



**PARK CITY COUNCIL MEETING MINUTES  
SUMMIT COUNTY, UTAH,  
March 5, 2015**

**Closed Session**

To discuss property, personnel and litigation

**Work Session**

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

Council member Simpson thanked Nate, Jed and the Budget Department for the 30% increase in sales tax revenue in December. Attended the Summit County Health Board Meeting and reports they are working on a grant regarding environmental strategies to promote healthful behaviors. Also attended the Fire Board meeting and Joint Transit Advisory meeting that had a focus on transit and transportation for the next five years. They will start meeting monthly. Also attended the Park City Area Lodging Association meeting, stating she spoke to the group about our upcoming growth forum meeting as they are very interested in attending.

Council member Matsumoto attended the HPB meeting where several grants were reviewed under the new guidelines. The Board was very diligent about getting the proper documentation and sent several grants back for more information. One new house and several garages were added to the Historic Sites inventory. There was also a discussion on balconies on Main Street to only allow them on non-historic buildings.

Council member Beerman attended the Legislative Policy meeting on Monday where transportation is still the main topic of discussion and that funding mechanisms for it are currently being debated in both chambers. Attended the Mountain Accord management meeting, after which he received a call from the Summit County Council chair who would like to meet with Council to hear opinions on the subject. Asked if Council would be interested in having a discussion on this topic in a future meeting. Council agreed they need more time to formulate definite opinions. Beerman agreed, stated he will report back that we need more time. Attended the Outdoor Recreation Summit where the main topic was growth. He learned that outdoor recreation brought in \$7.2 billion to the state last year. After he spoke with the president of Envision Utah who has data that he feels would be good to share with Council. Reported he held a camp activity for family which made him realize what an amazing place we live in.

Council member Peek attended the Historic Society meeting this morning where they had questions replacing plum trees by Bear Bench as well as a question regarding an \$8,000 water tank reimbursement. Nate stated he will get back to Council on where we stand on that.

**1450/60 Park Avenue Development Direction**

Phyllis Robinson spoke to Council about this location that she states has been discussed by them several times. In December, Council felt affordable/attainable middle income property was a high priority and this property came up as one they felt they should move forward on rather

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than waiting for more studies. Robinson outlined four proposals and asked for direction from Council, stating Staff recommends moving forward with an RFP for city-sponsored development of the property. Proposals are to issue RFP for sale of property with specified terms, to reissue an RFP to prior proposers, continue to land bank (this would delay a developmental approach but would allow Council to consider this property along with the entirety of Lower Park Avenue) or to proceed with city-sponsored development. Council would have a more active role in deciding the future of this property if last option is chosen.

Robinson stated since parking is a limiting factor for this site, Staff could do 6 single-family units, or 8 townhome units or 12 condo units with parking detached from the parcels. Staff recommends making property 100% affordable. Council member Matsumoto prefers an RFP but is concerned with Staff's ability to take that on. Council would like Staff to do an RFP for city-sponsored development for mainly affordable units but are willing to look at mixed income housing. Council stated they are also in favor of existing homes being moved to accommodate more units but they would need to face Park Avenue. Council member Matsumoto questioned the mechanism to move the homes forward when we don't allow private property owners to do so. Diane Foster stated Mayor Thomas is very interested in affordable housing for this project. Council prefers lots of green space to stacked units.

Rebecca Gerber said there is a great need in town for housing and single-family units may not be the best way to go. She feels it's better to keep density where it already exists in town and encourages Council to look at approving townhomes or condos.

**Peak Parking Update**

Blake Fannesbeck spoke regarding the peak parking pilot program began in December that transmitted main street workers to and from job sites. The program was set up with permits for weekdays and also later included weekends to shuttle workers in 10-minute intervals from early AM to late PM hours. Fannesbeck reports no Main Street employees used the late-night buses, no parking spaces were freed up and not many used this new system. Fewer parking permits were sold and people found their way around the system. Council member Simpson thanked everyone for thinking out of the box to find creative solutions for parking, even though this program was a failure.

As a joint task force, Fannesbeck reported they couldn't think of anything else to tweak in the pilot program and asked Council for permission to do a capitol expense request for a study with the end result being a paid parking infrastructure put in place by next December.

Council member Beerman stated eventually we'll have to go to paid parking, but asked Council to consider a city-wide plan before doing so since talk of it has caused backlash in the past. Council members Simpson, Henney and Matsumoto feel we should get control of the infrastructure first before charging for parking. Council member Matsumoto feels Main Street employees are crucial and we should consider feasible options for them. Fannesbeck reiterates this is why we need to do a study in order to help us address these issues. Council answered Foster in stating that they lend their support for a capitol expense request.

Alison Butz with the Park City Alliance read a letter from the HPCA addressing the parking issue, stating the HPCA acknowledges the demand for Main Street parking outweighs availability as well as the fact the pilot program failed but was successful in moving Main Street employees to the outskirts, allowing more customers in to do business. Butz stated the HPCA

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feels turning paid parking on and off at China Bridge will cause too much confusion and that businesses suffer the most from lack of parking. The HPCA supports construction of additional parking for historic Park City and encourages Council to direct Staff to look at other parking solutions options before implementing paid parking.

**Switzerland Transportation Trip Update**

Postponed until March 19<sup>th</sup> meeting.

**Idling Revisited**

Ann Ober, Blake Fonnesebeck, Wade Carpenter and Matt Abbott spoke to the idling ordinance. They wish to come back before Council at a later time with a more robust proposal to discuss de-icing/safety issues and the 3-minute ordinance going to one minute. They ask that the item be pulled from the agenda to allow more time to clarify enforcement issues. Council member Simpson asked about a proposed code change in the report regarding health and safety of passengers in cold/hot weather. Ober stated changes were made to this point in order for enforcers to have good standing before approaching vehicles to enforce the restriction. Council member Beerman states idling is a health and safety issue in regards to pollution and should be taken seriously, advises Staff not to overthink the enforcement side since of the policy. Ober stated they've had that conversation and will report back with a solution.

Jennifer Gardner says she is a strong anti-idling opponent and would love to see the idling ordinance go to one minute. She is curious as to how idling will be enforced and feels more people will comply the more we educate them and feels more signage would help.

Hilton Early feels an increased budget for more signage would be beneficial, especially for areas along Main Street, the Sandridge Lots and near China Bridge. He believes vehicles on private property and for-hire vehicles are the biggest culprits of lengthy idling.

**Legislative Update**

Matt Dias reports there's one more week of the Legislative session left, stating there are a lot of federal issues being discussed such as Medicaid and public lands, with transportation being the main issue at the local level. He reports two bills are on the table. The House bill is a local option tax that is county and voter approved. It entails two distribution formulas and is somewhat confusing. The Senate bill for a flat 10-cent gas tax increase is simpler and would be distributed with B&C road funds. Both bills will be going before the full Senate. Foster stated the reason we are focusing on these is to ensure our interests in the way the monies are distributed are fairly considered and represented. Council member Beerman stated Legislature is also discussing counties levying taxes rather than cities, which would set an unfavorable precedence. Dias replied the ULCT has had to concede this point in order to get the bill passed. He concluded by saying there will be a flurry of activity as bills rush to be approved, including an historic district bill he is watching closely.

**Regular Meeting**

- I. **ROLL CALL** – Mayor Pro Tem Peek called the regularly scheduled City Council meeting to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, March 5, 2015. Members in attendance were Dick Peek, Andy Beerman, Liza Simpson, Tim Henney and Cindy Matsumoto. Mayor Jack Thomas was excused. Staff members present were Diane Foster, City Manager; Matt Dias,

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Assistant City Manager; Mark Harrington, City Attorney; Marci Heil, City Recorder; Karen Anderson, Deputy City Recorder; Christy Alexander, Planner; Kirsten Whetstone, Planner; Francisco Astorga, Planner; Anya Grahn, Planner

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

Thoughts and prayers go out to Mayor Thomas and his family at this time on the passing of his brother.

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

None

**IV. CONSENT (*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 authorization for the City Manager to enter into a professional service provider agreement in a form approved by the City Attorney's Office with MGB+A, in the amount of Sixty Nine Thousand Six Hundred Nineteen Dollars (\$69,619).

**Council member Simpson moved to approve consent agenda  
Council member Beerman seconded  
Approved unanimously**

**V. OLD BUSINESS**

1. Consideration of a plat amendment for 74 & 80 Daly Avenue Subdivision located at 74 & 80 Daly Avenue, Park City, Utah pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney

Christy Alexander spoke to the plat amendment for two new lots being proposed, stating Staff does not feel a size restriction should be put in place as the footprint sizes are compatible, but advises Council they may restrict as she has reflected in the report such as been done in the past. Council member Simpson asked if the Planning Commission agreed to handle a restriction request in the Steep Slope CUP stage rather than here, to which Alexander said yes. Council member Beerman asked if we have allowed vacated spaces to be used in footprints before. Alexander reiterated her research showed there was one instance where it was. Council member Matsumoto asked if they are building on Anchor Avenue and if the property has been deeded to the property owner, to which Alexander said yes. Council member Beerman asks if there are any deed restrictions. Alexander stated there are no restrictions. Council member Beerman then asked for Mark Harrington's input on how precedence is set in such a matter. Harrington stated restrictions must be based on appropriate public policy of record and that further study must be done by Council if they choose to go against Staff's recommendation.

Project architect Craig Kitterman stated our streetscape mass is larger than the houses in question and asked that these properties be treated equally as others and that this project be allowed to move forward.

Mayor Pro Tem Peek opened the Public Hearing. There were no comments made. Mayor Pro Tem Peek closed the public hearing.

**Council member Simpson moved to approve Consideration of a plat amendment for 74 & 80 Daly Avenue Subdivision located at 74 & 80 Daly Avenue, Park City, Utah pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney**

**Council member Henney seconded**  
**Approved unanimously**

## **VI. NEW BUSINESS**

1. Consideration of a plat amendment for 98 Hidden Splendor Court pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Mayor Pro Tem Peek opened the Public Hearing. There were no comments made. Mayor Pro Tem Peek closed the Public Hearing.

**Council member Matsumoto moved to continue consideration of a plat amendment for 98 Hidden Splendor Court pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney to March 19, 2015 meeting**  
**Council member Simpson seconded**  
**Approved unanimously**

2. Consideration of a Record of Survey Plat located at 312 & 314 located at 312 & 314 Upper Norfolk Avenue Condominium pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Kristin Whetstone stated this is a request for the King Apartments duplex unit to be granted a condominium plat as the unit is required by building department to have in order to cover a shared staircase that runs between the two units and to be able to sell each unit separately. Planning Commission voted on this in February and recommended it come before Council for approval. Council member Matsumoto commented having the ability to build two garages will make a much more attractive streetscape.

Mayor Pro Tem Peek opened the Public Hearing. There were no comments made. Mayor Pro Tem Peek closed the Public Hearing.

**Council member Matsumoto moved to approve consideration of a Record of Survey Plat located at 312 & 314 located at 312 & 314 Upper Norfolk Avenue Condominium pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney**  
**Council member Simpson seconded**  
**Approved Unanimously**

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3. Consideration of an ordinance for the Ontario Three Subdivision Plat Amendment located at 355 & 347 Ontario Avenue, Park City, Utah pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney

Francisco Astorga reports the amendment will move a lot line and shift the neighboring lot line to the south. He stated 398 square feet will be gained by adjacent lot and lost to newly combined lot.

**Council member Simpson approved to consider an ordinance for the Ontario Three Subdivision Plat Amendment located at 355 & 347 Ontario Avenue, Park City, Utah pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney  
Council member Beerman seconded  
Approved Unanimously**

4. Consideration of a plat amendment for 930 Empire Avenue located at 930 Empire Avenue pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.

Anya Grahn states applicants own a lot and a half on which there is an existing A frame home they wish to demolish in order to build a new single-family home. Before they can, the interior lot line must be removed. Council member Matsumoto asked if applicants have been made aware they could receive funds if they chose to do a voluntary designation. Grahn stated they were not interested.

Mayor Pro Tem Peek opened the Public Hearing. There were no comments made. Mayor Pro Tem Peek closed the Public Hearing.

**Council member Beerman moved to approve Consideration of a plat amendment for 930 Empire Avenue located at 930 Empire Avenue pursuant to findings of fact, conclusions of law and conditions of approval in a form approved by the City Attorney.  
Council member Matsumoto seconded  
Approved Unanimously**

**VII. ADJOURNMENT**

**Council member Henney moved to adjourn  
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 Karen Anderson, Deputy City Recorder.