



**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
October 2, 2014**

Closed Session

To discuss Property, Personnel and Litigation

Work Session

Council Questions and Comments and Manager's Report

Council member Peek attended Historic Society meeting, and the Summit Lands Conservancy district.

Council member Simpson brings greetings from Ithaca, New York and Berkley, CA. Stated she met with the Planner from Ithaca on Form Based code.

Council member Matsumoto attended the Joint Transportation meeting stating she took away that her take away's were the residents do not want more traffic or high travel lanes they also want to keep free parking.

Council member Beerman also attended the Joint meeting stating he thought the interpretation was in-line with our core values. Congrats to Diane and Staff for all the awards from the ICMA meeting. Went on the radio to discuss Mountain Accord discussing that Oct 13th public open house from 6:00-8:15pm. Encouraged Council and residents to participate. Thanked staff for putting together a presentation for the Board of Realtors regarding Form Based Code.

Council member Henney stated that he also felt the Manager's report regarding the awards was great. Attended the Joint Transportation meeting and also came away with the same thoughts as Matsumoto. Thanked various staff members for the response to a residents letter that he forwarded.

Mayor Thomas also attended the Joint Transportation meeting finding it very interesting. Took a City Tour to Escalante where he met the Mayor/Bishop. Summit Lands breakfast was very well attended. Attended the lunch for the sponsors of Sundance.

Regular Meeting

6:00 pm

- 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, October 2, 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

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Manager; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager; Marci Heil, City Recorder; Jason Christensen, Water Department; Brenda Wilde, Water Department; Matt Abbott, Sustainability; Cherie Wellmon, Building Department; Michelle Downard, Assistant Building Official; Shelly Hatch, Finance Department; Polly Samuels McLean, Assistant City Attorney; Jason Glidden, Economic Development Project Manager; Kayla Sintz, Planning Manager.

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

There were no communications or disclosures from Council or Staff.

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

Mary Wintzer spoke for the Rossi Hill neighbors requesting a review of the project located at 331 McHenry Street. She stated that the applicant received a permit to remodel by leaving the 10 foot foundation wall on the property and now has removed the foundation wall and the neighbors feel that with the removal of the wall would be cause for a new construction CUP. She feels that with all the work the general plan this is a loop hole. Council agreed that a review should take place. Michelle Downard, Assistant Building Official, spoke to the issue stating that the foundation was originally going to remain in tack. Once exposed the foundation wall was not structurally sound to hold the remodel plans. Downard stated that the applicant has submitted redline plans and staff will review those plans. Council member Henney clarified that there are two issues for staff to look at: first, the 331 McHenry lot and second, the overall loop hole concerning this issue.

Jessica Gran, Peace House, reminded Council about the candlelight vigil on Tuesday, October 7th, at 5:45pm, meeting at the Brew Pub lot.

Brooks Robinson, Transit, presented the Council with an award the City has received from the Housing Coalition for leadership in the workforce housing market. Thanks to Kent Cashel, Darrin Davis, Steve Reese and Dave Gustafson for all the work on the Public Works expansion as well as Council member Simpson for her forethought to add housing to those spaces. Council member Simpson thanked Gustafson and Cashel for their hard work to keep the project on task.

City Manager Foster stated that they received 5 "Voice of the People" awards at the ICMA Conference. Brooks Robinson spoke to all the hard work Phyllis Robinson, Communications and Public Affairs, put in, as did Foster thanking P. Robinson for the compilation of the multiple applications, without her hard work this would not have come to fruition.

Kayla Sintz stated that the Park City General Plan is receiving an award tonight and staff will present it to Council at a future meeting. Staff is very pleased with this award as it shows how hard staff and the community worked together to create a great General Plan.

IV. CONSIDERATION OF THE SEPTEMBER 18 and SEPTEMBER 25, 2014 MINUTES

Council member Beerman added a correction to page 1 of the September 18, 2014 minutes.

Council member Beerman moved to approve the

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**Minutes from September 18 and September 25, 2014 as amended
Council member Matsumoto seconded**

**September 18, 2014
Approved unanimously**

September 25, 2014
Council member Peek aye
Council member Beerman aye
Council member Matsumoto aye
Council member Henney aye
Council member Simpson abstain
Approved

V. NEW BUSINESS

1. Consideration of a resolution adopting the Water Conservation Plan

Jason Christensen, Water Department and Brenda Wilde, Water Department, spoke to the resolution adopting the water conservation plan. Council thanked staff for the great report.

Mayor Thomas opened the floor for public input, no comments were made.

**Council member Simpson moved to approve a resolution
adopting the Water Conservation Plan
Council member Matsumoto seconded
Approved unanimously**

2. Consideration of the authorization of the City Manager to enter into a Construction Contract with Alpenglow Solar for the Park City MARC PV Array in an amount not to exceed \$424,499 in a form approved by the City Attorney.

Matt Abbott, Sustainability, stated that there will 755 panels on the roof and was very pleased with the price of \$2.04 a watt. Council member Henney inquired about the string format of panel components. Alpenglow representative, Dave Sheldon, spoke to the string panel component of the product. Council member Simpson inquired about panel aesthetic in the Park Meadows neighborhood. Alpenglow representative, John Conde, stated that they will be all blacked out and follow the plane of the roof. Council member Peek inquired about the snow drift and the string series working at full potential. Alpenglow representative, Josh Kordecki, stated that they will be strung horizontally instead of vertically in order to maximize the full potential at all times. Mayor Thomas inquired about the warranty. Alpenglow representative stated that they apply the fastenings and provide the contractor full metal flashings to be installed then the roofers will apply the shingles.

Mayor Thomas opened the floor for public input, no comments were made.

Council member Beerman stated that he was very pleased that when the information that the MARC building was not performing well in terms of energy the City found the funds to offset the energy drain.

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Council member Beerman moved to approve the Construction Contract with Alpenglow Solar for the Park City MARC PV Array in an amount not to exceed \$424,499 in a form approved by the City Attorney.

**Council member Matsumoto seconded
Approved unanimously**

3. Consideration of an ordinance amending 4- 2- 1 Unlawful to Operate Without a License, 4- 2- 2 Double Fee for Failure to Obtain Required License, 4- 2- 8 Inspection for Code Compliance/Notice of Infraction/License Revocation/Complaint Filed by City Attorney, 4- 2- 10 License Issuance or Denial, 4- 3-11 License to be Displayed and adopting 4- 3-10 Unlawful to Operate Without a License and Chapter 3A – Convention Sales and Hospitality License Applications Submitted Between December 1 and January 25 to clarify the general business licensing process and modify the application and inspection procedure for Sundance business and convention sales licenses

Cherie Wellmon, Building Department, spoke to the purpose of this ordinance stating that the large increase over the past two years has motivated staff to move forward with this change. Spoke to the process of type 2 Convention Sales License's . Stated that with the volume of inspections staff is proposing a pre-application inspection that would allow staff to discuss the current issues with the proposed space and would be followed up during the final inspection. The second change would be bringing the type 2 CSL's to Council for approval. Council member Henney inquired about the bottlenecking of inspections. Wellmon stated that the pre-inspection would be valid for 120 days rather than the current 60 days and would be valid for multiple licenses using the same space. Wellmon stated that staff has met with the HPCA and they are in favor of this amendment.

Council member Simpson thanked staff for the thorough staff report. She also feels that changing the validation of the inspection to 120 day is a huge help. Council member Peek inquired how the issues with be identified in the pre-inspection to track through the final inspection. Wellmon stated that staff will have to take very detailed notes. Council member Beerman inquired what the chart in the staff report meant. Polly Samuels McLean, Assistant City Attorney, stated that it will be noticed in advance and give plenty of notice. Council member Matsumoto stated that she felt it was concerning to wait to the last meeting and having late licenses coming in last minute. Shelly Hatch, Finance, stated that the main concern is safety this would allow staff the proper amount of time to perform the inspections.

Council member Beerman stated that he feels Council will be bombarded with last minutes pleas for acceptance. Glidden spoke to the key players who apply for most of the applications and they are in favor of the changes and felt the hard deadline was the most important.

Council member Simpson spoke to the rush at the end and feels that with Mike Sweeny and HPCA being on board and not having any notice issues with having a special meeting just in case she feels comfortable. Council member Beerman inquired if there should be a staff level approval for the last minute applications.

Council member Matsumoto stated that she would encourage an aggressive public outreach plan to explain the changes. Downard stated that they have met with groups who have been scouting the area. Kayla Sintz, Planning Manager, stated that they sent out a mass mailing of

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changes last year and have plans to follow those steps this year. As well as the “Rules of the Road” pamphlet will be available on-line.

Mayor Thomas stated that he met with Sara Peirce and the Sundance group is in favor of staff’s changes. His main concern is life-safety and feels that the last minutes applications create a concern.

City Manager Foster stated the change is to increase transparency and feels a staff approval for last minute applications would reward those who promote bad behavior.

Council member Peek stated he was comfortable with the ordinance as written and stated that Council could always review this item next year.

Mayor Thomas opened the public hearing.

Allison Butz stated that the HPCA is comfortable with the ordinance as written and stated that they have met with staff on a number of occasions and have worked really well together.

Mayor Thomas closed the hearing.

Polly Samuels McLean, Assistant City Attorney, pointed out an amendment to the public meeting line in the ordinance to allow for special meetings if needed stating it should read a publically noticed meeting with the application turned in three working days prior.

**Council member Peek moved to approve an ordinance amending 4- 2- 1 Unlawful to Operate Without a License, 4- 2- 2 Double Fee for Failure to Obtain Required License, 4- 2- 8 Inspection for Code Compliance/Notice of Infraction/License Revocation/Complaint Filed by City Attorney, 4- 2- 10 License Issuance or Denial, 4- 3-11 License to be Displayed and adopting 4- 3-10 Unlawful to Operate Without a License and Chapter 3A – Convention Sales and Hospitality License Applications Submitted Between December 1 and January 25 to clarify the general business licensing process and modify the application and inspection procedure for Sundance business and convention sales licenses as amended
Council member Matsumoto seconded
Approved unanimously**

VI. ADJOURNMENT

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

CLOSED SESSION MEMORANDUM

The City Council met in a closed session at approximately 2:00 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; Heinrich Deters, Trails and Open Space Manger. **Council member Matsumoto moved to close the meeting to discuss Property, Litigation and Personnel. Council member Simpson seconded. Motion carried.**

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Council member Simpson 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 Heil

Marci S. Heil, City Recorder

