyond the city corporate limits. The term "operate for hire upon the streets of Park City" means and shall include the soliciting or picking up of a passenger or passengers within the corporate limits of the city, whether the destination is within or outside of the corporate limits of the city. This section allows a shuttle service to complete continuous trip service provided the service origination is outside of Park City Limits.
(G) All office space must comply with the Park City Land Management Code.

4- 15-4. FEES.
No taxicab or shuttle business license shall be issued or continued in operation unless the licensee thereof has paid an annual business regulatory fee established by the Park City Fee Resolution. Such fees shall be in addition to any other fees or charges established by proper authority and applicable to the licensee of the vehicle or vehicles under the licensee's operation and control.

4- 15- 5.TAXICAB AND SHUTTLE PERMITS FOR ALL VEHICLES AUTHORIZED UNDER BUSINESS LICENSE.
(A) A licensee is required to have the total number of vehicles authorized under such licensee's business license to obtain the taxicab and shuttle stickers required by Section 4- 15- 2 and 4- 15- 3 of this title, or its successor, for each and every vehicle.
(B) Nothing contained herein shall prohibit a licensee from having vehicles in excess of the number authorized under such licensee's certificate for the purpose of replacement or substitution of an authorized vehicle under repair, maintenance or breakdown; provided, however, any such vehicle shall not be used as a taxicab or shuttle other than as a replacement or substitution as herein provided.

4- 15-6. VEHICLE INSPECTION PRIOR TO LICENSING.
(A) Prior to the use and operation of any vehicle under the provisions of this chapter, the vehicle shall be thoroughly examined and issued a certificate of inspection.
(B) All taxicabs and shuttles shall have an annual inspection to insure the cleanliness and safety of each vehicle issued a taxicab or shuttle sticker.
(C) The inspection criteria shall be printed on the Vehicle Inspection Checklist and shall be completed by a State Inspection Certified Mechanic. The vehicle shall be thoroughly examined and upon successful completion of the inspection shall be issued a completed Certificate of Inspection by the city.
(D) A copy of a current AVI inspection shall fulfill the cities requirements for a certificate of inspection.

4- 15- 7. LICENSE REQUIRED FOR OPERATORS.
It is unlawful for any person to operate a taxicab or shuttle for hire upon the streets of the city without having first obtained and having then in force a valid taxicab driver's license endorsement or CDL class C driver's license with a P endorsement issued by the state, under the provisions of this chapter.

4- 15- 8. COMPLIANCE RESPONSIBILITY.
The licensee shall not be relieved of any responsibility for compliance with the provisions of this chapter, whether the licensee leases or rents taxicabs or shuttles to drivers, or whether the licensee pays salary, wages or any other form of compensation.

4- 15- 9. UNLICENSED OPERATOR UNLAWFUL.
It is unlawful for any person to drive a taxicab or shuttle for a fee without a valid driver's license issued under the provisions of this chapter.

4- 15- 10. STATE MOTOR VEHICLE ENDORSEMENT OR COMMERCIAL DRIVERS LICENSE REQUIRED .
(A) Before any application is finally passed upon by the finance manager, the applicant shall be required to show that such applicant has a current motor vehicle Z endorsement issued by the state authorizing the transportation of 15 or less passengers including the driver.
(B) A shuttle that seats sixteen or more passengers shall require the driver to have a valid CDL license with a Class C with a P endorsement.

4- 15- 11. COMPLIANCE WITH CITY, STATE AND FEDERAL LAWS.
Every driver licensed under this chapter shall comply with all city, state and federal laws. Failure to do so may result in the suspension or revocation of a business license by the city.

4- 15- 12. IDENTIFYING DESIGN.
(A) Each taxicab and shuttle shall bear on the outside of each rear or front door, in painted letters not less than five-sixteenths- inch stroke and more than two and one- quarter inches in height, the name of the licensee and the company number, which number shall also be painted or placed on the rear of the taxicab.

(B) The identifying design shall be permanent. The use of magnetic or removable signs is prohibited.

4- 15- 13. DISPLAY OF ADDITIONAL CHARGES.
All rates to be charged for the use of a taxicab or shuttle, shall be posted on the inside of the vehicle in such a manner as to be plainly visible to all passengers.

4- 15- 14. RECEIPTS FOR PAYMENT OF FARE.
The driver of any taxicab or shuttle shall, upon demand by the passenger, render to such passenger a receipt for the amount charged, either by a mechanically printed receipt or by specially prepared receipt, on which shall be the name of the owner, business license number, amount of charges, and date of transaction.

4- 15- 15. HIRING VEHICLE WITH INTENT TO DEFRAUD.
It is unlawful to any person to hire any vehicle defined in this chapter with intent to defraud the person from whom it is hired of the value of such service.

4- 15-16. REFUSING TO PAY LEGAL FARE.
It is unlawful for any person to refuse to pay immediately the legal fare of any of the vehicles mentioned in this chapter after having hired the same.

4- 15- 17. DIRECT ROUTE REQUIRED.
Any taxicab driver employed to carry a passenger to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his or her destination, unless otherwise directed by the passenger.

4- 15- 18. PROHIBITED SOLICITATION PROCEDURES .
(A) No driver shall solicit patronage in a loud or annoying tone of voice or by sign or in any manner annoy any person or obstruct the movement of any persons, or follow any person for the purpose of soliciting patronage.
(B) The driver of any taxicab or shuttle shall remain in the driver's compartment or immediately adjacent to their vehicle at all times when such vehicle is upon the public streets. The driver of a taxicab or shuttle is permitted to leave the drivers compartment when actively aiding passengers in loading or unloading the vehicle.

4- 15- 19. SOLICITATION OF HOTEL BUSINESS PROHIBITED.
It is a violation of this chapter for any driver of a taxicab to solicit business for any hotel, motel or other nightly lodging business, or to attempt to divert patronage from one hotel, motel or other nightly lodging business to another.

4- 15- 20. ENGAGING IN LIQUOR OR PROSTITUTION TRAFFIC PROHIBITED.
It is unlawful for any taxicab or shuttle driver to sell intoxicating liquor or to knowingly transport persons for the purpose of buying liquor unlawfully, or to solicit business for any house of ill repute or prostitute. It is also unlawful for any taxicab driver to permit any person to occupy or use his or

her vehicle for the purpose of prostitution, lewdness or assignation, with knowledge or reasonable cause to know that the same is or is to be used for such purposes, or to direct, take or transport, or offer or agree to direct, take or transport any person to any building or place, or to any other person, with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prostitution, lewdness or assignation.

SECTION II. **EFFECTIVE DATE.** This ordinance shall become effective upon publication.

PASSED AND ADOPTED this ____ day of ____________, 1998.

Park City Municipal Corporation

____

Bradley A. Olch, Mayor

Attestation by:

____

Jan Scott, City Recorder

Approved as to Form:

____

Mark D. Harrington, Deputy City Attorney

Exhibit A

Park City
Business License Fee Schedule

	Service Enhancement Fee		Administrative Fee	
	Rate	Unit of Measure	Rate	Unit of Measure
Ski Resort	*$0.210*	*Skier Day*	*$46.00*	*License*
Lodging	$15.40	Per Bedroom	$46.00	License
Restaurant / Retail				
Restaurant	$0.185	Per Sq. Ft.	$46.00	License
Outdoor Dining	$0.052	Per Sq. Ft.	$46.00	License
Retail	$0.185	Per Sq. Ft.	$46.00	License
Large Retail (Greater than 12,000 sq. ft.)	$0.129	Per Sq. Ft.	$46.00	License
Office / Other				
Office, Service, Other	$0.165	Per Sq. Ft.	$46.00	License
Warehouse	$0.047	Per Sq. Ft.	$46.00	License
Resort and Amusement	$0.828	Per User	$46.00	License
Miscellaneous				
Taxies, Shuttle, Buses and Limousine Services	$30.00	Per Vehicle	$46.00	License
Other Commercial Vehicles and Trailers	$6.00	Per Vehicle	$46.00	License
Employee Based	$3.00	Per Employee	$46.00	License
Commercial Vending, Game and Laundry Machines	$15.00	Per Machine	$46.00	License

PARK CITY
1884

DATE: November 12, 1997
DEPARTMENT: City Manager
AUTHOR: Jan Scott
TITLE: Canvass of Special Bond Election
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Adopt a resolution canvassing the November 3 Special Bond Election.

DESCRIPTION:

A. Topic: Canvass of Special Bond Election. The Open Space Bond was overwhelmingly supported by the Park City citizenry capturing 1,344 (77%) of the votes with 391 (23%) against.

B. Background: The Utah Code requires the Board of Canvassers (the Mayor and the municipal legislative body) to meet and canvass the results of the special election. The City Recorder is to prepare a certification of the canvass for the board to sign, which lists the number of votes, the number of votes received in each district, and the total of all votes casted. Bond Counsel Chapman and Cutler has prepared a draft resolution and excerpts are attached. Absentee ballots, postmarked by November 2, 1997 and received by noon the day of the canvass in Summit County, which is November 9, will be added to the total if not counted on election day. Final tallies will not be available until Thursday. The County Clerk will transit the vote totals to the Lieutenant Governor.

C. Analysis: The election results are not considered "official" until they are canvassed by the Board of Canvassers.

D. Department Review: N/A.

ALTERNATIVES:

A. Approve the Request: Recommended action.

B. Deny the Request: The Board of Canvassers can not reject election returns unless it determines that procedures have not been property completed, or that clerical mistakes exist which result in not being able to determine the number of votes cast for each candidate. Even then, it can only transit the returns back to the judges for correction and canvass when the corrections are completed. The County Clerk and City Recorder will witness the counting of the votes. The ballots are available in the County Clerk's Office if the Council wishes to inspect them.

C. **Continue the Item**: N/A.

D. **Do Nothing**: N/A.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: See B above.

RECOMMENDATION: Canvass and certify the results of the November 3 Special Bond Election by adopting a resolution to be presented at Thursday's meeting.

The resolution was presented to and approved and signed by the Mayor, was approved as to form and signed by the City Attorney and was attested and recorded by the City Recorder in the official records of said City. The resolution is as follows:

RESOLUTION NO. 18-98

A 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 $10,000,000 General Obligation Bonds of the City and providing for related matters, and ratifying and confirming acts done in connection therewith.

*** *** ***

WHEREAS, pursuant to a resolution duly adopted on September 24, 1998, a special bond election (the *"Special Bond Election"*) was called by this City Council of Park City, Summit County, Utah (the *"City Council"*), to be held on November 3, 1998, at the same time as the statewide regular general election, for the purpose of submitting to the qualified, registered electors of Park City, Summit County, Utah (the *"City"*) the bond proposition hereinafter set forth; and

WHEREAS, the Special Bond Election was duly and regularly held and the results thereof on the proposition at each polling place have been counted and tabulated by the automatic tabulating equipment employed in the electronic voting system used in conjunction with the Special Bond Election; and

WHEREAS, the returns printed by the automatic tabulating equipment used to count the votes cast at the Special Bond Election, to which were added validly cast absentee votes, have been certified by this City Council as the official return from each and every polling place established for the Special Bond Election; and

WHEREAS, the Statement of Disposition of Ballots form and the Total Votes Cast form prepared for the polling place for each regular voting precinct established for the Special Bond Election by the judges of election appointed to conduct the Special Bond Election have been certified by such judges of election to this City Council; and

WHEREAS, a majority of the qualified, registered electors of the City who voted at the Special Bond Election voted in favor of the bond proposition hereinafter set forth, and the results of the Special Bond Election have today been officially canvassed by this City Council and declared to have resulted in favor of the approval of the bond proposition hereinafter set forth;

NOW, THEREFORE, Be It Resolved by the City Council of Park City, Summit County, Utah, as follows:

Section 1. There having been furnished to the City Council the returns of the Special Bond Election held in the City on November 3, 1998, printed by the automatic tabulating equipment employed in conjunction therewith, the Statement of Disposition of Ballots form and the Total Votes Cast form prepared for the polling place for each regular voting precinct established for the Special Bond Election, including duplicate lists of the names of each person offering to vote at the Special Bond Election who was challenged for cause as to his or her right to vote by an election official, or by any other person, the grounds for such challenge and whether such person was permitted to vote, and after examination and canvass of the materials, including such lists of challenged voters, it is hereby officially found, determined and declared that, as to the proposition set forth in full in Section 2 of this resolution, __________ ballots were issued, __________ number of votes were cast, of which __________ votes were in the affirmative and __________ votes were in the negative, __________ ballots were not voted, __________ ballots were determined to be mutilated; and __________ voters were challenged, and of the challenged voters, _____ were permitted to vote.

Section 2. At the Special Bond Election on the proposition appearing below, a majority of the qualified, registered electors of the City voting on the proposition and a majority of the qualified, registered electors of the City receiving ballots have assented to the issuance of the bonds described in such proposition. Therefore, the City is authorized to proceed with the issuance of the bonds specified in the following proposition:

> Shall Park City, Utah be authorized to issue general obligation bonds in an amount not to exceed Ten Million Dollars ($10,000,000) payable and due in no more than 15 years from the date or dates of said bonds to acquire and forever preserve undeveloped park and recreational land and amenities?

Section 3. The returns printed by the automatic tabulating equipment employed to count and tabulate the votes cast at the Special Bond Election and to which have been added validly cast absentee votes, a true and correct copy of the returns being attached hereto as *Exhibit B,* are hereby certified by the City Council as the official returns for the Special Bond Election from each and every polling place established for the Special Bond Election.

Section 4. At the Special Bond Election, only qualified, registered electors of the City under the Constitution and laws of the State of Utah were permitted to vote on the proposition submitted at the Special Bond Election.

Section 5. Notice of the Special Bond Election, embracing all matters required by law to be contained therein, was given by publication on October 7, 1998, October 14, October 17, 1998, October 21, 1998 and October 28, 1998 in *The Park Record*, a newspaper of general circulation in the City that has been designated pursuant to Section 11-14-21 of the Utah Code Annotated 1953, as amended (the *"Utah Code"*), as the "official newspaper" of the City for such purposes, the date of the first of these publications being not less than twenty-one (21) days nor more than thirty-five (35) days prior to the date set for the Special Bond Election. The notice, as published, is hereby in all respects approved, ratified and confirmed. The City Council did, by resolution adopted on September 24, 1998, designate the polling places for the Special Bond Election and did provide or cause to be provided the necessary voting devices, voting booths, ballot boxes, ballots, ballot labels, paraphernalia, equipment and supplies needed for the conduct of the Special Bond Election. There were furnished to the election judges for each polling place a registration list or copy thereof listing all registered electors entitled to use such polling place to vote in the Special Bond Election. Only persons registered and qualified as electors and entitled to vote in the Special Bond Election under the Constitution and laws of the State of Utah voted at the Special Bond Election. Duplicate lists were prepared showing the name of each person offering to vote who was challenged for cause by an election official, or by any other person, the grounds for such challenge and whether such person was permitted to vote. The ballots and ballot labels used at the Special Bond Election were in the form provided by law. The officials to serve at the Special Bond Election were duly and properly appointed by the City Council. The places of all absent election judges were properly filled in accordance with law. Before opening the polls, the election judges were properly sworn in accordance with law. The polls at the polling places were opened at 7:00 A.M. and remained open until, and not later than, 8:00 P.M. After the closing of the polls, the ballots were properly handled, counted and tallied, the necessary records were made by the election judges and all other election officials in accordance with law, and all ballots, ballot labels and absent elector ballots delivered to such election officials were sealed and delivered to the County Clerk of Summit County, Utah (the *"County Clerk"*), the City Recorder of the City and the City Council as required by law. All votes cast by absentee ballots received as required by law by the County Clerk, were counted and the resulting tally added to the official canvass by the City Council and the returns printed by the automatic tabulating equipment in the manner prescribed by law. All things whatsoever required by law to be done in connection with the calling and holding of the Special Bond Election and the counting of the results of the Special Bond Election were properly and duly performed in manner and form as required by law.

Section 6. The City Council hereby ratifies, confirms, approves and finds to be in all respects regular and in compliance with law all proceedings taken, acts performed, notices given, ballots, ballot labels, absentee ballots and elector's oaths printed, election officials appointed, including the election officers appointed to test and operate the automatic tabulating equipment employed to count the votes cast at the Special Bond Election, polling places used and things done in connection with the calling, giving notice and holding of the Special Bond Election and the counting of the votes cast at the Special Bond Election pursuant to use of an electronic voting system in accordance with the provisions of Chapter 4 of Title 20A of the Utah Code.

Section 7. The City Council having adopted this resolution pursuant to the provisions of Section 11-14-11 of the Utah Code, determining that a majority of the qualified, registered electors of the City voting on the aforesaid proposition assented to the issuance of such bonds, the City is, therefore, authorized to proceed to issue the bonds voted at the Special Bond Election as permitted in Section 11-14-13 and Chapter 27, Title 11 of the Utah Code.

Section 8. The bonds approved at the Special Bond Election shall be sold as provided by law.

Section 9. This resolution shall be effective immediately upon its adoption.

ADOPTED AND APPROVED this 12th day of November, 1998.

PARK CITY, SUMMIT COUNTY, UTAH

____
Mayor

[SEAL]

____
City Recorder

APPROVED AS TO FORM:

By________________________________
City Attorney

COUNCIL AGENDA REPORT

DATE: November 12, 1998
DEPARTMENT: Public Works
AUTHOR: Hope E. Bleecker, Transportation Director 11/9/98
TITLE: Ampco System Parking Contract Renewal
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Authorize staff to renew the parking enforcement contract with Ampco System Parking (Ampco) for the period beginning November 1, 1998 and ending October 31, 1999 in an amount not to exceed $180,499.

A. Topic. On-Street Enforcement Contract Renewal.

B. Background.

In November 1996, Park City Municipal Corporation entered into a one-year contract (with the option to extend up to another two years) with Ampco System Parking for enhanced parking enforcement services. The contract was renewed on November 15, 1997 to include paid parking enforcement and collections services. The City selected Ampco to provide this new and enhanced level of service following a Request for Proposals in 1997. Ampco has been performing well under the existing contract and received a favorable audit on June 11, 1998 which satisfied the original performance criteria specified in the 1997 contract.

C. Analysis.

In the interest of maximizing provider competitiveness, the City issued another Request for Proposals in September 1998 with few changes to the originally specified services which were operated during the 1997 contract period. The performance evaluation criteria were:

1) Demonstrated Knowledge of Experience in Parking Enforcement; especially for Small Municipal Organizations;
2) Overall Proposal Cost;
3) Quality of Relevant Information and Proposal Completeness;
4) Plan and Strategy for Effective Enforcement;
5) Plan for Collections on Past Due Tickets According to Existing City Policy;
6) Ability to Work Successfully with the City.

Proposals were judged on a scale of 100 points. Cost was not the sole determining factor. Low bidders received 35 points and deductions were calculated according to variance from low bid. Three proposals were received and were ranked according to the above-listed criteria by representatives from the Legal and Public Works Departments.

Proposal Ranking
1) Ampco System Parking, $180,499.
2) Diamond Parking Services, $176,652.
3) Central Parking Systems, $205,621.

The top two proposers delivered similar proposals and were then interviewed by the panel. Pursuant to that exercise, a contract renewal with Ampco was recommended.

Contract Scope of Services

The Scope of Services remains the same as previously specified in last year's contract with respect to operating plan, maintenance of an office in the Parking Services Division, uniform policies, and ticket and meter revenue collections, parking meter maintenance, and various support services. The proposal budget and enforcement schedule are attached. Ampco's cost proposal is almost identical to the 1997 cost proposal for operating expenditures related to the City's enforcement program.

Pursuant to this contract renewal, the City will work with Ampco to revise existing ticketing and scofflaw enforcement policies in order to maximize collections. Any changes to operating policies are not anticipated to increase the scope of services of this contract or dollar expenditures related to this contract. Any significant changes to ticket collection or to other operating policies will be submitted to the Council at a later date.

D. Department Review:

This staff report and the Ampco proposal have been reviewed by representatives from the Legal Department, Public Works, and the City Manager's Office. All agree with the recommended action to renew the Ampco contract for a period of one year.

ALTERNATIVES:

1) Renew Contract. The Council could authorize an extension of Ampco's contract for one year with an option to renew without further bid process as was specified in the recent RFP. This action would incorporate the same Scope of Services with the existing defined performance standards and provisions for termination. Ampco will be subject to an annual audit. This is the staff recommendation.

2) Negotiate with Other Private Providers of Parking Enforcement Services. Diamond Parking and Central Parking were ranked as numbers 2 and 3 in the proposal process respectively. Although Diamond was the low bidder, the company did not supply the City with a significant reason to discontinue its relationship with the incumbent provider. Central Parking's proposal did not surpass the quality of either Diamond or Ampco, and was $25,000 out of the preferred cost range.

3) Make Parking Enforcement a Staff Function. The Council could direct that City staff take over parking enforcement. To implement this strategy for the winter season would be extremely difficult and more costly than contracting for the service. Nothing in our experience with the enforcement service last year has changed the opinion of staff given the cost savings and successful operation of Ampco over the last 12 months.

4) Continue the Item. The contract with Ampco ended on October 31, 1998. If the item were continued for one week, staff would most likely be able to work with Ampco to extend their contract. Delaying action for more than one week would significantly affect staff's ability to implement increased enforcement on November 16. If the Council continues the item, the members should indicate what additional information is requested.

SIGNIFICANT IMPACTS:

The significant impacts of this contract have been discussed within the analysis and alternative sections of the report. The contract renewal covers a 12 month period and will cost the City $180,499. Provisions for the contract are included within the FY 99 budget and will be offset by parking enforcement and paid parking revenues.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

Each alternative to the recommended action could affect staff's ability to implement the parking enforcement and paid parking program this year. Internalizing parking enforcement would cost more to operate and seeking another private provider would likely delay the enforcement of the parking program. Delays in action can jeopardize the already tight time schedule for implementing pay parking. If the Council wishes to go in another direction, staff strongly recommends that action be taken on November 19. Continuing action for one week for minor revisions or clarifications does not represent a serious issue.

RECOMMENDATION:

Renew the parking enforcement contract with Ampco System Parking for a one year period beginning November 1, 1998 and ending on October 31,1998.

Park City Enforcement Contract
1998-99 Cost Proposal

Total Annual Staff Salaries based on Manager plus specified levels of Service:	$111,464.50
Total Cost Per Hour to Add Additional Staff when Needed:	
Enforcement Officer:	$11.25
Supervisor:	$12.57
Total Annual Equipment Costs:	$900.00 *
Total Annual Supply Costs:	$3,000.00
Total Annual Overhead:	$35,947.30 **
Total Annual Profit (Ampco):	$18,000.00
Total Cost Per Month based on Contractor's monthly or Quarterly Draw-down Schedule:	
Nov-98	$14,799.84
Dec-98	$17,639.83
Jan-99	$17,673.56
Feb-99	$16,504.47
Mar-99	$17,639.83
Apr-99	$14,391.11
May-99	$11,738.18
Jun-99	$11,524.59
Jul-99	$17,662.32
Aug-99	$17,651.07
Sep-99	$11,535.83
Oct-99	$11,738.18
Total Project cost not to exceed:	**$180,498.81**

*Maintenance only, no additional equipment needed.
**Includes: payroll taxes, worker's comp., GKLL Insurance & PL/PD

Park City Enforcement Staffing Schedule
1998-99

Route	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Main	Officer #2 11a.m.-8p.m.	Officer #1 11a.m.-8p.m.	Officer #1 11a.m.-8p.m.	Officer #1 11a.m.-8p.m.	Officer #1 11a.m.-8p.m.	Officer #1 11a.m.-8p.m.	Officer #2 11a.m.-8p.m.
Swede Alley	Officer #4 11a.m.-8p.m.	Officer #3 11a.m.-8p.m.	Officer #3 11a.m.-8p.m.	Officer #3 11a.m.-8p.m.	Officer #3 11a.m.-8p.m.	Officer #3 11a.m.-8p.m.	Officer #4 11a.m.-8p.m.
Short Term	Officer #6 11a.m.-8p.m.	Officer #5 11a.m.-8p.m.	Officer #5 11a.m.-8p.m.	Officer #5 11a.m.-8p.m.	Officer #5 11a.m.-8p.m.	Officer #5 11a.m.-8p.m.	Officer #6 11a.m.-8p.m.
Residential	Wknd. Supervisor**	Officer #7 11a.m.-8p.m.	Officer #7 11a.m.-8p.m.	Officer #7 11a.m.-8p.m.	Officer #7 11a.m.-8p.m.	Officer #7 11a.m.-8p.m.	Wknd. Supervisor**
Wknd. Supervisor	Officer #8 11a.m.-8p.m.	Off Duty	Off Duty	Off Duty	Off Duty	Off Duty	Officer #8 11a.m.-8p.m.
Manager	Off Duty	Gareth J. 7a.m.-4p.m.*	Gareth J. 11a.m.-8p.m.	Gareth J. 11a.m.-8p.m.	Gareth J. 11a.m.-8p.m.	Gareth J. 11a.m.-8p.m.	Off Duty

*Meter Collections
**Weekend Supervisor also works route

Park City On Street Enforcement
98-99 Budget

	November	December	January	February	March	April	May	June	July	August	September	October	
Hourly Payroll	$6,596.00	$9,027.00	$9,052.50	$8,168.50	$9,027.00	$6,570.50	$4,564.50	$4,403.00	$9,044.00	$9,035.50	$4,411.50	$4,564.50	$84,464.50
Salaries	$2,250.00	$2,250.00	$2,250.00	$2,250.00	$2,250.00	$2,250.00	$2,250.00	$2,250.00	$2,250.00	$2,250.00	$2,250.00	$2,250.00	$27,000.00
P/R Taxes and Benefits	$2,852.84	$3,636.83	$3,645.06	$3,359.97	$3,636.83	$2,844.61	$2,197.68	$2,145.59	$3,642.32	$3,639.57	$2,148.33	$2,197.68	$35,947.30
Health and Welfare	$326.00	$326.00	$326.00	$326.00	$326.00	$326.00	$326.00	$326.00	$326.00	$326.00	$326.00	$326.00	$3,912.00
Equipment Maintenance	$75.00	$75.00	$75.00	$75.00	$75.00	$75.00	$75.00	$75.00	$75.00	$75.00	$75.00	$75.00	$900.00
Uniforms	$600.00	$225.00	$225.00	$225.00	$225.00	$225.00	$225.00	$225.00	$225.00	$225.00	$225.00	$225.00	$3,075.00
Supplies	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$250.00	$3,000.00
Tickets	$350.00	$350.00	$350.00	$350.00	$350.00	$350.00	$350.00	$350.00	$350.00	$350.00	$350.00	$350.00	$4,200.00
Management Fee	$1,500.00	$1,500.00	$1,500.00	$1,500.00	$1,500.00	$1,500.00	$1,500.00	$1,500.00	$1,500.00	$1,500.00	$1,500.00	$1,500.00	$18,000.00
	$14,799.84	$17,639.83	$17,673.56	$16,504.47	$17,639.83	$14,391.11	$11,738.18	$11,524.59	$17,662.32	$17,651.07	$11,535.83	$11,738.18	$180,498.80

PARK CITY
1884

CITY COUNCIL
STAFF REPORT

DATE:	**November 12, 1998**
DEPARTMENT:	**Community Development**
AUTHOR:	**Megan B. Ryan** MBR
TITLE:	**501 Rossie Hill Drive - Master Planned Development and Record of Survey plat for 11 units**
TYPE OF ITEM:	**Call-up - De Novo Review**

SUMMARY RECOMMENDATIONS: Evaluate the Planning Commissions approval of a Master Planned Development at 501 Rossie Hill Drive under Chapter 10 and 15 of the Land Management Code (LMC).

DESCRIPTION

A. Project Statistics

Owners: Craig Masters and Richard Dudley, Silver Pointe LLC
Zoning: HR-1/Estate/RM
Adjacent Land Uses: Residential/Hillside

B. Background

The application involves two parcels. One piece is a metes and bounds parcel in the Estate zone and RM zone. This piece is known as the "Slipper parcel". The 2.75 acre site is bisected by the gravel road, Rossie Hill Drive. The remainder of the site is adjacent to the Slipper parcel to the south and is known as Block 62. This area consists of seventeen lots of various sizes with various access all under the same ownership. The project site is located in the HR-1 zone in the Historic District, the Estate Zone and a minor portion in the RM zone.(See Exhibit A and B for location and parcel maps)

The proposal for the 11 unit project was processed as a Small Scale MPD because it is less than 50 units (Section 1.14 of the LMC). A Record of Survey plat was also processed in order to resolve ownership and platting issues.

After several public hearings the project was approved as an MPD for 11 units by the Planning Commission at their meeting of October 7, 1998. (See Exhibit I for meeting chronology and minutes).The Commissioners also voted to forward a positive recommendation to the City Council on the Record of Survey plat.

C. Analysis

The project that was approved involves 11 units, four duplexes and three single family homes. A transfer of density occurred under the MPD process. Density from Block 62 was transferred over to the Slipper Parcel. The numbers and base density for this project are not as clearly defined as in other projects because the project involved a metes and bounds parcel and platted lots with varied access. The staff ran a variety of density scenarios, Exhibit E, that illustrated a range of possible densities. In this analysis, the minimum for the Block 62 was 5 units and the maximum 13. The maximum density for the Slipper Parcel was 1 unit which would have required a variance from the Board of Adjustment for construction on less than the minimum lot size.

The staff also encouraged the Commissioners to use the site planning criteria outlined in Chapter 10 of the Land Management Code. Criteria such as site design, circulation, visual impact, physical impact, neighborhood compatibility, mass, scale, design and open space criteria are all tools for review in the MPD process. The Commission and staff did not always agree on these issues and the final approval did not reflect some of the staff's earlier recommendations, specifically the overall allocations of units across the site.

The Commission deliberations on these issues resulted in the following site plan offered by the applicant:

Block 62:

The applicant proposes to construct 2 duplexes and one single family home on Block 62. On the duplexes the square footage proposed equates to 2,200 sf. per unit plus a deck of 550 square feet (a maximum of 5,500 sf. per duplex including garages). The single family home is proposed to be 2,750 square feet including deck (550s.f) and garage (400 s.f). The total square footage for the site is 13,750 square feet. The duplexes and single family homes are proposed to be used for short term and nightly rental uses, allowed uses in the zones.

The height of the duplex structures will comply with the Land Management Code at the time of building permit submittal. The height on the single family home has been limited to 20' in order to mitigate the visual impact of the units from several vantage points across town.

Setbacks proposed on Block 62 are 10' off of unimproved Swift, McHenry and Rossi Hill Drive. Approval of these setbacks indicate that the Commission is granting the developer flexibility in the code interpretation by treating yards adjoining Swift and McHenry as side yards not as front yards. The minimum setback is for the HR-1 zone is still observed. Design review of each structure will be subject to Historic District Commission review and approval.

The applicant is also requesting that grading encroachments occur in unimproved McHenry. The minor grading will allow the structures to meet the minimum setbacks for sideyards and will provide the structures with a small yard area. All work in the right-of-way must be approved by the City Engineer.

Slipper Parcel:

The applicant's proposal consists of 6 units (two single family homes and two duplexes). All the units are proposed at 3,000 square feet for a total of 18,000 square feet across the site. Decks of 600 sf. and garages of 600 feet are included in this number.

The setbacks on the project have been revised to reflect 30' setbacks around the perimeter of the property. The interior lot lines are proposed at 10' for units 6-10. The applicant has demonstrated that a portion of Unit 11 is located in the RM zone.

The applicants proposal for a 10' rear yard and 15' front yard for Unit 11 complies with the RM zone for rear yard and side yard setbacks.

Heights are proposed at 28/33' for all units per Chapter 7 of the Land Management Code. The applicant proposes to fill the existing depression on the Slipper Parcel by approximately 8 feet on that one portion of the site. The applicant proposes that the height for any structures on that lot be measured from the finished grade after the fill.

Open Space:

Under this proposal, approximately 67% open space is proposed. The MPD process requires 60% of open space. The approval requires that the open space be platted as non-buildable area and snow storage area. The applicant has proposed to donate portions of the open space area as Conservation Open Space areas.

Utilities:

Utilities were originally proposed to run down unimproved Provo Avenue. Currently they are proposed to run under Rossie Hill Drive. Staff fully supports this alternate plan that will protect the steep hillside and existing vegetation. The MPD was approved with this specific placement on Rossi Hill Drive.

Circulation/ Street Improvement:

Rossi Hill Drive is proposed to be improved, paved with curb and gutter, through to Ontario Drive. The result will be a 25 feet hard surfaced road with a 50-foot right-of-way provided. Snow storage is proposed on the north side of the Slipper Parcel.

A private drive/courtyard area is proposed for access to the units on Block 62. Retaining walls will be required and significant care will be needed during construction to save the existing vegetation near this cut. An encroachment permit will also be needed for the portions of the drive that are proposed to be constructed in unimproved Provo Avenue. A Construction Mitigation plan will be required to address this issue prior to any building permit issuance.

The Planning and Engineering staff also recommend that the road improvements be done prior to plat recordation on order to ensure that the road can actually be improved since the city would be relying on quit-claim deeds in this area. A condition has been added to this effect.

These conditions will allow the plat to be recorded, yet limit the City's exposure to title problems with the proposed road.

Design:

The applicant has submitted preliminary design guidelines of all the units in the project for review. All the parcels in the HR-1 zone will require Historic District Commission review for compliance with the Historic District Guidelines. The parcels in the estate zone would follow the general design guidelines in Chapter 9 and those set by the Homeowners Association.

Issues for Discussion:

1. Is the base density appropriate for the site and does it result in the best site plan for the area?

This question was the most difficult issue for the Commissioners to ascertain. This issue is important because the staff per Chapter 10 of the LMC was attempting to make the argument that the topography of the project as a whole lent itself to development on the Slipper Parcel not Block 62. The Slipper Parcel has been disturbed physically and is the least sensitive part of the project visually. Chapter 10 allows the Commission to transfer density across the site. The staff introduced the idea that a transfer of density from Block 62 to the Slipper parcel could result in less disturbance on Block 62 and a higher density on the Slipper parcel.

The staff was trying to negotiate a density configuration that provided a "clustered development in the least visually sensitive portions of the site with common open space corridors separating clusters" and "protected ridges from development which would be visible on the skyline from prominent areas in Park City" per Chapter 10, Section H of the LMC.

2. How did we determine the range of densities?

The Slipper Parcel is clearly one unit <u>with</u> a variance approval. The actual house size would be determined through the variance process. (The staff would recommend a maximum house size of approximately 4,500 square feet if this process was to occur - July 2, 1998 recommendation.)

This project does not have a clear black and white density determination on Block 62 because the project involves the request to utilize unimproved city right- of- ways. The staff provided an analysis of the possible ranges that could be achieved on Block 62. The number of units inherently corresponds with the overall square footage developed. The staff approached the analysis on Block 62 by looking at the underlying zone, HR-1, and its corresponding FAR's, the platted lots and the use of unimproved city rights- of -way.

Without improving the unimproved city rights-of -way, McHenry, Provo and Swift, and with the improvement of Rossie Hill Drive, the staff believes that the applicant, under a permitted use scenario, could obtain 5 single family units off of Rossie Hill Drive totaling 10,000 square feet. The maximum number that the applicant could obtain, which would involve the construction of McHenry, Swift and Provo, the improvement of Rossie Hill Drive and administrative plat amendments, would be 13 single family units totaling approximately 14,200 square feet. Decks of 600 square feet were approved bring the total to 18,000 square feet. (See Exhibit E for complete staff analysis and applicant's analysis. The staff and applicant do not agree on these calculations.)

The Commission approved five units across the site totaling approximately 11,000 square feet, including garages. Decks of 550 square feet were also approved which brings the total to 13, 750 square feet. On the Slipper parcel the Commission approved six units totaling approximately 18,000. This site design disturbs both sites significantly.

The following selected review criteria from Chapter 10 and Chapter 15 of the Land Management Code were used in evaluation of the project:

GENERAL CRITERIA FOR REVIEW. A Master Planned Development shall implement the purposes of this ordinance and of this section. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in the Sensitive Area Overlay Zone Regulations. In addition, shall meet the following standards and requirements:

Uses Permitted. The uses in a Master Planned Development must be uses that are shown on the land use table in Chapter 7 as permitted or conditional uses in the zoning district in which the Master Planned Development is located. In addition the approving agency may permit limited commercial uses (as shown on the Land Use Table) not generally associated with the residential zone if, in the opinion of the approving agency, such uses are primarily for the service and convenience of the residents of the development and the immediate neighborhood. Such uses, if any, shall not change or destroy the predominantly residential character of the Master Planned Development. The amount of area and type of such uses, if any, to be allowed in a residential Master Planned Development shall be established by the approving agency on the basis of these criteria:

1. Relationship to the Purpose and Policies of the Comprehensive Plan. The Master Planned Development must be consistent with the purposes and polices of the Comprehensive Plan as set forth therein.

2. Relationship to Surroundings. The Master Planned Development's relationship to its surroundings shall be considered in order to avoid adverse impacts caused by traffic circulation, building height or bulk, lack of screening, ridge line and view corridor intrusion, wetland encroachment, or intrusions on privacy.

b)Maximum Density Requirements. The requirements of Chapter 7 (Use Tables) regarding maximum densities shall apply to all Master Planned Developments except as may be allowed pursuant to Chapter 11, Master Planned Moderate Income Housing Development.

(c) Open Space. A minimum of 60% open space shall be required for all master planned developments. In approving an MPD, the Planning Commission shall designate the type and mix of open space to be provided (natural neighborhood, recreational, common or private). MPDs which are portions of large scale MPDs already providing 60% open space will not be required to provide an additional 60% open space. Commercial projects which are in the GC zone and all commercial projects on Main Street shall also be excepted from providing 60% open space.

(d) Off-Street Parking. The number of off-street parking spaces in each Master Planned Development may not be less than the requirements stated in Chapter 13, Off Street Parking, except that the reviewing agency may increase or decrease the required number of off-street parking spaces in consideration of the following factors:

1.Probable number of cars owned or required by occupants of dwellings in the Master Planned Development;

2.Parking needs of any non-dwelling uses, including the traffic attracted to commercial uses from off-site;

3.Varying time periods of use, whenever joint use of common parking areas is proposed.

4.Whenever the number of off-street parking spaces is reduced because of the nature of the occupancy, the approving agency shall obtain assurance that the nature of the occupancy will not change. No parking reductions shall be granted for developments requiring eight or fewer parking spaces. Parking requirements are stated in Chapter 13.

(e)Variations in Setbacks. The setback requirements of Chapter 7 shall apply to Master Planned Developments except that the reviewing agency may reduce setbacks in consideration of site planning issues addressed in this chapter. Variations in setbacks, if requested, shall be addressed in the written statement and shall be specifically called out on the Master Planned Development site plan, or shall be handled through a Master Planned Development control document to be submitted as part of the written statement. Minimum setbacks along the boundaries of the site must be observed.

(g)Nightly Rentals, Timesharing, and Condominiumization to be Declared. If nightly rentals are desired in a Master Planned Development, this must be declared at the time of application. If timesharing, as defined by ordinance or nightly rental use, is desired in a Master Planned Development that has already been approved by the City, a conditional use permit must be obtained and the project instruments must either be drafted initially or amended by the required majority (in no event less than 65%) to explicitly and prominently authorize timesharing within the project. If the Master Planned Development is to be turned into a condominium, as defined in the Code, it must be declared at the time of application, or the condominium conversion fees and review will apply to the subsequent change.

(h)Site Planning. The approving agency must be satisfied that the site plan for the Master Planned Development has met each of the following criteria or can demonstrate that one or more of them is not applicable, and that a practical solution consistent with the public interest has been achieved for each of these elements:

1.The relationship of these areas to other areas, structures, and uses within the Master Planned Development.

2.The degree to which these areas contribute to the quality, livability, and aesthetics of the Master Planned Development.

3.Protect ridges from development which would be visible on the skyline from prominent areas in Park City.

4.Units should be clustered in the most developable and least visually sensitive portions of the site with common open space corridors separating clusters. This applies to both multi-family and single family projects. The open space corridors should be designed to coincide with significant vegetation and in may cases, should be left in the natural state. Open space areas will be the maintenance responsibility of the homeowners. Any areas not left in a natural state should be designed for water conservation.

5.Roads and utility lines should be designed to work with the existing grade and cut and fill slopes should be minimized. Roads and utilities should be placed so that disturbance of significant vegetation is minimized.

6.Existing natural drainage ways should be maintained and designed around.

7.Consideration must be given to soil conditions and ground water existence.

8.Trails and sidewalks should be provided to allow efficient internal circulation as well as links to adjacent trail systems on other properties. Existing trails should be maintained and incorporated into open space elements of the project. This may include trails for pedestrian, bicycle, or equestrian circulation. Construction of new trails will be required concurrently with the installation of other public improvements.

Although required trails may not link to adjacent rails immediately, each trail is a vital part of an overall master plan. In most cases, the homeowners will be required to maintain the trails.

9.A separate plan which addresses limits of disturbance and vegetation protection during construction and revegetation of disturbed areas will be required. This shall include construction necessary for all project improvements such as roads and utilities.

10.Common open space is encouraged and may be counted as part of the required open space within a Master Planned Development provided they are to be used and are suitable for scenic, landscaping, or recreational purposes and they are on land which is accessible and available to persons for whose use the common park area is intended, and ownership is vested in a way that preserves the open space.

11.Common open spaces in a Master Planned Development site shall be preserved and maintained as provided for in an irrevocable dedication declaration, or restrictive covenants approved by the reviewing agency and filed and recorded in the office of the County Recorder, or other mechanisms acceptable to the approving agency. The irrevocable dedication, covenant, and declaration shall take place as mutually agreed upon by the approving agency and the applicant, provided, however, no building permit shall be issued for the Master Planned Development until the dedications, covenants, and declarations have been filed and recorded. The areas designated in the covenants as common open space shall be maintained, repaired, preserved, and retained as open spaces by the owners in common of the property and/or the developer.

12.Circulation in terms of an internal street circulation system designed for the type of traffic generated, safety, separation from living areas, convenience, access, noise, and exhaust control. Private internal streets may be permitted if they can be used by police and fire department vehicles for emergency purposes. Width, and cul-de-sac design must accommodate fire fighting apparatus. Bicycle traffic shall be considered and provided for and, where appropriate, connection of the bike and pedestrian system to other city systems shall be addressed. Proper circulation in parking areas in terms of safety, convenience, separation, and screening shall also be considered.

13.Utilities shall be addressed in terms of adequacy, availability, and locations of services.

14.Variety shall be addressed in terms of housing type, densities, facilities, and open space.

15.Privacy shall be addressed in terms of the needs of individuals, families and neighbors, and adjoining land owners.

16.Pedestrian traffic shall be addressed in terms of safety, separation, convenience, access to points of destination, and attractiveness.

17.Building type shall be addressed in terms of appropriateness to density, site relationship, and bulk.

18.Building design shall be addressed in terms of orientation, spacing, materials, color and texture, storage, signs and lighting, and compliance with the architectural criteria contained in the Land Management Code appendices.

19.Landscaping of the total site shall be addressed in terms of purpose of planting such as screening or ornamentation; hard surface materials used, if any; maintenance, water needs, suitability; and effect on the neighborhood.

(I)<u>Building and Lot Requirements</u>. Buildings may be attached, semi-detached, or individual units. The uses within buildings may be mixed. The separation between detached buildings shall be a minimum of ten feet.

3.At least 60% of the area of any site, subject to a Master Planned Development review shall remain as open space, not counting roads.

15.1.3. <u>PURPOSES</u>. These regulations are adopted for the following purposes:

(a)To protect and provide for the public health, safety, and general welfare of Park City.

(b)To guide the future growth and development of Park City, in accordance with the Comprehensive Plan.

(c)To provide for adequate light, air, and privacy, to secure safety from fire, flood, landslides and other geologic hazards, mine subsidence, mine tunnels, shafts, adits and dump areas, and other danger, and to prevent overcrowding of the land and undue congestion of population.

(d)To protect the character and the social and economic stability of all parts of Park City and to encourage the orderly and beneficial development of all parts of the municipality.

(e)To protect and conserve the value of land throughout the municipality and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.

(f)To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities.

(g)To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic, throughout the municipality, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.

(h)To establish reasonable standards of design and procedures for subdivisions, resubdivisions, and lot line adjustments, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivided land.

(I)To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision, resubdivision, or lot line adjustment.

(j)To prevent the pollution or degradation of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; to minimize site disturbance and the removal of native vegetation and soil erosion; and to encourage the wise use and management of natural resources throughout the municipality In order to preserve the integrity, stability, and beauty of the community and the value of the land.

(k)To preserve the natural beauty and topography of Park City and to insure appropriate development with regard to these natural features.

(l)To provide for open spaces through the most efficient design and layout of the land, including the use of flexible density or cluster-type zoning in providing for minimum width and area of lots, while preserving the density of land as established in the Land Management Code of Park City.

Department Review

The Community Development Department and City Attorney's Office have reviewed this request.

Notice

The property was posted and all owners within the 300' of the property were noticed on April 29, 1998, June 8, 1998, August 11, 1998 and October 20, 1998. The staff received several inquiries from adjacent property owners. Public input was received at each public hearing at the Planning Commission level (minutes and letters attached as exhibits). The neighborhood concerns voiced at these meetings centered around the incompatibility of the project in the neighborhood, mainly due to the size and the amount of structures propose and snow removal and safety issues.

ALTERNATIVES

A. Approve as conditioned.

B. Modify or deny.

C. Continue.

RECOMMENDATION:

Discuss application and direct staff as to the Council's recommendations.

Exhibits: [Under separate cover]

Exhibit A - Final Conditions of Approval 1998 MPD and Record of Survey Plat & 1998 Approved MPD site plan/Conceptual Design/Site Section Block 62
Exhibit B- Location map
Exhibit C- Vantage Points
Exhibit D- Plat map of existing parcels - Block 62 & Slipper parcel w/density analysis
Exhibit E- Density Analysis (Exhibits C&D) from Staff Report 1/98, 5/98 & 6/98
Exhibit F- 1997 Subdivision and plat amendment proposal
Exhibit G- Public Input Letters
Exhibit H- Neighborhood Compatibility Square Footage Surveys Applicant & Neighborhood
Exhibit I - Summary of meeting dates and Minutes of Planning Commission meetings on MPD application 1998