



**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
May 29, 2014**

**Work Session  
Council Questions and Comments and Manager's Report**

Council member Henney participated in the bus rodeo and had a great time driving a bus. Had the pleasure of calling the Park City Police Department regarding a roof top party across from his condo which they responded to very quickly. Attended COSAC and Planning Commission which were uneventful. Shared an email from Planning Commissioner Steve Joyce sent out regarding the local use of shared bicycles. Would like to see bike racks added to the City plans/projects. Beerman would like to see Master Plan developments to include bike racks in their projects. Council agreed that they would like to see this back as a work session item. Also got clarity from Brooke Moss regarding the pay plan in regards to the lower pay positions stating that most are part-time and seasonal.

Council member Simpson attended the Library Open house stating it was a great event. Stated there will be a memorial service for Lou Hudson on Saturday, May 31st at 5:00pm. Reminded Council of the upcoming BBQ and Bluegrass Event at McPolin Farm on June 28<sup>th</sup>.

Council member Peek attended the Historic Preservation meeting stating they discussed coming to Council to ask for an increase in the grant funding. Also commented on the Construction on Main stating it looks great.

Council member Matsumoto stated that the Historical Society is having a Home Tour on Saturday June 14th and invited the Council to participate.

Council member Beerman thanked Henney for covering COSAC while he was on vacation.

Mayor Thomas attended a Utah Growth Quality Commission meeting and the Library Open House. Also participated in the Bus Rodeo and was able to drive a large bus and hit every barrier.

Craig Sanchez spoke to the Manager's report regarding Main Street Construction. He thanked Spencer Lace, IT, for helping set up the Arc GIS Construction Map. Sanchez then detailed the items on the map that are available. Matsumoto inquired why the Silver Queen is delayed again. Chad Root, Chief Building Official, stated that they are within the limits of the State Construction code.

**Budget: Operating Expenditures, Fee Changes and Solar at the MARC discussion**

Jed Briggs, Budget Operations Manager and Korey Kersavage, Budget department, along with the results team presented the budget changes related to Operating Expenditures, Fee Changes. Clint McAfee, Water Manager, stated that the Water Department is asking for a substantial water increase of \$363,000. He explained that 70% of the increase is electricity and

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
May 29, 2014**

Page | 2

the other 30% is going to be used to offset the water pumping from having the Judge Tunnel offline. Council member Matsumoto inquired about an elevation surcharge. McAfee stated that they would bring the water rate changes back to Council at a later date. Council member Peek inquired if once the Judge tunnel is back online would they still need the elevation surcharge. McAfee stated that they would still need to charge the elevation surcharge. Council member Simpson reiterated that the Council has not yet decided on a surcharge and will hold another meeting regarding the water fees.

Matt Abbott, Sustainability, stated the Intergovernmental & Environmental programs are asking for an increase of \$50,000 for legal and consulting fees.

Clint Daley, Parks Manager, stated the Parks department is looking to upgrade 9 positions to full-time, regular; Transit is adding health care to 14 full-time employees. Recreation has an increase to part-time employees as well as a restructure in Golf and the addition of the beverage cart. Council member Beerman inquired about the 3.5 decrease in transit. Briggs stated that it is only a decrease in the part-time budget not in actual personnel.

Michelle Downard spoke to the Budget, Planning and Engineering requests regarding personnel to help with the demand. Council member Beerman inquired about the demand of the Park City Heights plan and how the fees will offset the man hours. Mayor Thomas inquired how the increase of building permits break down. Downard stated that remodels and additions have been steady over the years. The new increase is related to new construction in both residential and commercial.

Captain Phil Kirk, Police Department, stated that prior to the budget discussions the police department conducted an evaluation and found defaults in the part-time victim advocacy program, internal investigations and the evidence locker. They took current positions and have rolled a few positions together and have increased the victim advocate position to full time. There also has been some turn over in the dispatch position and they felt strongly about adding an additional step in pay to keep the long term employees.

Rebecca Gillis, Finance, spoke to the increase in the Lead Management programming, Community Affairs and adding positions to Building Maintenance & Fleet. Also stated the election budget will have a \$13,000 decrease due to it not being an election year. Council member Beerman inquired if the website upgrade would allow better searching capabilities. Scott Robertson, IT Manager, stated that they will be doing a clean-up. Council member Simpson inquired if staff has looked into the effects the election year will have regarding same-day voter registration.

McAfee spoke to water fees and the CIP increases to include tunnel maintenance & emergency power and pipeline replacement. Staff is recommending a 12% increase in water rates this fiscal year. McAfee stated that this is good news stating that last year it was looking like we would need an 18% increase this year and mid-level increases for years to come. So this number is coming in at a great rate and will keep the costs low in the future. Council member Matsumoto inquired if McAfee could update the chart showing how Park City compares to other cities. Council member Beerman inquired what we learned from the pigging and ice pigging. McAfee stated that it is in the analytical state now and we are waiting for the results. McAfee stated that staff is currently in the process of updating impact fees. Once completed staff will look at outlining fees and the increase of cost to higher water users with the idea to incentivize

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
May 29, 2014**

Page | 3

conservation. Staffs plan is to bring this information back to Council in the late Summer/early Fall for implantation in Spring 2015.

Kersavage stated that there are a number of departments that are requesting fee changes including Recreation, Tennis, Golf, Cemetery and Ice Facility fees. Council had some questions regarding the fees and staff stated they would bring back more information to the next Council meeting.

Abbott spoke to the solar at the MARC piece of the budget that was requested by Council member Beerman. Abbott showed a graph of our current carbon footprint. The MARC is still the #1 Natural Gas user and #1 Electricity user. With a 732 Solar Panel addition would most likely cost \$426,800 and would have an annual savings of \$18,721. Abbott stated that this is a big project and is highly visible and would keep Park City on the map.

Council member Simpson thanked Abbott for the great staff report. She requested to see the usage broke down by hour due to the fact that the MARC is also the one building that is used the most for a longer period of time compared to other City buildings.

Council member Beerman also thanked Abbott for the great staff report.

Council member Matsumoto inquired if the problem with the HVAC had been resolved.

Abbott stated that Johnson Controls has looked at the building and stated that there is a problem with the system and they are working to identify the problem.

Council member Peek inquired about the snow shedding of the roof with the addition of solar panels. Abbott stated the building was designed with the potential of adding solar in mind but he would double-check the setbacks.

Council member Henney inquired if there is a connection with the solar panels and the HVAC building performance. Abbott stated that they are a separate issue.

Council member Simpson inquired if we move forward how we would fund it. She remembered Council member Beerman suggesting using the surplus funds. She stated that she would be in favor of that option. Council member Henney stated he would also be in favor of that option. Council member Matsumoto would prefer to see if we have the surplus and then look at this project. Council member Peek feels that this is getting into bonding territory with the cost of this project. Mayor Thomas stated that he has a problem with the unbalance of the energy system and with the life expectancy of the panels outlasting the building. Council member Beerman reminded the Council to think back to the Council goals and budget plans regarding reducing the carbon footprint. He stated that they need to look at the return on investment for community. Rockwood stated the March sales tax numbers are in quite higher than expected, he then discussed the process of using this surplus.

City Manager Foster clarified that Council would like to fund the solar project as well as move the reserve closer to the 25% reserve fund.

Mayor Thomas inquired if the building was designed to LEED standards. Foster stated that the building was designed to have solar added and was built to LEED standards.

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
May 29, 2014**

Page | 4

Council member Peek clarified that the MARC is to be used as an emergency shelter in case of an emergency and inquired about storage capacity. Abbott concurred it is an emergency shelter and staff could evaluate the storage capacity.

**Electric Bike Discussion**

Heinrich Deters introduced Julie Bjornsted, Fehr and Peers. Deters stated that this is a new technology and cutting edge as well as preserving the natural environment. Deters inquired if Council was in favor of updating the Municipal code, providing proposed restriction and the level of creating a pilot program. Deters touched on the history of the electric bike and the Segway. Deters stated that with every new change comes the fear of the unknown as to how this would translate to our trails and back country as well as safety. Staff also reached out to local stakeholders with Mountain Trails, Summit Lands and multiple resorts and stated that the overall feeling was positive. Deters suggested language for the update to the code in regards to allowed on hard surface multi use paths 8 feet wide with a max speed of 20 mph and max watts of 750 and a valid driver's license. As well as the prohibitions keeping them off back country trails and not to be used on sidewalks.

Council member Beerman stated that the City needs to be careful with prohibitions that are difficult to regulate.

Deters spoke to the Segway recommendations allowing for use for the mobility impaired and would prohibit use on sidewalks and back country. Then outlined the pilot program.

Julie Bjornsted, Fehr & Peers, stated she spoke with Bolder, Colorado's Transportation Manager discussing the pilot program that began this year.

Mayor Thomas opened the meeting for public comment.

Yon Brussel stated he is working with a manufacturer to bring electric bicycles to Park City. He stated that the bikes that he bringing in would max speed at 20 mph and be a great commuter bike or offer an electrically assisted bike ride. Offered to demo his bike to help give the Council an idea of the possibilities.

Kate Sattlemeyer, Summit Land Conservancy- stated that she feels opening up the trail by McPolin Barn would go against the conservation values of the conservation easement that is currently in place.

Charlie Sturgis stated that he purchased an e-bike last year and found it to be a great deal of fun and would like to see people get out on the trails and not in their cars. He stated that with any toy you can find irresponsible users.

Lynn Ware Peek, resident, stated that every time she is on Poison creek trail she is so grateful that the city is widening that trail. Stated that there is a YouTube video featuring the owner of E-bikes Salt Lake that would show the negative side of this issue.

Council member Simpson stated that she feels a pilot program would be a great idea. Council concurred. Staff will come back with specific language.

**Regular Meeting**

**PARK CITY COUNCIL MEETING MINUTES**

**SUMMIT COUNTY, UTAH,**

**May 29, 2014**

Page | 5

6:00 pm

**I. ROLL CALL-** Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 29, 2014. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff member present were Diane Foster, City Manager; Tom Daley, Deputy City Attorney; Matt Dias, Assistant City Manager; Jed Briggs, Budget Operations Manager; Blake Fannesbeck, Public Works Director; Matt Abbott, Sustainability; Kirsten Whetstone, Planner; Heinrich Deters, Trails and Open Space; Tommy Youngblood, Special Events; Marci Heil, City Recorder

**II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

There were no communications or disclosures from Council or Staff.

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

Gary Bush, member of the HPB, encouraged the Council to fund the Historic Grants to the best of their ability. Council member Matsumoto stated that she spoke to Rockwood about the HPB grant funds. Briggs spoke to the item stating that there is \$47,000 in the General Fund annually as well as monies in the Lower Park Ave RDA and Main Street RDA. Foster stated that staff will bring this item back to outline how those funds are accessed.

Paul Beasom, Old Town Resident, spoke to the overhead lighting in Old Town and would like to find out about a night sky ordinance.

**IV. RESIGNATION AND APPOINTMENTS**

1. Consideration of Richard J Miller's resignation from Board of Adjustments.

Mayor Thomas thanked Miller for his service.

2. Consideration of appointment of Travis McGhee to fill the existing term vacated by Richard J Miller expiring June 2017 and David Robinson appoint as an alternate for the Board of Adjustments filling the existing term vacated by Travis McGhee expiring June 2017.

**Council member Matsumoto moved to accept Richard Miller's resignation and Travis McGhee and David Robinson's appointment to the Park City Board of Adjustments.**

**Council member Simpson seconded  
Approved unanimously**

**V. CONSIDERATION OF MINUTES FROM THE JOINT COUNCIL/PLANNING COMMISSION MEETING FROM MAY 13, 2014 AND THE CITY COUNCIL MEETING FROM MAY 15, 2014**

**Council member Simpson moved to approve the Minutes from the Joint Council/Planning Commission Meeting from May 13, 2014 and the City Council Meeting From May 15, 2014**

**Council Beerman seconded  
Approved unanimously**

**VI. CONSENT AGENDA (Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon)**

1. Consideration of approval of the following paving contracts with Kilgore Contracting for milling, pavement overlays, utility adjustments, and seal coat bike paths in the amount of \$540,924.28, Intermountain Slurry Seal, for slurry seals in the amount of \$56,192.57 and Ridge Rock, for crack seal in the amount of \$79,035.00

**Council member Simpson moved to approve the following paving contracts with Kilgore Contracting for milling, pavement overlays, utility adjustments, and seal coat bike paths in the amount of \$540,924.28, Intermountain Slurry Seal, for slurry seals in the amount of \$56,192.57 and Ridge Rock, for crack seal in the amount of \$79,035.00**

**Council member Peek seconded  
Approved unanimously**

**Mayor Thomas went back to the work session items.**

#### **Waste Container Ordinance & Old Town Curbside Recycling Discussion**

Matt Abbott discussed the history of the proposed ordinance regarding waste containers. They were not perused due to the following issues: container identification, contamination, and container confusion. Abbott stated that Curb It Recycling is no longer servicing Old Town. Jake Deberg, Republic Services, spoke to the issue stating that his company is taking over on June 12<sup>th</sup>. He explained the contamination tag process stating that it is an education program. Abbott addressed the potential solutions with outreach and education and well as bin labeling. Council member Simpson stated that she feels that we are blaming the visitors when we should not be. It could be bins not being labeled and located. Council member Henney stated that the first step is to tie the bin to the residency. Council member Beerman echoed Simpson and Henney's comments and feels that the first step is labeling. With the issue of code enforcement addition Council needs to look at mandatory recycling. Council member Matsumoto also felt bin labeling is the first step as well as looking at the size of the bins in Old Town so is would be easier to store on the properties. Foster stated that Republic has run a large outreach program letting them know there are two sizes of bins. Council member Henney feels that these are side issues to the main issue regarding an ordinance to keep the bins off the curb. Council member Beerman feels that this is a good time with Republic taking over that it would be a great time to look into an ordinance, mandatory recycling etc. Council member Matsumoto encouraged being mindful about all the properties in Old Town that may be difficult to store a bin against the house or may have stairs to negotiate.

Foster stated that she heard that Council would like staff to bring back a model ordinance and also look at labeling as well as discussing mandatory recycling at the Joint County Council meeting.

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
May 29, 2014**

Page | 7

Jared Scott, Summit County Waste Superintendent, stated that the County's big goal is to code the can to tie it to the property as well as labeling the cans.

Council member Simpson inquired about the City managed recycling program. Could Park City contract with Republic or another hauler to provide an elevated level of service?

Council member Beerman inquired about adding a green waste piece. Scott stated that as the County's master plan unfolds it will incorporate green waste.

Council member Simpson felt that if the County has a plan and is discussing this at the next joint meeting then should be wait on the model ordinance.

Mayor opened the floor to public comment

Paul Beasom, Old Town Resident, stated he cannot believe that there is not an ordinance and feels that it is a safety issue. He spoke to the size of bins and feels that the smaller bins are very useful. He feels that there are a lot of problems the Council needs to look in to.

Stanford Melville, Old Town Resident, stated he shares a lot of the comments that have been made. He feels that the residents are well trained and feels that the problem lies with the nightly rental properties and the responsibility should be put on the property manager. He too is surprised that there is not an ordinance requiring removing the can from the street within 24 hours. Feels labeling the cans is essential.

**Renewable Energy Fee Waiver Report**

The Council agreed to the renewable energy fee waiver.

**VII. OLD BUSINESS**

1. Consideration of a remand to Planning Commission of the application for Ridge Overlook Subdivision- a request for a plat amendment to combine nine (9) full lots and twenty-one (21) partial lots into six (6) lots of record located at 200 Ridge Avenue.

Planner Whetstone, Ron Spratling, Applicant and Jason Gyllenskog, Applicant's Representative, spoke to the item stating that in September the Planning Commission forwarded a negative recommendation. Whetstone stated that the applicant has kept this application alive during staff changes and ordinance changes. At this point staff is stating that the item be remanded back to the Planning Commission for further review. Whetstone stated that Council also has the opportunity to review the item and make a decision; if that is the choice then staff would ask for a continuation to bring more information back to Council. Spratling stated that originally they were approved for a 3 lot plat and the City was updating the LMC and wanted more density so they came back with 6 lots and were denied. They are looking at widening the road that is substandard and helping the city. They are anxious for approval and have worked well with staff. They would not like the item remanded and ask Council to continue the item for further review. Gyllenskog stated that they disputed many of the findings of facts that were brought forth by the Planning Commission and do not feel they were treated properly.

Mayor opened the public hearing. There were no comments. Mayor Thomas closed the public hearing.

**PARK CITY COUNCIL MEETING MINUTES**

**SUMMIT COUNTY, UTAH,**

**May 29, 2014**

Page | 8

Council member Simpson inquired of Whetstone when she would have heard this item. Whetstone discussed the timeline of the project. Simpson then stated that she is in favor of sending this back to the Planning Commission.

Council member Henney stated he felt that it is the Planning Commission's expertise to review this item.

Council member's Peek, Matsumoto and Beerman concurred with the decision to remand back to the Planning Commission.

**Council member Simpson moved to remand the application for Ridge Overlook Subdivision- a request for a plat amendment to combine nine (9) full lots and twenty-one (21) partial lots into six (6) lots of record located at 200 Ridge Avenue to the Planning Commission.  
Council member Henney  
Approved unanimously**

**VIII. NEW BUSINESS**

1. Consideration of an Ordinance adopting the Tentative Revised Budget for Fiscal Year 2014-2015 and the Proposed Budget for Fiscal Year 2015-2016 for Park City Municipal Corporation and its related agencies

Briggs stated that per state code the City is required to adopt a tentative budget two weeks prior to the adoption of the final budget.

Mayor opened the public hearing. There were no comments. Mayor Thomas closed the public hearing.

**Council member Simpson moved to adopt an Ordinance adopting the Tentative Revised Budget for Fiscal Year 2014-2015 and the Proposed Budget for Fiscal Year 2015-2016 for Park City Municipal Corporation and its related agencies  
Council member Beerman seconded  
Approved unanimously**

2. Consideration of the Park Silly Sunday Market Supplemental Plan

Tommy Youngblood and Michelle McDonald presented the supplemental plan for Silly Market. Youngblood stated that staff has been very specific with the measures of success regarding parking and coordinating the working group.

Mayor opened the public hearing. There were no comments. Mayor Thomas closed the public hearing.

**Council member Beerman moved to approve the Park Silly Sunday Market Supplemental Plan  
Council member Simpson seconded  
Approved unanimously**

**IX. ADJOURNMENT**

**Council member Simpson moved to adjourn the meeting**  
**Council member Matsumoto seconded**  
**Approved unanimously**

**MEMORANDUM OF CLOSED SESSION**

The City Council met in a closed session at approximately 2:00 p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Liza Simpson, Dick Peek, Cindy Matsumoto and Tim Henney. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Tom Daley, Deputy City Attorney; Heinrich Deters, Trails and Open Space; Jessica Moran, Recreation. **Council member Simpson moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Beerman seconded. Motion carried.**

**Council member Simpson moved to open the closed session. Council member Matsumoto seconded. Motion carried.**

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

Prepared by Marci S. Heil, City Recorder.



Marci S. Heil, City Recorder

