



**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
July 31, 2014**

**BOARD OF ADJUSTMENT MEMBER INTERVIEWS**

Mayor and Council conducted Board of Adjustment Interviews.

**Work Session**

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

Council member Beerman attended a constructive COSAC meeting. Also attended Mountain Accord meetings stating he is looking forward to the upcoming updates. He gave a shout out to the PC MARC as well as the Golf Course who both received "People's Choice" awards.

Council member Matsumoto spoke with some folks who are looking at reenergizing the Library Foundation and she was in favor.

Council member Simpson thanked staff for the manager's report stating she had forgotten about the water line project and was pleased to have the information available to answer questions she had received.

Council member Henney was also pleased with the information regarding the water line project as he too had forgotten. Attended the Silly Market Sunday and felt everything was progressing on track. Thanked Dave Gustafson for the Library walk-through. Also attended Planning Commission meeting as well as a Mountain Accord meeting.

Mayor Thomas attended the Snyderville Basin Reclamation Water District meeting and bar-b-cue where they discussed impacts and growth. They also sent accolades to Clint McAfee describing how great he is to work with. Then inquired about a structure on Daly Avenue that looks like a construction site with blue tarps. Eddington stated that it is a very old panelization and that staff will follow up to get the project moving along. Council member Beerman then inquired about a demolition of what looks to be a historic structure on Park Avenue. Eddington stated that it is a historic structure and staff caught the demo in progress and has stopped the work. It was done without approval and staff is now working to salvage what they can in the project. Council member Matsumoto would like to see a large fine issued. Council member Simpson would like to see a manager's report regarding panelization storage and the monitoring process.

Council member Henney inquired about the Construction update manager's report in regards to confirming that there will be bike racks installed in the Terigo plaza. Weidenhamer stated that staff is taking Council feedback seriously and will be installing bike racks; however, they do have to look at it from a staff level, a design level, and a practicality level and do not want to place racks around town that are ill placed. Henney also would like to seriously look into Soul Poles designing a bike rack out of bamboo.

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
July 31, 2014**

Page | 2

One item of staff communication was from Ann Ober and Matt Abbot in regards to Renewable Energy and Georgetown University Energy prize liaisons. Ober stated they have been working with Mayor Thomas and Council member Beerman and were looking for head nods that this was agreeable with Council. All nods were in favor.

**Transportation Planning Update**

Kent Cashel, Transportation Manager, discussed Vision Park City, General Plan, transportation agreements and the transportation plans stating he feels that these documents only work if you embrace the visions of the community. Discussed the current adopted transportation plans including the SR 248 & SR 224 Corridor Plans, Transportation Master Plan, Short Range Transit Plan and the Trails Master Plan. Discussed the outside factors that will impact the Transportation Master Plan such as: Mountain Accord, One Wasatch, Deer Valley Gondola, PCMR Transit Hub, UDOT Winter Road Closure, Basin Long Range transportation plan, Federal Funding challenges and the State's transportation model. Cashel discussed each factor in detail stating that there are impacts both positives and negatives to each item. Mayor Thomas agreed that each item is a holistic concept that needs to be looked at individually.

Mayor Thomas and Council member Simpson spoke to the concerns with opening the Guardsman Pass connection as it affects the community. Council member Beerman stated that he agreed with Mayor Thomas and the rest of Council to be extremely clear that they are not in favor of opening that pass in the winter. Cashel spoke to the federal funding. Council member Simpson stated that they are aware how lucky the City has been with receiving federal funding and feels that it is smart to look at funding our own projects. Cashel is very excited about the granular data that the new statewide transportation model will offer. Cashel asked for feedback from Council on where staff should focus time. Mayor Thomas inquired if staff could create a matrix to visually identify the impacts of each of the discussed factors to the community. Council member Simpson stated that she would focus on the corridor letter of intent that was written in 2006. Council member Henney felt that the gondola project would be a great benefit to the community and he would love to see it brought forth in a positive light. Council member Matsumoto stated that she feels that the decisions made by Mountain Accord will have a great impact on the community and is anxious to see what they have planned. Mayor Thomas would like to look at lowering the speed limit along SR 224. Cashel outlined the protocol of UDOT. Council concurred to bring the item back to a work session as well as have a city wide speed limit regulation discussion.

**City Council Goal Refinement**

Jed Briggs, Budget Operations Manager, spoke to the goal refinement regarding adding historic preservation to the Council Goal number 3. Council member Simpson stated that while she appreciates the work of staff she actually felt adding the words "historic fabric" to goal would sound better. Foster stated that all the historic preservation items are currently associated with goal 3. Council member Henney liked Simpson's suggestion but of the choices he would choose #1. Briggs stated that the entire Budget for Outcome items for historic preservation are included with goal 3. Council concurred that while it would sound better to use Simpson's version they will choose version number 1 to eliminate the need to restructure the BFO's.

**HISTORIC PRESERVATION BOARD MEMBER INTERVIEWS**

Mayor and Council conducted Historic Preservation Board interviews.

**Closed Session**

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
July 31, 2014**

Page | 3

Property, Personnel and Litigation

**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, August 7, 2014. Members in attendance were Jack Thomas, Andy Beerman, Liza Simpson, Tim Henney and Cindy Matsumoto. Council member Peek was excused. Staff members present were Diane Foster, City Manager; Mark Harrington, City Attorney; Kirsten Whetstone, Planner; Clint McAfee, Water & Streets Manager; Jonathan Weidenhamer, Economic Development; Matt Twombly, Special Events; Christy Alexander, Planner; Marci Heil, City Recorder

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

Mayor Thomas disclosed that he was on the Planning Commission during the 30 Sampson hearings and will be recusing himself during that item.

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

Chuck Klingenstein, resident, stated that he has a few issues with the construction staging on the North 40 parking lot and the increased number of Special Events. Stated that he did receive a courtesy notice from Troy Dayley regarding the staging on the North 40 lot. He understood from this letter that the staging was supposed to last 1 week and would house roto-millings. This is not what happened, all types of machinery and dump trucks and equipment were used 6 days a week for 2 weeks. His neighbors and he feel that this has come to a crescendo and are very upset with the disruptive activity. The other topic he addressed was the intensification of the Special Events in the City. He discussed the Recreation Master Plan that was adopted in 1991 and how the recreation program has grown. Feels that it is time to revisit the Recreation Master Plan. He does not feel that the plan was ever supposed to address the special events and the transportation of such events. Asked Council to put a stop to the construction staging on the North 40 and would like to recreate a citizens group to revisit the 1991 Recreation Master Plan.

Multiple residents concurred with Chuck's statements and one added that the notice specified the hours of 7am to 7pm and the work continued well past the stop time.

Mayor Thomas stated that he lives on the same street and has experienced the same issue.

**IV. CONSIDERATION OF MINUTES FROM JULY 17, 2014 CITY COUNCIL MEETING**

**Council member Simpson moved to approve the minutes from July 17, 2014**

**Council member Henney seconded**

**Approved unanimously**

**V. APPOINTMENTS AND RESIGNATIONS**

Consideration of the following appointments to the Public Art Advisory Board: Bryan Markkanen, Victoria Anderson, Judy Horwitz and Hannah Palmer for a term ending July 2016

**Council member Simpson moved to make the aforementioned appointments**

**Council member Matsumoto seconded**

**Approved unanimously**

**PARK CITY COUNCIL MEETING MINUTES**

**SUMMIT COUNTY, UTAH,**

**July 31, 2014**

Page | 4

**VI. OLD BUSINESS**

1. 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 in a form approved by the City Attorney.

Mayor Thomas opened the Public Hearing. There were no comments. Mayor Thomas closed the hearing.

**Council member Beerman moved to approve an Ordinance approving the 1604 & 1608 Deer Valley Drive Plat Amendment pursuant to the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.**

**Council member Simpson seconded**

**Approved unanimously**

2. Consideration of a request for remand to the Planning Commission regarding an appeal of the Planning Commission denial of Steep Slope Conditional Use Permit located at 30 Sampson Avenue

Mayor Thomas recused himself and left the Council Chambers. Planner Whetstone stated that staff and the applicant are asking for a remand to the Planning Commission of the denial of the Steep Slope Conditional Use Permit. This is a new construction single family home on 30 Sampson. In 2013, the CUP was denied and the applicant appealed the decision and requested a continuation in order to approach the State's ombudsman office for an advisory opinion. In light of the advisory opinion staff and the applicant feel that it should be allowed to be remanded back to the Planning Commission for further review. Staff has included findings of fact and conclusions of law to support the remand.

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

**Council member Matsumoto moved to remand to the Planning Commission regarding an appeal of the Planning Commission denial of Steep Slope Conditional Use Permit located at 30 Sampson Avenue**

**Council member Henney seconded**

**Approved unanimously**

3. Consideration of the Dority Springs Subdivision located at 1851 Little Kate Road- Plat Amendment Subdivision

Mayor Thomas opened the Public Hearing. There were no comments. Mayor Thomas closed the hearing.

**Council member Simpson moved to Continue the consideration of the Dority Springs Subdivision located at 1851 Little Kate Road- Plat Amendment Subdivision to September 4, 2014**

**Council member Matsumoto seconded**

**Approved unanimously**

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
July 31, 2014**

Page | 5

4. 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 Thomas opened the Public Hearing. There were no comments. Mayor Thomas closed the hearing

**Council member Beerman moved to Continue the consideration of an Ordinance approving the Parkite Commercial Condominiums record of survey plat, located at 333 Main Street, Park City, Utah to September 18, 2014**

**Council member Matsumoto seconded  
Approved unanimously**

**VII. NEW BUSINESS**

1. Consideration of a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approve by the City Attorney

Clint McAfee stated that the Stipulated Compliance Order is a companion document to the permits for the water flowing out of the Judge and Spiro tunnels. McAfee stated this is the third rendition of this document and the most recent changes are date extensions that favor the City. There were also changes in the permit documents that the EPA has issued. The EPA is concerned with Silver Creek and the discharge of the water from Judge and Spiro during the compliance period. Stated that staff also needs to install Best Management Practices in Empire Canyon and will be installing a screen in the chlorine tank to screen for sand and timber. Stated that once the Council approves this SCO, McAfee would sign the SCO and there would be a 30 day comment period for the public before this goes into effect. McAfee pointed out that the stream that Judge has been filling will run dry as Judge is moved into Spiro. Council member Beerman clarified to the public that this is not a City decision it is an EPA mandate. Council member Beerman thanked McAfee for all his hard work and is pleased with the results. McAfee thanked Roger McClain and Michelle DeHaan for all their hard work on this project as well.

**Council member Simpson moved to approve a Stipulated Compliance Order for the Judge and Spiro Tunnel Utah Pollutant Discharge Elimination System permits between Park City Municipal Corporation and the Utah Division of Water Quality, in a form approve by the City Attorney**

**Council member Matsumoto seconded  
Approved unanimously**

2. Consideration of authorization for the City Manager to enter into Addendum #2 to the construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. for the Guaranteed Maximum Price (GMP) of Seven Hundred Thirty Thousand One Hundred Seven Dollars (\$730,107.000) to construct the plaza from the Transit Center to the Bear Bench (Bear Bench).

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
July 31, 2014**

Page | 6

Matt Twombly, Sustainability, Jonathan Weidenhamer, Economic Development Manager, David Harrison, Miller Paving and Dan Sontag with MGB&A discussed the Bear Bench plaza walkway. Twombly stated that this project came before Council a few months ago where they discussed this and the City Hall Plaza. Since then the projects have come in significantly over the original estimates. Staff would like to move forward on the Bear Bench project and postpone the City Hall plaza project until Spring 2015 to hopefully get in line with the estimates. Council member Simpson inquired about the screening element. Weidenhamer stated that Maria Brandt, Landscape Architect, picked out the trellis. She also wanted to make sure that the brick is durable enough to take a beating. Twombly reassured Council that the brick is a dark color and will be durable as well as camouflage any stains that will occur. Mayor Thomas inquired about the trees and the lighting element. Twombly stated that the trees will be in landscaped areas and the lighting will be on dimmers. Council member Beerman thanked staff for making the hard choices and really likes the choices they have made. Also found the chart very helpful.

**Council member Beerman moved to authorize the City Manager to enter into Addendum #2 to the construction manager at risk (CMAR) contract in a form approved by the City Attorney's Office with Miller Paving Inc. for the Guaranteed Maximum Price (GMP) of Seven Hundred Thirty Thousand One Hundred Seven Dollars (\$730,107.000) to construct the plaza from the Transit Center to the Bear Bench (Bear Bench).**

**Council member Simpson seconded  
Approved unanimously**

3. Consideration of an Ordinance amending 341 Ontario Avenue Subdivision pursuant to the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Planner Alexander stated that applicant owns both lots 21& 22 and would like to combine the lots into one. There is a historic home that crosses lot lines and the applicant is also going to build an addition onto the historic structure. Alexander stated that Planning Commission forwarded a favorable recommendation.

Mayor Thomas opened the Public Hearing. There were no comments. Mayor Thomas closed the hearing

**Council member Beerman moved to approve an Ordinance amending 341 Ontario Avenue Subdivision pursuant to the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney  
Council member Henney seconded  
Approved unanimously**

4. Consideration of a request for a one year extension of the Council approval of the amended, consolidated, and restated record of survey map for the Parkview Condominiums located at 2260 Jupiter View Drive, Park City, Utah pursuant to the

**PARK CITY COUNCIL MEETING MINUTES**

**SUMMIT COUNTY, UTAH,**

**July 31, 2014**

Page | 7

findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney

Planner Whetstone stated that this application is a request for a one year extension to the Council approval of the condominiums. Stated that after the approval it was found that all 42 owners had to have their signature notarized on the plat and due to ownership changing and corporation ownership it has proven difficult to obtain all the signatures.

Mayor Thomas opened the Public Hearing. There were no comments. Mayor Thomas closed the hearing

Council member Simpson inquired the final date of the extension. Whetstone stated that it is for May 30, 2015.

**Council member Simpson moved to approve a one year extension of the Council approval of the amended, consolidated, and restated record of survey map for the Parkview Condominiums located at 2260 Jupiter View Drive, Park City, Utah pursuant to the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney to May 30, 2015  
Council member Matsumoto seconded  
Approved unanimously**

5. Consideration of an Ordinance amending the 200 Ridge Avenue Ridge Overlook Plat pursuant to the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Mayor Thomas opened the Public Hearing. There were no comments. Mayor Thomas closed the hearing

**Council member Matsumoto moved to Continue the consideration of an Ordinance amending the 200 Ridge Avenue Ridge Overlook Plat pursuant to the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney to a date uncertain  
Council member Simpson seconded  
Approved unanimously**

6. Consideration of an Ordinance for the Silver Bird Condominium at Deer Valley First Amendment located at 7379 Silver Bird Drive pursuant to the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Mayor Thomas opened the Public Hearing. There were no comments. Mayor Thomas closed the hearing

**Council member Simpson moved to Continue the consideration of an Ordinance for the Silver Bird Condominium at Deer Valley First Amendment located at 7379 Silver Bird Drive to September 4, 2014  
Council member Henney seconded  
Approved unanimously**

**PARK CITY COUNCIL MEETING MINUTES**

**SUMMIT COUNTY, UTAH,**

**July 31, 2014**

Page | 8

7. Consideration of an Ordinance for a Condominium Plat located at 692 Main Street, Park City, Utah pursuant to the findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Mayor Thomas opened the Public Hearing. There were no comments. Mayor Thomas closed the hearing

**Council member Henney moved to Continue the consideration  
of an Ordinance for a Condominium Plat located at 692 Main**

**Street, Park City, Utah to September 4, 2014**

**Council member Simpson seconded**

**Approved unanimously**

**VIII. ADJOURNMENT INTO CLOSED SESSION**

**Council member Simpson moved to adjourn into closed session**

**Council member Henney seconded**

**Approved unanimously**

**MEMORANDUM OF CLOSED SESSION**

The City Council met in a closed session at approximately 4:00 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; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager; Polly Samuels McLean, Assistant City Attorney; Thomas Eddington, Planning Director; Kayla Sintz, Planning Manager; Dave Gustafson, Sustainability. **Council member Beerman moved to close the meeting to discuss Personnel. Council member Matsumoto seconded. Motion carried.**

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

The City Council met in a closed session at approximately 6:55 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; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager. **Council member Simpson moved to close the meeting to discuss Property, Litigation and Personnel. Council member Henney seconded. Motion carried.**

**Council member Simpson 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.

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
July 31, 2014**

Page | 9

*Marci Heil*

Marci S. Heil, City Recorder

