



**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
August 21, 2014**

Closed Session

To discuss Property, Personnel and Litigation

Planning Commission Interviews

Mayor and Council conducted one Planning Commission interview.

Complaint Review Board Interviews

Mayor and Council conducted Complaint Review Board Interviews.

Closed Session

To discuss Property, Personnel and Litigation

Work Session

Council Questions and Comments and Manager's Report

Council member Beerman thanked staff and community for Tour of Utah. It has grown into a neat event. Thanked the Mayor for inviting him to shoot the start gun. He and Mayor Thomas attended an event with Mayor Becker, National League of Towns. He had a question from a citizen regarding the PACE program and wanted to clarify that the City was working towards a pilot program. City Manager Foster concurred.

Council member Matsumoto met with the Library Board and went on a tour of the construction site which is moving along great. Summit Lands meeting and announced the upcoming events Moonshine on September 9th and a breakfast on October 1 where Mayor Becker will be speaking.

Council member Peek agreed with Beerman on the success of Tour of Utah and enjoyed the finish.

Council member Simpson stated that she was sorry to miss the Tour of Utah and has attended too many meetings to count. Stated that KPCW is holding their pledge drive and she volunteered early Monday morning with Ann Ober. Also wanted to start the conversation of shifting the expiration dates our Boards and Commissions. Council concurred they also want to discuss alternates and the ability to apply to multiple boards.

Council member Henney gave a shout out to Kamas for the great outcome of the finish of Stage 5 of Tour of Utah. Attended HPCA stating that the one comment that he came away with was with all the construction going on in the City have been chipping away at the parking in Old

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Town and feels that there is just a perception and would like to see data regarding parking in the City. Council agreed

Mayor Thomas attended the Art Board meeting along with the Council of Governments meeting where they gave an update on the success of Tour of Utah and they also discussed a rotating art program. As Council member Beerman stated they attended a National League of Towns meeting with a few other Mayors from the region and are looking at a possible membership.

COSAC- Gambel Oak

Heinrich Deters, Trails and Open Space, discussed the Citizens Open Space Advisory Committee recommendation to place an Open Space easement on the Gambel Oak parcel. Staff is recommending Council to provide Summit Lands Conservancy the opportunity to fundraise for the costs for the easement.

Mayor Thomas opened the floor for public comment.

Carolyn Frankenberg spoke as a member of the public and an alternate on the COSAC board. She does not feel that the Conservancy should be the steward on this land and feels that the City sales tax should be used to cover the stewardship.

Council member Matsumoto stated that she is in favor of the easement and asked Deters for clarification regarding the funding. Deters stated that there is an overall greater funding discussion currently going on in COSAC that this land could be a part of. However; prior to rolling it all together Deters feels that Summit Lands should be allowed to fund raise for stewardship for cost associated with an easement.

Council member Simpson clarified the two questions staff was trying to answer. One, does the Council want to place an easement on this property and two, getting direction to allow Summit Lands to go forward "at will" to raise money while COSAC is discussing other funding options. Deters concurred.

Cheryl Fox, Summit Lands Conservancy, inquired if the entire amount was to be raised by Summit Lands or would it be a private/public partnership. She has not heard about rolling this funding in with the larger discussion.

Foster discussed the funding from a different perspective of having the City pay for the monitoring. Foster stated that the City has paid for the baseline assessment and the monitoring is stewardship and is the long term care. Stated that the City pays a yearly fee on a per acre basis and Council could direct staff to add this parcel to that lump sum payment.

Council member Simpson clarified that the City has been funding monitoring on an annual basis and in a sense the stewardship has always been happening. Clarified for the public that monitoring is a component of stewardship and endowments which are funded separately through the regular budget process.

Council member Beerman thanked the members of COSAC for all their hard work and feels that COSAC and Council need to meet and discuss these options further to decide where the funds need to be dedicated.

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Council member Simpson stated that to be clear Carolyn interpretation of where the funds are to come from then we are using the same funds to pay for the stewardship as well as purchasing more open space so in essence the City is purchasing less open space. Simpson stated for the record she is in favor of a conservation easement.

Council member Henney inquired about COSAC's discussions regarding the funding.

Deters stated that COSAC was not in favor of dipping into the acquisition pot of the Resort City Sales tax. Council member Henney felt that it was COSAC's job to drill down the purpose of the funding.

Kathy Fond stated that she is confused with what Deters said regarding using the sales tax funds for endowment. Gave an analogy of the Recreation Board wanting to put a park in stating that the process from acquiring the land to putting in the bathrooms etc. She stated that she feels that the acquisition and endowment are together like parks and bathrooms.

Council member Henney stated that he feels COSAC needs to have a robust discussion and come to a clear consensus and then make a recommendation to Council.

Deters stated pulled up the COSAC minutes stating he can see from the minutes there is some grey area with this property to address if this is an acquisition or a currently owned property that needs an easement.

Jim Doyle cautioned Council and staff to not talk endowment because this is not an endowment. Feels it is more appropriate to talk about funding efforts.

Council member Simpson stated that the City has paid for the monitoring for years and had talked years ago about an endowment in order to use the interest to fund the monitoring in perpetuity.

Council member Henney inquired if COSAC is still discussing tying the hands of future Councils with respect to future needs. Deters stated that it is always a conversation to protect the lands.

Council member Peek stated that he is in favor of the conservation easement as well as continuing the discussion to fund the stewardships.

Council member Beerman spoke to the comment made by Fox regarding the private/public partnership and feels that anytime fundraising can be done with thin budgets it is always a good thing to free up more money for future acquisitions.

Fox stated that she agrees that fundraising is a great option but it does take time and was hoping a public/private partnership would move the process along more quickly.

Walkability Discussion

Heinrich Deters, Trails and Open Space along with Rob Sunderledge, Horrock's Engineering discussed the relocation of the underpass associated with the SR 224 corridor and the walkability study. Stated that in 2012 Horrock's completed a corridor study and now have a feasibility study related to the SR 224 area. Discussed the negative aspects of the original project known as Jans-Cole Sports location such as poor traffic/pedestrian flow, being non-ADA compliant. There was concern with the North-South pedestrian traffic and feels that a signal

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would be the most helpful along this corridor. Deters discussed the phasing process of giving pedestrians their own phase and allowing traffic to move along more smoothly.

Council member Simpson inquired if the landing area would be addressed because the pedestrian traffic has no area to wait in. Deters stated that the area would be enlarged through pathway improvements.

Council member Beerman inquired if the potential for the overhaul of the intersection along with a roundabout is still on the table. It seems this is a good idea for the time being and with greater traffic it may be a better option.

Deters stated with a 40-year plan you have to look at the current picture because even with corridor studies cost and data is always changing.

The crossing that staff is looking at for the underpass is located at Park Ave and Kearns Blvd. Sunderledge stated this would be ADA compliant and would have fewer impacts due to the City owning a majority of the property. It would improve the infrastructure. Deters stated that staff has spoken with the owners of Yarrow and Basin Recreation.

Council member Henney inquired if this section would be just as successful with the light phasing.

Deters stated that there could be signalization at this point and improve pedestrian movement. The tunnel would be a spine for high traffic trails as well as helping with the traffic flow as well as a pedestrian route.

Council member Henney followed up that if a roundabout was placed there in the future would it impact the tunnel and cause the city to redo the tunnel.

Deters stated staff is looking at all the options to minimize any future reconstruction and would need the green light to bring back options to Council.

Council members Beerman and Peek both want to see realignments and have a very complete final product. Deters outlined the pathways that would connect the trails system with a Y patterned tunnel.

Mayor Thomas really like the connectivity aspect of the tunnel.

Fern Baird, inquired about why there is not a cross walk opposite toward the Yarrow as well as the speed limit issue in the area. Also brought up the issue of speed limits in the area.

Council member Simpson stated that with the double left turn it would back up traffic significantly worse than usual.

Carolyn Frankenberg stated she is extremely passionate about the walkability of the town and is pleased with the work that has been done and is wondering if there have been any traffic calming ideas discussed in that area.

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Deters stated that other areas in the study call out for a consolidation of access points as well as landscaping areas to provide traffic calming. Staff will have those difficult discussions with the business owners.

Steven Parker, is concerned with the bike path need along Park Ave and invited Council to attend the Park Avenue Condo task force meeting on Sept 2nd .

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, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff members present were Diane Foster, City Manager; Mark Harrington, City Attorney; Craig Sanchez, Public Outreach; Roger McClain, Water; Matt Cassel, City Engineer; Nate Rockwood, Capital Budget, Debts and Grants Manager; Kirsten Whetstone, Planner; Ryan Wassum, Planner; Marci Heil, City Recorder

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Craig Sanchez, Public Outreach, and Roger McClain, Water and Streets, spoke about the Judge Tunnel public outreach. Sanchez stated that there will be major impacts of Norfolk with a hard closure and they had a group that walked the neighborhood spoke to all the residents that were home. The group informed the residents of the hard facts and the residents are ready for the project to get underway. McClain stated that they have worked with emergency services on mitigation during the hard closure. Council member Peek inquired about the status of the Historic rating on the Woodside tank. McClain stated that the records have been searched for historic significance and were unable to find any information regarding the history of the tank.

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

Lynn Ware Peek stated that KPCW is holding their annual pledge drive and the Summit County Council members have issued a challenge grant and would like to see if the Council had any interest in making this a competition. Mayor Thomas stated that he has a \$1000 challenge grant. Also stated that Park City has been mentioned as one of the top 25 towns in the World in National Geographic Adventure.

IV. 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 authorizing the City Engineer to execute, in a form approved by the City Attorney's Office, the attached Encroachment Permit for Improvements in City Right-Of-Way with Myke Hughes and Westlake Land, LLC for parking and access use on a portion of Grant Avenue located at 206 Grant Avenue

**Council member Simpson moved to pull this item from the Consent agenda
Council member Peek seconded**

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Approved unanimously

Council member Simpson stated that she feels that the encroachment should be between the City and 206 and feels that the property owners should have a separate agreement.

Council members Peek and Beerman agreed with Simpson. Matt Cassel, City Engineer, stated that staff agrees that the City would be able to issue an encroachment agreement with Myke Hughes, 206 Grant Property Owner.

City Attorney Harrington stated that this has been a very in-depth process working towards this agreement. He would hate to cause a wrinkle. Jack Johnson, representative for the Imperial Hotel owner stated that they just want this process finished.

Harrington stated that he would leave the language "as is" unless there is another reason to hold this up. Also clarified if Council would like more information stating they could continue the item to the September 4th meeting. Harrington stated that the City is covered and would recommend moving forward.

**Council member Simpson moved to authorize the City Engineer to execute, in a form approved by the City Attorney's Office, the attached Encroachment Permit for Improvements in City Right-Of-Way with Myke Hughes and Westlake Land, LLC for parking and access use on a portion of Grant Avenue located at 206 Grant Avenue
Council member Matsumoto seconded
Approved unanimously**

V. CONSIDERATION OF MINUTES FROM THE JULY 31, 2014 AND THE AUGUST 7, 2014 COUNCIL MEETINGS.

**Council member Simpson moved to approved the meeting minutes from July 31, 2014 and August 7, 2014
Council member Beerman seconded
July 31, 2014 Approved(4-0)
Simpson-aye
Beerman-aye
Matsumoto-aye
Henney- aye
Peek- excused**

August 7, 2014 approved unanimously

VI. PUBLIC HEARING

1. Sales Tax Bond public hearing with respect to the issuance of the Issuer's proposed Sales Tax Revenue Bonds, Series 2014, for certain projects, in the principal amount of not to exceed \$6,000,000

Nate Rockwood, Capital Budget, Debt and Grants Manager, stated that there are two groups of bonds A's for refunding and B's with new money. This public hearing is for the "B" bonds only. Stated we had a really good sale of the "A" bonds and received an extremely great rate of 1.3%.

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Council was extremely pleased with the sale and rate. Over the 4 years remaining the City will save about \$600,000 dollars and it is a 6 year loan only. Rockwood clarified that the public hearing was related to the "B" bonds with the new monies.

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

VII. NEW BUSINESS

1. Consideration of a Resolution Proclaiming September as National Preparedness Month in Park City.

**Council member Peek moved to approve a Resolution Proclaiming September as National Preparedness Month in Park City.
Council member Beerman seconded
Approved unanimously**

2. Consideration of an Ordinance approving the plat amendment for 632 Main Street Silver Queen Condos, 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 and Steve Bruemmer, Elliot Work Group presented the amendment for one 3,000 square foot commercial area on the main level and 7 private condominiums ranging from 1,000 to 3,000 square feet above the commercial area. It is in the Historic Commercial Business zone and is consistent with the State's Condominium Act. The Planning Commission has forwarded a positive recommendation.

Council member Simpson thanked staff for the complete report.

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

**Council member Beerman moved to approve an Ordinance approving the plat amendment for 632 Main Street Silver Queen Condos, 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
Council member Matsumoto seconded
Approved unanimously**

3. Consideration of an Ordinance approving the plat amendment for 1102 Norfolk Avenue Subdivision located at 1102 Norfolk Avenue, 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 Wassum stated that this amendment will remove the lot lines and will bring the historic structure into compliance. Planning Commission forwarded a positive recommendation.

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

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**Council member Peek moved to approve an Ordinance approving the plat amendment for 1102 Norfolk Avenue Subdivision located at 1102 Norfolk Avenue, 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
Council member Simpson seconded
Approved unanimously**

4. Consideration of the Third Amended Stag Lodge Phase II condominium plat for Unit 35 based on the findings of fact, conclusions of law and conditions of approval as stated in the attached ordinance in a form approved by the City Attorney

Planner Wassum stated that the applicant is proposing to expand the garage area to reflect the entire footprint of the current structure and will not require any parking or modify the outward appearance of the structure.

Council member Simpson inquired if the prior owners did indeed complete renovations without the proper building permits and if there was any legal standing the City held. Harrington stated that he would not be able to comment without more information.

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

**Council member Matsumoto moved to approve the Third Amended Stag Lodge Phase II condominium plat for Unit 35 based on the findings of fact, conclusions of law and conditions of approval as stated in the attached ordinance in a form approved by the City Attorney
Council member Peek seconded
Approved unanimously**

VIII. ADJOURNMENT INTO CLOSED SESSION

**Council member Simpson moved to adjourn into Closed Session
Council member Beerman seconded
Approved unanimously**

CLOSED SESSION MEMORANDUM

The City Council met in a closed session at approximately 1:15 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; Tom Daley, Assistant City Attorney; Matt Dias, Assistant City Manager; Jason Glidden, Economic Development Project Manager; Jim Blankenau, Sustainability; Ann Ober, Sustainability; Lori Collett, Finance Manager; Nate Rockwood, Capital Budget, Debt and Grants Manager. **Council member Peek moved to close the meeting to discuss Property, Litigation and Personnel. Council member Simpson seconded. Motion carried.**

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

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The City Council met in a closed session at approximately 4:15 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; Tom Daley, Assistant City Attorney; Matt Dias, Assistant City Manager. **Council member Beerman 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 Peek seconded. Motion carried

The City Council met in a closed session at approximately 7:00 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; Tom Daley, Assistant City Attorney; Matt Dias, Assistant City Manager. **Council member Beerman moved to close the meeting to discuss Property, Litigation and Personnel. Council member Peek 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

