



**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
December 11, 2014**

Work Session

Council Questions and Comments and Manager's Report

Council member Simpson thanked staff for the annual Holiday party as well as attended the JTAB meeting stating she found the interesting point was a recognition that density will need to be managed one way or another.

Council member Peek attended the JATB meeting as well as the opening day at Deer Valley.

Council member Matsumoto attended a meeting with City Manager and the Chief of Police regarding "At Risk" students.

Council member Beerman thanked staff for the Holiday party. Thanked Mayor Thomas for the joint Council/County Council Holiday party. Hosted a leadership book party at TMI. Attended the Celebrity Ski event at Deer Valley where the Mayor did a great job representing the City. Attended a Chamber Social which was well attended. Attended a BOSAC meeting.

Council member Henney stated that he loaded the Bus App on his iPad he found it very cool and informative, he attempted to show the audience but could not get a strong signal, stay tuned. Attended the Wilderness meeting where all the groups were well represented discussing the management tools and usage. Attended the Summit Mosquito Abatement meeting where they reported they had a great year. Attended the Celebrity Ski event where he was beat by Papa John's and bumped by Bobby Kennedy Jr.

Mayor Thomas stated he enjoyed the Holiday party mingling with the employees that he does not get to associate with on a daily basis. He thought the graphics on the leadership book were fabulous. Enjoyed hosting the joint Council social. The skiing event was amazing; he enjoyed meeting Bobby Kennedy Jr.

City Manager Foster outlined the upcoming items related to transportation stating that on Monday, Dec 15th the transportation staff will meet with the County to discuss alignments and on January 8th Kent Cashel will return to Council to further look at the transportation planning.

Mayor Thomas thanked Blake Foncesbeck for joining him for a meeting with a business owner discussing traffic and parking where they came in angry and left happy thanks to Foncesbeck for creating understanding of the plan.

Council member Matsumoto thanked staff for the construction survey stating that it looks like staff came out very well.

Henney also inquired about the Construction update manager's report and Weidenhamer stated that with the HPCA staff has decided to bump the Brew Pub project to the top priorities of the project list stating that it will be a multi-year plan. Beerman stated that he is concerned with proceeding on the City Hall plaza due to the lack of parking and the ongoing construction projects. Simpson stated that she is willing to look at this again but would suggest that we wait until the bids come in to see where we are sitting in a general sense. Peek stated he is good with the timeline Council gave staff in October. Matsumoto and Henney are open to a discussion. Henney inquired which way would help staff the most. Weidenhamer stated that his recommendation would be to come back when the bids come in. He stated that he has sensed no lack of commitment from staff, HPCA and the Council.

Parking Fee-in Lieu discussion

Kent Cashel and Brooks Robinson spoke to the parking fee-in-lieu topic related to the Peak Hour/Peak Day task force plan. Cashel stated that this is the first of many parking discussions to come in the near future. Stated that the parking fee-in-lieu is primarily in the HCB zone. Discussed the requirements for fee in lieu are 6 per 1000 sq. and the City charges \$14,000. Cashel spoke to the benefits being-option for developer, money for shared parking, fewer variances, promotes preservation and adaptive re-use. The risks are setting an appropriate fee, exceptions and business use which would miss the demand factor. Staff created a study looking at City owned sites looking at the accommodations and cost. The study did not look at supply and demand stating that staff needs to get a better look at the private parking accessible. The study findings are average cost being \$41,863 per space, that the space exists within the City and they found the visual impact to be significant. Staff's recommendations are to continue with the fee-in-lieu returning to Council on the 18th to amend the fee to \$40,000 per space. Would also like to manage the demand side first but keep an eye on the supply side. Council concurred with Staff's recommendations. Council member Matsumoto inquired if staff was projecting new construction. Cashel stated that there are a number of potential new construction options along Main. Council member Simpson inquired if the retailers on Main that paid into the original China Bridge would have to pay in again. Council member Beerman inquired how the money is tracked. Rockwood stated that the money would be received into the transportation fund and would be allocated within its own fund. Council member Beerman inquired if there was flexibility within the funds. Rockwood stated that there is the option to define what the monies can be used for to either increase supply or a number to give relief to the demand side. Council member Beerman inquired if staff has looked at any electronic tools that would point out open parking spots to help alleviate the stress of parking. Cashel stated that staff is looking at all types of tools for the tool box. Council member Simpson inquired about a valet system. Cashel stated that there was a pilot program in the 80's and it was unsuccessful, staff could take a fresh look at the idea again. Cashel discussed the Master Plan goals related to supply and demand. Discussed the licensing tools using the business use license to see the demand of each business on the supply of parking. Staff's recommendations are to continue with the fee-in-lieu returning to Council on the 18th to amend the fee to \$40,000 per space. Would also like to manage the demand side first but keep an eye on the supply side.

Council member Simpson inquired if the fee-in-lieu is only available in the HCB zone. Sintz stated that it would be available in the HCB zone in an MPD scenario. Simpson thanked staff for the in-depth report. Stated she is in support with the business license tool.

Council member Peek stated that he is in favor of staff's recommendation. He inquired if it would be better to look at the building permits to capture these fees as a conditional use. Staff will look into that.

Council member Matsumoto is also in favor of staff's recommendations.

Council member Beerman stated he is in support of staff's recommendations; however, feels that we are risking losing our Mom and Pops to big chains by assessing business fees.

Council member Henney stated that he is in favor but would like to look at paid parking and a parking enterprise fund. Cashel agreed that parking is a valuable asset and people take free parking for granted.

Mayor Thomas stated he agreed with the recommendations. He appreciated the logical process but was horrified with the parking structures portrayed in the mock drawings.

Allison Butz spoke for HPCA stating HPCA is pushing for alternatives to keep cars at the hotels/lodges. Feels that the electronic tool would be a great option stating that with the disjointed parking lots the guest feels the stress at 60%. Encouraged Council to look at the supply side as there are not currently not enough spots as is let alone to accommodate the recent growth.

National Weather Service Update

Hugh Daniels, Emergency Manager and Kevin Barjenbruch, Warning Coordination Meteorologist from the National Weather Service, spoke to becoming a storm ready community, stating that the Emergency preparedness department has always looked at weather but this is a way to up our readiness. Kevin outlined the qualifications for becoming a Storm Ready community. Recognized Park City as the 18th Storm Ready community in Utah. Hugh discussed an example of how this relationship worked with a storm during the Arts Fest.

Commercial Tours Request-Segways

Mayor Thomas recused himself as the applicant is a client of his. Mayor Pro Tem Simpson opened the item. Heinrich Deters, Trails and Open Space, stated that resident Dennis Levine is trying to obtain a business license for Segway tours of Historic Park City. Deters stated that this is currently not allowed in the current code and would need to come back if Council agrees to amend the code. Harrington stated that he always cautions the Council to remember the sidewalk right-of-way stating that in the past it was an all or nothing approach but over the years it has incrementally varied over the years adding use during special events. Also spoke to the safety aspect of this mode of transportation. Council member Matsumoto inquired if they would be on the streets or the sidewalks. Deters stated that the proposal is currently on the street and is outlined in the packet. Council member Beerman inquired how this differs from the current ghost tours and dining tours. Harrington reiterated his caution with the incremental creep. Council member Matsumoto inquired if they are allowed on the streets. Harrington and Deters stated that segways are allowed anywhere a bicycle is. Henney inquired about the legal issues with a commercial use.

Mr. Levine stated that this would be a 6 month use/business stating that this is a very popular mode for tours. He would like to stay off the busy streets due to the safety issues. Council member Peek inquired if there is a governed speed limit. Levine stated that there is a 12 mph

limit. He also clarified they will always be used as a guided tour and never rented out. Everyone would need to go through training and watch a video.

Council member Matsumoto stated she felt it would be detriment and disruptive to Old Town and does not want to open the door to motorized vehicles.

Council member Peek stated that he took a tour in Salt Lake and found the tour great but they have large sidewalks and ADA ramps but feel that the sidewalks in Old Town would not be conducive to a great tour.

Council member Beerman stated that he does not have a problem looking into this further and would see the use as fitting in with the open nature of neighborhoods that Park City has always valued.

Council member Henney agrees with Beerman

Council member Simpson stated that she is not in favor of spending any more staff time looking at this item. Council concurred they are not in favor of looking at code amendments for this use.

Iron Rangers Donation Collection Boxes on City Open Space

Deters, Trails and Open Space, stated that this report came from a study session discussion Council had with the Recreation Advisory Board during a joint meeting. Staff stated that these boxes would collect fees by donation only and would target the growing use from the Valley and surrounding areas who utilize our trails due to clean air and the dog friendly nature of the trails as well as the low snow totals tend to bring out more snow shoeing groups etc. Deters spoke to the counters used at the trailheads stating that it reached near 10,000 users last winter. Spoke to the beneficiaries being winter grooming, trail etiquette and education as well as rehabilitation, research and education. Staff is recommending that this come back to Council twice a year to keep them up to date with the collected funds. Council member Simpson stated that the City is also a nonprofit and wanted to let the nonprofits know that it may not always continue this way. Council is in favor of the pilot program. Council member Beerman thanked Cheryl Fox for raising half the money for the Gamble Oak easement that was passed through on consent a few meetings ago and will be signed tomorrow in the Mayor's office. Cheryl thanked Council and the City for putting up the other half.

Deer Valley Update-Bob Wheaton

Bob Wheaton, Deer Valley, spoke to the three upcoming projects to include the Main Street Gondola, Snow Park parking lots and the Mida/Mayflower/Jordanelle Project. He started the presentation by stating they have been meeting with Staff periodically and that Deer Valley's experience with staff and Council has been second to none. The Main Street gondola has been discussed to the best degree and have narrowed it down to two alignments one being from the Transit Center to Silver Lake and the second option would be to remove the existing silver lake express and replacing it with a gondola adjacent and attached to Silver Lake Lodge, second phase would be starting at the Transit Center to Lucky Bill. The frequency would be every 10 seconds and would be very scenic. The challenge side is that it is very expensive. They have been working with Dopplemayr out of SLC. Stated that they are taking their time and want to produce the best quality and not rushing to just be cool. Wheaton stated that the DV staff is looking at this as a transportation mode. Spoke to the Snow Park parking lots projects stating that they have worked with U of U School of Architecture to design ideas for the parking area. Spoke to the Mida/Mayflower/Jordanelle project stating that the Deer Valley submitted a Master

Plan and the County accepted the plan. Stated that the four property owners agreed to erase the property lines and layout the development opportunities for the ultimate guest experience. Stated that the project is moving very quickly and is looking at a start date of Summer 2015. Stated that the Mountain has its own capacity and when it is full it is full. Deer Valley will continue to operate that way. Wheaton stated that through the Mtn Accord process he has been in contact with a number of people that he would never be able to be in contact with. And they are looking at other relationships to see if a Federal Transportation funds are available. Wheaton thanked the Mayor and Council for the opportunity to be involved. Wheaton stated that he was speaking to his good friend Blaise Carrig and they would like to request that the Council adopt a "Let it Snow" resolution. It is agenzized for December 18th. Council thanked Bob for the great update and they are excited for the upcoming projects.

Regular Meeting

6:00 pm

I. 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, December 11, 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; Matt Dias, Assistant City Manager; Polly Samuels McLean, Assistant City Attorney; Marci Heil, City Recorder; Chad Root, Building Official; Shelly Hatch, Finance; Rebecca Gillis, Finance; Christy Alexander, Planning.

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council member Henney announced that he finally got the bus app to load and proceeded to show the audience how it worked.

Council member Simpson stated that she and Weidenhamer wanted to look at rolling this app out to the front line hospitality staff prior to the Christmas/Sundance season.

Council member Beerman disclosed that on consent item 2 and new bus 1 are tenants of his during Sundance.

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

Rob O'Brien owns and operates 609 Taxi discussing the Uber platform stated that Uber is a taxi/transportation system and with the sliding scales of fares does not see how this can be a fit to our business license regulations. Stated that he would like to have a conversation with the City and the taxi community to outline the guidelines. Simpson thanked Mr. O'Brien for his comments and would like to see a Manager's report regarding the playing field. Foster stated that 2015 Sundance staff will be enforcing this even stronger than last year.

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*)

Council thanked the Finance Staff for the great CAFR and Audit Report.

1. Consideration of the Comprehensive Annual Financial Report and 2014 Audit
2. Consideration of the Local Consent for Special Event Temporary Alcoholic Beverage Licenses during the Sundance Film Festival
3. Consideration to authorize the City Manager to execute a Second Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with Bowen Collins and Associates for 2013 Water Pipelines-Segment B Design and Construction Services in an amount of \$98,600

**Council member Simpson moved the consent agenda
Council member Peek seconded
Approved unanimously**

V. OLD BUSINESS

1. International Plumbing Code requirements related to Change of Use in regards to allowable occupant load

Chad Root, Building Official, spoke to the misunderstanding of the level playing field comment, stating that this has always been a level playing field working with the State Code as a 1 per 40 ratio. He stated that the only way around this law is to provide a porta potty station near the property. He spoke to the way staff has treated this issue in the past is that they are grandfathered in until they remodel the space. Council member Beerman stated that he appreciates the report for clarification; he feels that the work around with the outside facilities is going against the health code and would be against that in any form. Council member Peek stated that he is in favor of following the code. Council member Simpson stated that she feels it should be staff discretion on a case by case basis. Council member Henney inquired if staff has been enforcing this code in the past years. Root stated that staff has been enforcing these laws and have been cracking down even harder over the past three years. Council member Matsumoto stated that she is not opposed to a bank of restrooms. Council members Beerman and Matsumoto are concerned with making this difficult for the Main Street businesses. Council member Henney is with Beerman and Matsumoto to have wiggle room for the merchants. Council member Simpson stated that she is not in disagreement with anyone and does not have any problem bringing "royal restrooms" in rather than having on the street use and feels staff should work through this year and present any recommendations during the follow-up meeting following Sundance. Council member Peek changed this mind and would be fine with "royal restrooms."

Mayor Thomas opened the floor to public input.

Mike Sweeney stated that with a MFL the license it is required to add the porta potties and feels that staff and Council need to come up with a game plan to set up a bank of potties that everyone would help pay for.

VI. NEW BUSINESS

1. Consideration of the Council Authority to Approve Type 2 Convention Sales License

Shelly Hatch, Finance, presented the approval of the type 2 Convention Sales Licenses.

Mayor opened Public Hearing

Mike Sweeney expressed his fear with the approval of only 12 liquor sales in January. Feels that all the licenses should be looked at during the last meeting prior to Sundance.

Hatch stated that in 2014 Council only used 4 of the 12 uses. Polly Samuels McLean, Assistant City Attorney stated that for the Convention Sales License there is an unlimited number. Rebecca Gillis, Finance, stated that the reasoning behind the 12 uses and an early deadline was to insure public safety resources for those venues. McLean clarified the DABC requirements as well as the straggling applications.

Sweeney stated that this is for private parties only and believes that if the deadline was the last Council meeting prior to Sundance that it would give the Public Safety folks plenty of time to set up resources.

Council member Simpson requested this item be brought back in the recap of Sundance to bring clarify to this issue.

**Council member Beerman moved to Approve
Type 2 Convention Sales License
Council member Peek seconded
Approved unanimously**

2. Sixth Supplemental Plat for Constructed Units – The Belles at Empire Pass, Amending Units 7, 8, + 17 located at 65, 71 and 70 Silver Strike Trail 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 this is an amendment to a plat that was approved in April 2014. Due to the architect and surveyor error, the square footage and EU calculations were differing and need to be amended with the correct calculations.

Mayor Thomas opened the public hearing, no comments were made.

**Council member Peek moved to approve the 2. Sixth Supplemental Plat for Constructed Units – The Belles at Empire Pass, Amending Units 7, 8, + 17 located at 65, 71 and 70 Silver Strike Trail 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**

VII. ADJOURNMENT

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

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

