



**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
July 10, 2014**

Work Session

Council Questions and Comments and Manager's Report

Council member Beerman attended a Mountain Accord management meeting as well as the Leadership BBQ. He gave a shout out to staff involved with the poison creek pathway remodel stating that it looked great and has seen a lot of use.

Council member Henney attended the Back Alley bash, then was coerced on the Treasure Mountain Inn roof with Mayor Thomas and Council member Beerman where they watched the Fourth of July Parade. Thanked Mayor Thomas for the letters he has been sending out regarding the PCMR/Vail litigation.

Council member Simpson said kudos to Phyllis for getting her Wildland firefighting card

Council member Matsumoto attended the library board meeting where they discussed signage to let people know where the library is currently housed. Attended the Museum board meeting where they announced they have purchased a lot in prospector to build a building to preserve artifacts also informed the public that there is a free museum day coming up in August.

Council member Peek left town to visit family for the holiday and had a great time.

Mayor Thomas recognized Tanner Putt for successfully defending is under-23 national title at the 2014 USA Cycling Amateur Road Nationals. Mayor Thomas stated he conducted his own City tour across Europe where he studied small towns. Attended a press conference to bring a Banksy into the corridor by the Egyptian Theater.

Shared Use Lane Markings

Heinrich Deters, Trails and Open Space, spoke to the pilot program that staff is recommending for the Sharrows or Shared Use Lane Markings. Sharrows are used to communicate to the vehicles on the road that there is an intention to share the lane with cyclists. Deters stated that the capital cost is around \$200 per sharrow and staff is looking at sidewinder and prospector roads to begin the pilot with a total of \$7600, the maintenance cost is the same as the initial cost as it is a stencil that needs to be reapplied each year. Kai Tohinaka spoke to the criteria that they looked at for choosing the roads for the pilot study. They are surveying the area and will look at the current use prior to the painting of the markings and then again following the sharrows to see if they will favorable throughout other areas identified by the firm.

Council member Beerman stated that he feels the pilot program is only on the streets where bikers already feel safe and feels that there are riskier roads to bring bike awareness to. Deters stated that he feels that there has been a lot of thought put in this and staff has looked at the commuter rider rather than the recreational rider. This is to help create a link to commercial areas. Deters feels that this gives bikers options and will come back with

more data. Council member Henney stated that he feels that this will help with motorist expectation and messaging that we are a bike community. He also asked for them to incorporate a more challenging stretch to bring back a better study.

Mayor Thomas opened the floor for public input.

Michael Watson stated that he was originally inspired by this program during the walkability/bikeability study. Stated the he knows about the safety concerns and would like to see sharrows along the stretch along 224 from Dan's to Jan's. He informed the Council that this area was already approved as a sharrow area by UDOT. He stated he agrees with Council members Beerman and Henney that a safe route will stay safe. He then proposed an alternative from Cole Sports to Heber Ave to help inform and educate visitors and residents that we are a "bike" town.

Lynn Ware Peek stated that she loves the sharrows and her only concern is that we also communicate to the cyclist community that this is not a free license to ride three abreast.

Council member Simpson agreed that more challenging routes would be great.

Council member Beerman thanked Watson for being so tenacious and agreed with Lynn that the bike community needs to be half of the solutions. Also feels that speed limits should be part of future discussions.

Website Design Discussion

Scott Robertson and Shannon Dale from the IT department spoke about the website redesign. Dale has worked with over 20 departments on what the needs and desires of the City. The top three were low cost, visually appealing and it easy implementation. Staff has determined that it would be best for the City to work with our current company to utilize extended features that they offer. This will offer better searching capabilities and more real estate on the home page.

Council member Beerman thanked staff for the great report. He then inquired about the design element. Robertson stated that it would be different than what we have now but will be equally appealing.

City Manager Foster thanked staff for getting such a great price and for keeping the website fresh and current.

Main Street Peak-Hour/Peak-Day Employee Parking Update

Kent Cashel, Transit director, Jon Weidenhamer, Economic Development Manager, and Allison Butz, HPCA addressed the concerns regarding Main Street parking and how they are joining efforts to combat the problem. Cashel spoke to the approach of the analysis stating that they have taken occupancy counts during multiple days and times and have collected a great amount of data. Stated that they identified the peak days and then surveyed the merchants who identified up to 1000 employees that would be parking in the area. The knowledge was also identified was that the employee commute was beginning in Park City and would have easy access to public transit. Cashel outlined the pilot program stating it would include expanding the transit hours, promoting van-car pool, an incentive program, marketing and awareness program and expanded enforcement hours. Butz spoke to the incentive program for the Main Street District employees who ride the buses will be eligible each ride to be put in a drawing once per

week for 4 weeks of \$500 cash.

Council member Matsumoto stated that she was shocked with the numbers and stated that it was a great report. She feels that it is an optimistic program.

Weidenhamer stated that this is starting point with the goal being 300 less cars on the road. He stated that they do not meet the goal then they will have to come back to Council with a more robust approach.

Council member Simpson stated that she hopes that with the enforcement hours changing parking enforcement will strengthen as well.

Council member Beerman thanked staff and HPCA for pulling this data together and feels that it identifies our weak link and feels that the cost is minimal compared to building more parking spaces.

Council member Henney encouraged staff and HPCA to keep being creative with the incentives. Butz stated that it will require cooperation from everyone and the HPCA wants to be part of the solution.

Ice Expansion Discussion

Jon Pistey and Amanda Noel discussed the ice expansion idea. Pistey stated that last October the Recreation department met with Council to discuss possibility of a second sheet of ice during that meeting it was a consensus that while to Council was supportive of the ice arena and the programs and very pleased with the department and efficiency it was not in the immediate future to build a second sheet. With the recent information from the Basin Rec and County regarding the bond that would offer 1.25 million dollars towards a second sheet of ice, the Recreation department felt it was appropriate to bring the item back to Council for discussion. Noel stated that they increased the number of hours and ?? tracked lost opportunities and found that they lost 417 hours of rentals which calculates to \$131,000 in lost revenue. Pistey spoke to the options for a second sheet of ice. Option 1 is a phased construction would be the fastest route with the lowest overhead costs, it would not meet all the needs and the RAB was not in favor. Option 2 is "rink in a box" and would provide a similar facility that we currently have. The drawback is that it would not meet the current green building standards and would not seat as many patrons as desired. Option 3 would be a duplicate with the current building with the office space being dedicated for alternate weight rooms; the disadvantage would be taking longer to build. Option 4 is an Event Center which would meet all the needs and would bring in revenue but would have high overhead costs. Option 5 is no expansion which would not meet the needs of our groups. Pistey spoke to the options for possible locations for a second sheet of ice around the current facility. Stated there is not currently an ideal location and all of the options would have to be looked at more closely before a decision was made.

Mayor Thomas stated that all the proposals would require an in depth discussion, but he was in favor of having that discussion.

Council member Henney stated that he is in favor of exploring the options and feels that it makes a lot of sense to meet the needs of the community.

Council member Simpson stated she agrees with Henney and looks forward to having a further discussion.

Council member Matsumoto thanked staff for the fabulous way they have managed the ice but she feels that the 1.25 million from the County is not a significant amount to rush into a partnership.

Council member Peek stated that he feels cost recovery is important and agrees with Matsumoto that the County should be putting in a more significant amount based on the 80% of outside users.

Council member Beerman stated that he feels that this needs to come back for a serious conversation and would like to look into solving the second ice sheet of ice and aquatic center needs in one.

Council member Simpson inquired about where the 1.25 million out of the 25 million dollar bond figure came from. Pistey stated that he had not had the time to sit down with the county to discuss the needs of the community and had spoken with Rena about an offhand figure for a bare bones structure. Rena, County, stated that the County has been working jointly with the City and was more than willing to put in more than half when Pistey quoted 2 million dollars. She also spoke to the needs of the county to include indoor turf and spoke to the balance between programs, parking and users.

Council member Matsumoto spoke to the land contribution and would like to explore all the options.

Council members Matsumoto and Simpson both felt that they are not in favor of an Events Center. Council member Henney stated that there could be good aspects in every option. Council member Simpson stated that she would like to look at this project holistically and see if the needs will be met throughout the County.

City Manager Foster inquired if the City Council spoke to the County Council about raising the bond amount. Rena spoke that it is a balancing act with the tax payers and the user groups.

Council member Beerman thanked the Basin for all the partnerships to date. Inquired if the County had to earmark the monies prior to the bond or if the City works quickly would the monies be available to move around. Rena stated that the bond filing is Aug 21st and it might be more feasible to look into savings opportunities over the next few years than moving bond funds around.

Foster stated that staff will work together to bring forth a few options to meet the needs of the communities.

Mayor Thomas thanked the public for attending the meeting to show support, and then offered to allow public comment during the regular meeting.

Regular Meeting

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, July 10, 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; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager; Jed Briggs, Budget Operations Manager; Nate Rockwood, Capital Budget, Debt and Grant Manager; Scott Robertson, IT Manager; Thomas Eddington, Planning Director; Anya Grahn, Planner; Marci Heil, City Recorder

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council member Peek stated that in regards to the 257 McHenry item he is currently working with an attorney in the Tesch Law Offices but it will not affect his decision.

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

Aaron Dufford, Hockey Director for Youth Program and High School hockey coach, stated that they are running about 160 kids and have had to turn kids away; they have lost revenue due to the lack of time on the ice. They have immediate need right now and would like to get a rink here as soon as possible and suggested that they look at opportunities to operate in a stage form.

Matt Pruca, President of the Youth Hockey program stated that they have 12 youth teams and stated that quarter of the practice time is spent in Salt Lake. Also spoke to the tournament opportunities that have been lost due to the size of the current rink.

Tiffany Mciveli, figure skating coach, spoke to the cost and time that her athletes have put in and is afraid that they will lose the competitive edge if they do not get the ice time they need. Stated they have to travel to Salt Lake twice a week to train.

Barbara Caine, Coalville resident, stated she is disabled and can no longer participate in many sports. Stated curling has saved her life but they are only allowed 1 hour a week due to lack of ice time.

Marian Wohlrab, US Speed Skating Events Coordinator, supports the second sheet of ice and stated that the legacy of speed skating is growing with every winter Olympics. Feels that this is a town of high class facilities and high class athletes.

IV. CONSIDERATION OF MINUTES FROM JUNE 26, 2014 CITY COUNCIL MEETING

**Council member Simpson moved to approve the minutes from the June 26, 2014 meeting
Council member Matsumoto seconded
Approved unanimously**

V. APPOINTMENTS AND RESIGNATIONS

1. Consideration of the appointment of Becca Gerber, Eric Hoffman and reappointment of Michael Barille to the Recreation Advisory Board with terms ending July 2017 And the appointment of Cynthia Sandoval to complete the term vacated by Spencer Lace ending in July 2016

**Council member Peek moved to appoint Becca Gerber, Eric Hoffman and reappointment of Michael Barille to the Recreation Advisory Board with terms ending July 2017 and appoint Cynthia Sandoval to complete the term vacated by Spencer Lace ending in July 2016
Council member Simpson 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 to authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with Beck Construction and Excavation, Inc., for Top of Main PRV Replacement Project in an amount of \$297,953.00.
2. Consideration to authorize the City Manager to execute a Construction Agreement, in a form approved by the City Attorney, with SCI, Inc., for Estates Drive Water Line Replacement in an amount of \$444,444.00.
3. Consideration to authorize the City Manager to execute a Contract, in a form approved by the City Attorney, with Vision Internet for website redesign services in the amount of \$24,622.

**Council member Simpson moved to approve the consent agenda
Council member Beerman seconded
Approved unanimously**

VII. OLD BUSINESS

1. Consideration of an Ordinance approving Dority Springs Subdivision located at 1851 Little Kate Road, 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 Thomas opened the public hearing, no comments were heard. Mayor Thomas closed the public hearing.

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

VIII. NEW BUSINESS

1. Consideration of a resolution amending the Fiscal Year 2015 Budget

Jed Briggs, Budget Manager, stated that staff is recommending amending the fiscal year 2015 budget that was adopted on June 12, 2014. The recommendation is revolving around the reorganization of the transportation and public works departments. Briggs stated there are also some changes to the library staff and the economic development grant criteria.

Council member Simpson stated she is excited about re-organization and is looking forward to the growth of some of our top employees.

Council member Beerman stated he echoed Simpson's thoughts and asked Foster for an update as to what led this change.

Foster stated that with the growth and development in the community and the transportation planning goal of the Council it was only a matter of time before we went this direction.

Mayor Thomas and Council member Henney were also in favor.

Jonathan Weidenhamer, Economic Development Manager, spoke to the changes to the economic development grant criteria to tie the language to the Council goals.

Council member Beerman inquired if the grant applications need to meet all 6 criteria. Weidenhamer stated that yes, it is all of the six and with the new language it will broaden the criteria and should not be problematic to meet. Harrington clarified that the new language meets both legislation and economic development contracts language. Stated this was a good balance with the most flexibility while still meeting the state code requirements.

Mayor Thomas opened the public hearing, no comments were heard. Mayor Thomas closed the public hearing.

**Council member Simpson moved to approve a resolution
amending the Fiscal Year 2015 Budget
Council member Peek seconded
Approved unanimously**

2. Consideration of resolution to create a list of authorized purchasing pools as specified by the Contracting and Purchasing Policy which is approved annually in the Budget Document.

Scott Robertson, IT Manager, spoke to the creation of this purchasing list in order to make purchasing extremely efficient. Nate Rockwood, Capital Budget, Debt and Grants Manager, stated that the purchasing policy states that the City can purchase from a pool that has been approved by resolution which has not been done in the past.

Mayor Thomas opened the public hearing, no comments were heard. Mayor Thomas closed the public hearing.

**Council member Beerman moved to approve a resolution to create a list of authorized
purchasing pools as specified by the Contracting and Purchasing Policy which is
approved annually in the Budget Document.
Council member Matsumoto seconded
Approved unanimously**

4. Consideration of the 257 McHenry Avenue Plat Amendment 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 Grahn stated that the resident at 300 McHenry has sent his attorney to ask for a continuation. Joe Tesch, attorney, stated that his client is concerned with the Planning Commission's recommendations and would like more time to get the two parties together to discuss the concerns. Planning Director Eddington stated that staff is not in favor of continuing the item.

Planner Grahn stated that the site is a significant site; the existing house had encroachment agreement on the lot lines and was deconstructed following a notice of order with a guarantee to reconstruct within two years. Staff outlined the many issues with this lot and the past plats. Staff has worked with the Title Company and Alliance Engineering to deal with all of the issues of the platted McHenry Ave and the built out McHenry Avenue. Discussions continued regarding the placement of the new structure and Grahn informed Council that the new structure would be placed in the current location and could not be relocated unless the City Engineer and Chief Building Official determine there is a unique condition to place the structure somewhere else on the lot.

Council member Simpson thanked staff for the complete staff report.

Council member Peek clarified that the staff report for 257 McHenry could stand on its own without the prior background information since the prior actions were completed in error. Grahn concurred.

Mayor Thomas opened the Public Hearing.

Joe Tesch passed out an exhibit related to the staff report. Stated that he feels that the staff report seems to have lost the feel of a historic structure. Feels that lot 16 should be cut out to disallow for a larger home to be built. Spoke to the request that the amendment not include the historic footprint which is now in an area deeded to the City. He spoke to the law regarding the right to property and the existing footprint prior to the deeded property. Also spoke to the encroachment agreement that staff is proposing for the access to be moved from the current McHenry Avenue to Platted/Built McHenry Avenue. He spoke to the fact that his client has a driveway melt system and the run off causes ice to collect at the bottom of the driveway and they are concerned with more traffic in the area not knowing how to navigate the conditions. Stated he feels that this application should be denied.

Mayor Thomas inquired where the driveway is heated. Tesch passed out another photo that showed the driveway was heated to platted McHenry Avenue.

Mayor Thomas closed the public hearing,

Director Eddington stated that the guidelines of the HDDR is to keep it in its current location. David White stated that the actual footprint of the historic home will be reconstructed exactly the way it was with a portion of the back crossing onto the City's property. Grahn stated that the owner could enter into an encroachment agreement with the City for the portion that would remain on the City's property. White stated that with the amount of property they are allowed 1858 square feet and are only using 1415 square feet. Council member Matsumoto inquired if there could be condition that they will not build larger than the proposed 1415 square feet. Grahn stated that it could be added in as a condition.

Council member Henney inquired if the ice build-up from the heated driveway causes an accident, who would be responsible. Harrington stated that it would be a building code issue with mitigation. White stated that as an architect he understood that it is against the code to drain water off of the driveway onto someone else's property or the City right-of-way.

Tesch reminded Council that it could take up to a year for the subdivision to be filed and is concerned with what the current plans are today not being what truly happens. Is also concerned that the Council cannot stipulate a smaller house if the zone allows a larger home.

Council member Matsumoto inquired about the comment that Tesch made regarding the right of property. Harrington stated that it could be true but the condition of approval would stand if the Council so set.

White spoke to the applicant's desire to move ahead and feels that everything is in order, reminding Council that there is still the HDDR process that the application must go through.

Planner Grahn read the two conditions added to the Ordinance into the record as #8-the applicant may not exceed 1420 square feet encroachment and #9- nothing in this amendment will prevent the City from entering into an encroachment agreement should the regulatory authority not find unique conditions to relocate the structure.

**Council member Simpson moved to approve the Ordinance for 257 McHenry Avenue Plat Amendment 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 as amended
Council member Beerman seconded
Approved unanimously**

5. Consideration of an Ordinance Approving The 1604 & 1608 Deer Valley Drive Plat Amendment 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 Thomas opened the public hearing, no comments were heard. Mayor Thomas closed the public hearing.

**Council member Beerman moved to Continue to July 31, 2014
Council member Simpson seconded
Approved unanimously**

IX. ADJOURNMENT INTO REDEVELOPMENT AGENCY

**Council member Peek moved to adjourn into the Redevelopment Agency meeting
Council member Beerman 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; Mark Harrington, City Attorney; Tom Daley, Deputy City Attorney; Heinrich Deters, Trails and Open Space; Ann Ober, Community Relations; Nate Rockwood, Capital Budget, Debt and Grants Manager. **Council member Beerman moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Henney seconded. Motion carried.**

Council member Peek moved to open the closed session. Council member Beerman 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 Heil

Marci S. Heil, City Recorder

