



**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
June 26, 2014**

Study Session

Public Art Advisory Board

Mayor Pro Tem Simpson thanked the board for coming to the study session. Bryan Mackkaren, PAAB Chair, spoke to the upcoming artwork that they have been looking into to include art at the Bear Bench plaza, Poison Creek and Quinn's Junction. Then he spoke of the idea of putting murals on all the floors of China Bridge using art as a navigational tool. Mackkaren spoke to the lighting aspect of the art, regarding uplighting. Council member Beerman recalled the Council amending the lighting aspect of the Land Management Code. It was undetermined if those changes had been approved. City Manager Foster stated she would double check but she was fairly confident those amendments had passed. Greta inquired about the funding of the art projects. Foster clarified the funding sources to include 1% from the CIP funds with the additional \$25,000 transferred from the General Fund annually. Judy Horwitz would like to know what funds are currently available and what funds are projected in the future. Mackkaren informed Council that the Quinn's project will cost \$84,000 and will not be eligible for the 1% funding.

Public Comment from Randy Barton was heard. Mr. Barton spoke of a worldwide press conference for a nonprofit campaign to save the Banksy. Victoria Anderson spoke to the public/private partnership to create art as well as looking into signage at the projects recognizing the partnership.

Mayor Pro Tem Simpson inquired if the Council had any suggestions of where they would like to see art work. Council member Henney stated that he loves the current artwork around town and inquired about art on the outside of the China Bridge. Council member Peek spoke to the navigational aspect of the art for the tourists. Greta spoke to the bus stops and inquired if Council was interested in revamping the artwork there. Judy would like to see the website updated with a listing of private and public art. Council member Beerman would like to see art at the trailheads as well as the different sets of stair throughout the City to create place. Mayor Pro Tem Simpson would like to see art on the plateau between the old and new China Bridge. They all agreed that these were great suggestions and the Art Board would look at each one. Greta feels that there should be regulations to the public art on private property so that the town will not get junked up. Discussions continued and decided that they do not want to become "art police".

Public Input from Monica, KCPW spokesperson, spoke to a way-finding issue regarding the KCPW door. They have had multiple people get lost trying to find the KCPW door. They are very fond of the mural idea in the parking lot.

Recreation Advisory Board Interviews

Council conducted Recreation Advisory Board interviews.

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Work Session

Council Questions and Comments and Manager's Report

Council and Staff sang Happy Birthday to Council member Henney.

Council member Peek attended the HPB meeting and they determined whether the converted garage at 19 Empire was appropriate to be removed from the list of historically significant properties and they determined that it was in fact ok to remove.

Council member Matsumoto attended the Chamber meeting and stated they are expecting occupancy on the rise. Had a very interesting report from Patricia Jones, Dan Jones group stated that the image of Park City is known as a hidden gem and authentic. She was very adamant that we keep our authenticity. Met with the Park Silly Sunday working group on Sunday and enjoyed watching the crowd grow and the farmers market was great. Summit Lands are concerned with the pipeline. Foster stated that the water department is keeping an eye on this issue.

Council member Beerman attended two board meetings with the ULCT as well as the leg policy session. Informed Council that Stephanie Johnston is the new president of the HPCA. Attended a Ski Utah meeting at the Olympic park and is very excited with the future. Attended the Road Respect ride last Thursday where Park City was honored. Attended the Golf celebration as well as Three days of Mountain Accord meetings where they are finalizing the data collected from the working groups.

Council member Henney also rode in the Road Respect ride and attended the Park Silly Sunday Market with Council member Matsumoto where he had the opportunity to speak with Allison Butz, Historic Park City Alliance, who told him that she is pleased with how the market is operating this year. Also attended a Joint Council and County meeting finding it very informative and an HPCA meeting where the main focus was the issue with PCMR and Vail regarding the repercussions to the businesses. Henney then invited the Mayor and other Council members to get the word out that the best time to see government is at work is during the study and work sessions. Simpson stated that she too makes that point to the public and suggested that at the end of each radio interview to remind the public to attend the work and study sessions.

Mayor Pro tem Simpson thanked Phyllis and Heinrich for attending the Aspen Springs HOA meeting. Thanked Denise and Craig for a fun golf celebration. Attended a Health board meeting and thanked staff for the joint meeting with the County .

Special Events Discussion

Tommy Youngblood and Jenny Diersen spoke to the upcoming Special Events lined up for the summer. Youngblood stated that they foresee hitting over a million visitors with the special events. Spoke to the traffic piece of hosting events. Diersen stated that the Fourth of July weekend is expected to be well attended due to the holiday falling on a Friday. There will be a parade, concerts at Deer Valley, Firecracker baseball tournament as well as a public fireworks display. The other large festival coming up in August is the Arts Festival along with a large soccer tournament as well as the Concert series at Deer Valley. Mayor Pro Tem Simpson inquired if they have activated a park and ride. Youngblood stated that the transit department is looking into that option. Council member Matsumoto thanked staff for their hard work. She also inquired if staff evaluates each event for overnight stays in the community. Youngblood spoke to that stating that they do look at that as a criteria but it is a fine line. Matsumoto stated that during the campaign season it was a high point of people complaining about too many events. Bob

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Koller, Summit County, stated that they do currently evaluate each event before and after the event. He feels that the County and Park City are moving in the right direction. Council member Henney stated that we need to look at the satellite parking and evaluate the calendar as a whole not by single events. Council member Peek stated that as the mitigation of impacts evolve there needs to be repetition to train our residents and visitors. Council member Beerman inquired if the HPCA had secured an arrangement to have employees park at the High school. Foster stated it is still in the works.

Policy and Procedure Manual Discussion

Brooke Moss, Human Resources Manager, spoke to the changes that staff has suggested. One change they are suggesting is related to the sick leave policy changing the need for a doctor's note from two days to three shifts. Spoke to the removal of the 5% cap to help alleviate the wage celling. They also are recommending increasing the paternal leave from 40 to 80 hours. Council member Beerman stated that he is pleased with the changes also inquired if there is a time on the job requirement to participate in the benefits. Moss stated that the benefits begin on the hire date.

Regular Meeting

I. ROLL CALL- all present- Mayor Pro Tem Liza Simpson called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 12, 2014. Members in attendance were Liza Simpson, Andy Beerman, Dick Peek, Tim Henney and Cindy Matsumoto. Mayor Jack Thomas was excused. Staff member present were Diane Foster, City Manager; Mark Harrington, City Attorney; Wade Carpenter, Police Chief; Hugh Daniels, Emergency Manger; Kurt Simister, Deputy Fire Marshall; Anya Grahn, Planner; Kirsten Whetstone, Planner; Marci Heil, City Recorder

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

There were no communications and disclosures from Council or staff.

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

Kate and Michelle with the Park Silly Sunday Market reported on three fantastic weeks and have been averaging 10% more visitors. First working group meeting with Council members Henney and Matsumoto along with HPCA representative Allison Butz. Spoke to the upcoming events with the Olympic event this upcoming weekend, Recycle weekend.

Perry Martin, board member of Snow Flower Condominiums HOA read a letter to the Council regarding parking influx near PCMR. Stated they feel the need to remind the Council that the City and Community are involved in this litigation and are pleased with the letter issued by the Mayor.

IV. CONSIDERATION OF MINUTES FROM JUNE 5 AND JUNE 12, 2014 CITY COUNCIL MEETING

**Council member Beerman moved to approve the
minutes from June 5 and June 12, 2014
Council member Matsumoto
Approved unanimously**

V. NEW BUSINESS

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1. Consideration of a an Ordinance Revising Title 2 of the Municipal Code of Park City and Adopting the 2014 Personnel Policies and Procedures Manual

City Attorney Harrington stated that the proposed changes were reviewed by the Policies and Procedures committee and have been reviewed by the legal staff, and the management team.

Mayor Pro Tem Simpson opened the public hearing. There were no comments. Mayor Pro Tem closed the public hearing.

**Council member Matsumoto moved to approve an Ordinance
Revising Title 2 of the Municipal Code of Park City and Adopting the
2014 Personnel Policies and Procedures Manual
Council member Peek seconded
Approved unanimously**

2. Consideration of an Ordinance Prohibiting Open Fires and Regulating the Use of Fireworks within Park City during the 2014 Fire Season and Adopting the Summit County Process For Recovery of Costs for Responding to Emergencies Caused by an Aggravated Fire Emergency.

Police Chief Carpenter, Fire Chief Hewitt, Deputy Fire Marshall Kurt Simister, Hugh Daniels, Emergency Manager, spoke of the changes that have been discovered during the Inter-local Fire association meeting that have increased the fire danger in the area. Council member Henney inquired why the County is not going to put in any regulations on fireworks with year. Chief Hewitt stated that the incorporated areas can place bans while unincorporated areas in the County have to go through the State Forestry Office. Stated right now he would say that the fire danger is always prevalent. This would ban class "C" fireworks. Council member Matsumoto inquired about table top fire pit. Chief Carpenter stated that if they get a concerned call they will evaluate the device. Daniels read from the code that approved fire pits using propane, natural gas or briquettes would be allowed for use.

Mayor Pro Tem Simpson opened the floor for public input – Randy Barton recommended that the Council not impose a ban or look into allowing fireworks in certain zones. Chief Hewitt spoke to the idea of a discharge site in regards to public safety. Randy inquired if they Chief could roll a truck up and designate a time. Daniels spoke to the danger of private celebration. He did reiterate that the public display will still be on as long as the conditions remain the same.

**Council member Peek moved to approve an Ordinance Prohibiting Open Fires and
Regulating the Use of Fireworks within Park City during the 2014 Fire Season and
Adopting the Summit County Process for Recovery of Costs for Responding to
Emergencies Caused by an Aggravated Fire Emergency
Council member Beerman seconded
Approved unanimously**

3. Consideration of the 820 Park Avenue Rio Grande Condominium Plat pursuant to the findings of fact, conclusions of law and conditions of approval stated in an attached ordinance in a form approved by the City Attorney.

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Planner Grahn stated that the applicant is looking to create 10 condo units and 4 commercial units. Grahn stated that there is one correction Section 1 of the ordinance which is removing the language "the town lift etc" and replace it with "820 Park Ave Record of Survey".

Council member Beerman stated that the ordinance states 24 parking spaces but the staff report states 25 which is correct. Grahn stated it is the 24 parking spaces. Peek stated that the ordinance does not clarify if the Planning recommendation was positive or negative. Grahn stated it was a positive recommendation.

Mayor Pro Tem Simpson opened the public hearing. There were no comments. Mayor Pro Tem closed the public hearing.

**Council member Peek moved to approve the 820 Park Avenue Rio Grande Condominium Plat pursuant to the findings of fact, conclusions of law and conditions of approval stated in an attached ordinance as amended in a form approved by the City Attorney
Council member Beerman seconded
Approved unanimously**

4. Consideration of an Ordinance Approving The Parkite Residential Condominiums Record Of Survey Plat, Located At 333 Main Street, Park City, Utah pursuant to the findings of fact, conclusions of law and conditions of approval stated in an attached ordinance in a form approved by the City Attorney.

Planner Whetstone stated this is an ordinance for 15 condo units above the Main Street Mall. This would also include common area for a lobby, fitness center as well as 15 parking spaces. Council member Peek inquired about the North tunnel, Elliot Work group spokesperson clarified that the slope under the current structure would allow for the tunnel. It was also pointed out that the Draft Ordinance did not reflect if the Planning Commission's recommendation was positive or negative. Whetstone stated that Planning Commission has forwarded a positive recommendation.

Mayor Pro Tem opened the public hearing, Randy Barton, stated that he is representing the Egyptian and are happy to have them as neighbors. Public hearing was closed.

**Council member Beerman moved to approve an Ordinance Approving The Parkite Residential Condominiums Record Of Survey Plat, Located At 333 Main Street, Park City, Utah pursuant to the findings of fact, conclusions of law and conditions of approval stated in an attached ordinance as amended in a form approved by the City Attorney
Council member Peek seconded
Approved unanimously**

5. Consideration of an Ordinance approving the Parkite Commercial Condominiums record of survey plat, located at 333 Main Street, Park City, Utah pursuant to the findings of fact, conclusions of law and conditions of approval stated in an attached ordinance in a form approved by the City Attorney.

Mayor Pro Tem Simpson opened the public hearing. There were no comments. Mayor Pro Tem closed the public hearing

Council member Peek moved to continue to July 31, 2014

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**Council member Henney seconded
Approved unanimously**

6. Consideration of the Land Management Code Amendments pertaining to Public Improvement Warranty Guarantees section 15-1-13 & 15-11-19; Planning Commission Rules of Order section 15-12-10; Clarify by codifying the existing prohibition of nightly rentals within April Mountain and Mellow Mountain Estates Subdivisions section 15-2.13-2.

Planner Whetstone spoke to the Land Management Code amendments, the first being a change in the retainer amount to reflect the State Code. The second amendment clarifies the code with a footnote to show that nightly rentals are prohibited in April Mountain and Mellow Mountain Estates although they are allowed in the zone. The third change is regarding the rules of order section regulating the Planning Commission.

Mayor Pro Tem Simpson opened the public hearing. There were no comments. Mayor Pro Tem closed the public hearing

**Council member Matsumoto moved to approve the Land Management Code Amendments pertaining to Public Improvement Warranty Guarantees section 15-1-13 & 15-11-19; Planning Commission Rules of Order section 15-12-10; Clarify by codifying the existing prohibition of nightly rentals within April Mountain and Mellow Mountain Estates Subdivisions section 15-2.13-2
Council member Peek seconded
Approved unanimously**

7. Consideration of the Land Management Code Amendments pertaining to Animal services in GC and LI zoning districts sections 15-2.18-2, 15-2.19-2, 15-15-1.

Mayor Pro Tem Simpson opened the public hearing. There were no comments. Mayor Pro Tem closed the public hearing

**Council member Henney moved to Continue to July 31, 2014
Council member Matsumoto seconded
Approved unanimously**

8. Consideration of a Escrow and Purchase Agreements with Military Installation Development Authority for Red Maple Parcel (located North of SR248 and East of PC Hill) in a form approved by the City Attorney

City Attorney Harrington stated that staff is pleased to bring this item into escrow.

Mayor Pro Tem Simpson opened the public hearing. There were no comments. Mayor Pro Tem closed the public hearing

City Manager Foster thanked Harrington for his years of hard work on this purchase.

Council member Beerman moved to approve an Escrow and Purchase Agreements with Military Installation Development Authority for Red Maple Parcel (located North of SR248 and East of PC Hill) in a form approved by the City Attorney

**Council member Matsumoto seconded
Approved unanimously**

VI. ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in a closed session at approximately 1:15 p.m. Members in attendance were Members in attendance were Liza Simpson, Andy Beerman, Dick Peek, Tim Henney and Cindy Matsumoto. Mayor Jack Thomas was excused. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Tom Daley, Deputy City Attorney; Jonathan Weidenhamer, Economic Development Manager; Craig Sanchez, Public Relations; Heinrich Deters, Trails and Open Space. **Council member Beerman moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Henney seconded. Motion carried.**

Council member Beerman moved to open the closed session. Council member Henney 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

