



**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
September 25, 2014**

**Closed Session**

To discuss Property, Personnel and Litigation

**Work Session**

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

Council member Beerman congratulated the players regarding Autumn Aloft. Attended Mtn Accord meetings. Participated in a door-to-door transit survey in Park Meadows and was surprised with the number of people use the bus on a regular base. Had a renewable energy meeting this morning looking at what resources could come to Utah. Attended the Leadership City Tour debrief.

Council member Henney also went door-to-door conducting the transit survey. Heard many comments not related to transit. Tour de Suds was postponed and there is a good chance it will be postponed again. Attended the Joint School board meeting where they discussed the Georgetown Energy Prize. Has fielded calls regarding the BoPa Form base code most being owners who have not been notified. Foster stated that there is a link on the webpage specific to BoPa. She encouraged Council to direct the residents there for more information.

Council member Matsumoto enjoyed Autumn Aloft with her family. Attended an exploratory meeting regarding a Senior Assisted Living program. Attended the wrap up of the Silly Market stating that the attendance was up 8% and was a good year for the market. Also went door to door in Park Meadows finding all positive comments. Attended the Peace House fundraiser "Walk a Mile in Her Shoes" stating it was a very successful event. She then informed the public of another Peace House event in November a "Bling Fling" where they are going to sell jewelry, scarves, purses etc. and encouraged everyone to have "bling parties" to gather unused items for them to sell.

Council member Peek also enjoyed the transit door-to-door survey. Attended the County School district meeting finding it very informative. Planning Commission meeting was great, they forwarded a positive recommendation for the Round Valley annexation. Enjoyed the Walk a Mile in her shoes event.

Mayor Thomas also attended the Park City School district meeting. Attended the Snyderville Basin Water meeting, enjoyed the transit survey. Attended the premier of a movie titled *Pump*. Stating it was a great film outlining the dilemma of fuel choice.

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
September 25, 2014**

Page | 2

**Manager's Report**

Council member Henney commented on the Manager's report submitted by Rockwood inquiring if there are any high impact, low cost projects that the City could do right now with the savings. Foster stated that if Council agreed staff could look at projects and bring back ideas to a future meeting. Council concurred.

**Commercial Property Assessed Clean Energy (C-PACE) discussion**

Matt Abbott, Sustainability and Meghan Dutton, Utah Clean Energy, spoke to the C-Pace financial options for the projects. Dutton stated that 30% of energy is wasted in commercial buildings. She stated that the way C-Pace works is the City would assess an area and then issues a bond. The bond funding is given to the commercial property owner for the upgrades and is paid back over a repayment term up to 20 years with the yearly property tax payments. This can also be transferred and does not show up as debt. Common concerns of Municipalities have is how it will affect the City's credit and bond rating. Dutton stated that the risk is very minimal due to the low payments and high property value. Dutton discussed the model Pace program that Utah Clean Energy have been developing. Stated that the Governor supports the C-Pace program and is looking at promoting this statewide.

Council member Matsumoto inquired if Park City were to participate in the Pilot program would the City need to issue a bond. Dutton stated that yes the city would issue a bond.

Council member Beerman inquired how close the State is to implementing a statewide program. She stated that it would begin in the next few months. He then inquired about a cap of pilot programs. Dutton stated there is also no limit on the pilot programs.

Abbott stated that staff would like to keep the relationship with Clean Energy and would like to postpone participating in a pilot program until the statewide program is up and running. Council concurred.

**Affordable Housing Criminal Ordinance discussion**

Rhoda Stauffer, Housing Specialist and Tricia Lake, Assistant City Attorney/Prosecutor, discussed the draft affordable housing criminal ordinance. Stauffer stated that the ordinance will be used as an education tool and will have a punishment associated to relay the importance of this issue. Stauffer stated that working with other municipalities and non-profits has shown the importance of this issue. She stated there are currently 489 affordable units and would find it tragic if we lost even one unit.

Council member Henney inquired about a hypothetical that staff is looking for and how they would lose affordable housing. Stauffer stated an instance would be not using the property as a primary residence or charging more rent than allowed. Lake spoke to the use of deed restrictions that would encourage the property owners to work with the City.

Mayor Thomas opened the floor for public input.

Scott Loomis, Mountain Land Housing Trust, stated that there has been a lot of abuse in the County regarding the deed restrictions that have been missed which have led to law suits. Feels this is a minor deterrent but is an important step. Spoke to the provisions in the ordinance regarding owner occupied, etc and expressed his support.

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
September 25, 2014**

Page | 3

Glen Wright represented the Habitat for Humanity is in favor of this ordinance in that it will create more confidence in the community to support affordable housing.

Lisa Schneider, Habitat for Humanity, stated that they build homes with families to keep the homeowners in their home for the long term. Stated that they do not give homes away and work with each family to keep them in an affordable situation. She is also in support of this ordinance and looks forward to working with staff in updating the current housing resolution.

Mayor Thomas closed the public input portion.

**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, Dick Peek, Tim Henney and Cindy Matsumoto. Liza Simpson was excused. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Kent Cashel, Transportation Manager; Brooks Robinson, Transportation; Kirsten Whetstone, Planner; Anya Grahn, Planner; Rhoda Stauffer, Housing Specialist, Tricia Lake, Assistant City Attorney/Prosecutor; Clint McAfee, Streets and Water Supervisor; Chad Root, Chief Building Official; Michelle Downard, Building Department; Matt Cassel, City Engineer; Marci Heil, City Recorder

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

Kent Cashel reminded Council that on Tuesday 4-6 pm at the Richins Building the County is holding an open house regarding the long term transportation plan. Stated he is really excited about this opportunity for the public. Stated the City and County are really lining up well and working together well. Council member Beerman inquired about an opportunity to preview the material so the Council could be prepared for questions. Cashel stated that it will include a 30 minute presentation followed by an interactive approach with maps for input as well as an hour of Q & A.

Brooks Robinson stated that on a related matter the City was told that UDOT has installed antennas to gather data related to traffic along Highway 40.

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

John Helton, resident, wanted to implore the Council to make whatever acceptance needed to keep the Kimball Arts Center on Main Street. Discussed the future of the property stating that if there will be a wall/building there anyway why not have a public amenity present. Loves his town and wants it to be as great as it can be and feels it would be a disservice to run them out. Discussed what is done architecture wise all over the world.

Clay Stuard, resident, stated that he also loves his town. He spoke to the BoPa form based code. Stated that adapted reuse of structures allows the design to remain organic. Spoke to the road upgrade in the area that could accommodate autos, bikes, and pedestrians. Stated that if the Council wants the best design for Bonanza Park then do not pass the form based code.

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
September 25, 2014**

Page | 4

Michael Wolfe, resident SLC and longtime business owner in Park City, has only recently reviewed the form based code plan. He spent an hour driving through BoPa and found it a lively neighborhood and are able to provide business space for a small price. Stated this makes it difficult because there are areas of BoPa that will need to be redeveloped but his business has nowhere to go.

Katarina Blaze added her comments to the form based code. Owns condo space which is used for office space. She has read through the form based code and found that her daily operating procedures would be uprooted. Stated she is currently being treated for high mineral exposure after working as a landscape architect in BoPa. She is very concerned about the safety of the residents and workers with the mine tailings in that area. Discussed the soils ordinance that the BoPa area falls in.

Mary Oshlefsky- stated that the process of the BoPa form based code feels similar to the General Plan last year and requested the Council go slowly and not rush a vote on this item. She has observed confusion regarding the heights that would be possible and would like to see balloons or a statue placed for

Bonnie Cray, resident, stated that she is very concerned with the form based code in BoPa and would also like to have a visual of the impact. Supports the comments that have been made and asked the Council to slow down.

Carol Agle stated that she was on a task force years ago regarding the BoPa area to the lift and recognized that it is not the most beautiful place in Park City but it is the most affordable.

City Manager Foster encouraged the public to review the updated page on the Park City website to help provide background to the BoPa Form based code discussion.

**IV. CONSIDERATION OF THE AUGUST 5, 2014 MID-YEAR RETREAT MINUTES**

**Council member Beerman moved to approve the  
August 5, 2014 Mid-Year Retreat minutes.  
Council member Peek seconded  
Approved unanimously**

**V. NEW BUSINESS**

1. 2013 Historic Preservation Award to the residential structure at 929 Park Avenue as well as Talisker on Main (515 Main Street) for their Excellence in Restoration

Planner Grahn stated that HPB has chosen the home at 929 Park Ave as well as Talisker on Main for the excellent restoration. There were two artist renditions of the properties to be hung in the Marsac building. HPB members John and Marianne presented the owners with smaller prints. Both artists thanked the Mayor and Council for the opportunity to be a part of this award.

**Council member Matsumoto moved to approve the 2013  
Historic Preservation Award to the residential structure at 929 Park Avenue as well as  
Talisker on Main (515 Main Street) for their Excellence in Restoration  
Council member Henney seconded**

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
September 25, 2014**

Page | 5

**Approved unanimously**

2. Consideration of the Ice Arena's Advertising and Sponsorship Sales Agreement with Senske, LLC. in a form approved by the City Attorney

Amanda Noel, Ice Arena Program Manager and Matt Senske, Vendor, discussed the advertising and sponsorship for the Ice Arena stating that this contract helps lower subsidy and overall costs the Arena. Noel discussed the changes in the contract. Senske stated that he feels very confident with the revenue stream thus far. He does have a cap and wants to keep the facility clean and orderly. Senske spoke to his background which has brought forth a different perspective and business mind set.

Council member Beerman stated that he is very pleased with the success. He did express concern with the new management coming in inquiring if the automatic two-year extension in 2016 is a good idea stating either party may want to negotiate.

Noel reminded Council that either party has the 30-day notice to discontinue the contract.

**Council member Henney moved to approve the Ice Arena's Advertising and Sponsorship Sales Agreement with Senske, LLC. in a form approved by the City Attorney  
Council member Peek seconded  
Approved unanimously**

3. Consideration of an Ordinance adopting the Affordable Housing Fraud Ordinance in a form approved by the City Attorney.

Mayor Thomas inquired if Council had any further questions that were not answered during the work session. No comments or questions from Council.

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

**Council member Beerman moved to approve an Ordinance adopting the Affordable Housing Fraud Ordinance in a form approved by the City Attorney  
Council member Henney seconded  
Approved unanimously**

4. Consideration of an Ordinance amending Title 11, Chapter 13 – Impact Fees of the Park City Municipal Corporation Municipal Code, and adopt the 2014 Water Impact Fee Facilities Plan, and the 2014 Water Impact Fee Analysis in a form approved by the City Attorney

Clint McAfee and Matt Millis discussed the consideration of the Impact Fee ordinance and the facilities plan. The documents were available on-line as well as hard copies for public comment from September 10<sup>th</sup> to September 23<sup>rd</sup> and there were no comments.

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

**Council member Peek moved to approve an Ordinance amending Title 11, Chapter 13 – Impact Fees of the Park City Municipal Corporation Municipal Code, and adopt the**

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
September 25, 2014**

Page | 6

**2014 Water Impact Fee Facilities Plan, and the 2014 Water Impact Fee Analysis in a form approved by the City Attorney  
Council member Beerman seconded  
Approved unanimously**

5. Consideration of an Ordinance amending Chapters 3, 4, 7, 8, and 9 of Title 11 “Buildings and Building Regulations” of the Municipal Code of Park City, Utah. Specifically, the proposed changes would amend references to the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Plumbing Code, National Electrical Code, and the International Fire Code to reflect the editions adopted by the State of Utah in a form approved by the City Attorney.

Chad Root, Chief Building Official, and Michelle Downard, Building Department, discussed this housekeeping item to bring the Park City code up to date with the State and International Codes.

Mayor Thomas expressed concern on how to get this information out to the contractors, architects, etc. Root stated that the building department currently meets with the contractors at their monthly meetings and will continue with this education. Staff is also looking at holding meetings at City Hall for education as well.

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

**Council member Matsumoto moved to approve an Ordinance amending Chapters 3, 4, 7, 8, and 9 of Title 11 “Buildings and Building Regulations” of the Municipal Code of Park City, Utah. Specifically, the proposed changes would amend references to the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Plumbing Code, National Electrical Code, and the International Fire Code to reflect the editions adopted by the State of Utah in a form approved by the City Attorney.  
Council member Peek seconded  
Approved unanimously**

6. Consideration of the Amended and Restated Grant of Easement for 333 Main Street in a form approved by the City Attorney.

Matt Cassel stated that this is an agreement to amend and restate the easement for the 333 Main tunnel. Cassel stated that since the packet went out the Legal department has made one change to the easement in paragraph 7 concerning the upsizing of a future water line discussing the 8’6” height level to protect the water line as well as use the basement level for parking.

**Council member Beerman moved to approve the Amended and Restated Grant of Easement for 333 Main Street in a form approved by the City Attorney  
Council member Matsumoto seconded  
Approved unanimously**

**VI. ADJOURNMENT**

**Council member Peek moved to adjourn the meeting**

**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
September 25, 2014**

Page | 7

**Council member Beerman seconded  
Approved unanimously**

**CLOSED SESSION MEMORANDUM**

The City Council met in a closed session at approximately 3:15 p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Dick Peek, Cindy Matsumoto and Tim Henney. Staff members present were Diane Foster, City Manager; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager; Ann Ober, Community Relations; Phyllis Robinson, Communications and Public Affairs; Nate Rockwood Capital Budget, Debt and Grants Manager. **Council member Beerman moved to close the meeting to discuss Property, Litigation and Personnel. Council member Peek 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

