



**PARK CITY COUNCIL MEETING MINUTES  
445 MARSAC AVENUE  
PARK CITY, SUMMIT COUNTY, UTAH 84060**

**June 15, 2023**

The Council of Park City, Summit County, Utah, met in open meeting on June 15, 2023, at 3:00 p.m. in the City Council Chambers.

**WORK SESSION**

**FY24 Fee Schedule, Changes to the Tentative Budget and FY23 Budget Adjustments:**

Jed Briggs and Penny Frates, Budget Department, presented this item. Darrington stated there were a few updates to the fee schedule since this item was last discussed with Council. There would be a \$150 fee-in-lieu per U-rack for bike parking, a 10% increase for the water pumping surcharge, a new meter purchase price, and an increased renter water deposit. Council Member Rubell asked why there was a fee-in-lieu since the City wanted to move away from those. Rebecca Ward explained the fee-in-lieu was created for cases where there were no setbacks for bike racks.

Frates stated there were some additional operating budget requests, including increased funds for winter trail maintenance, rolling special service contract funds to FY24, and reclassing a Planner I to a Senior Planner. There were also requests to increase the pay range for Transit drivers, supervisors, and dispatchers; and there was an increase to the Workers' Compensation Fund. She indicated a few departments needed FY23 year-end budget adjustments, including an increase in Recreation for credit card fees, Trails for maintenance, Transportation for the Richardson Flat route and fuel adjustments, and the Self-Insurance Fund to align with year-to-date actuals.

Daenitz indicated a grant was received and the capital expenses were released. He also noted Library funds were moved from one project to the next. There was also a reduction in Transit expenses so they would be recognized in operations. He noted Legal software was capitalized. Council Member Dickey asked what the Meadows Drive Trailhead was. Deters indicated it was located on Aspen Springs.

Briggs asked if Council wanted to consider a budget allocation for childcare. He looked at one-time funding and suggested the following: delaying some projects, using some of the City's Capital Fund balance, reallocating some of the Operating Budget, or using some of the General Fund balance. He cautioned if this program evolved into an ongoing program, then ongoing revenue should be identified. The Council agreed they

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wanted to fund childcare in FY24. Mayor Worel stated the Council was comfortable allocating \$1 million. Council Member Gerber hoped to allocate the money without having to give up the Bonanza Park funding. Matt Dias, City Manager, stated the Budget Team chose the Marsac Remodel, Bonanza Park/RMP Substation, Capital Fund balance, and Operating Fund reallocation in order to have the least impact to the City. The packet included other pockets of money that could be used. Council Member Rubell stated the March sales tax revenue was exceeded by over \$900,000. He asked if that played into Operating reallocation. Briggs stated the sales tax revenue was trending higher, but the FY24 budget was increased in anticipation of those increased revenues. Council Member Rubell stated the City was up \$3 million so far this year and Council might be trying to solve a problem that didn't exist.

Council Member Toly asked how much of the FY23 budget needed adjusting. Briggs stated he understood the thought that sales taxes were higher and if Council wanted to allocate from that, it could happen by taking it from the Capital Fund balance. He was also ready to make sacrifices. Council Member Doilney thought the Council could use some money from projects that would not happen this year. Dias stated staff considered taking funds from the Capital fund, but they decided against that. After some discussion, Briggs summarized \$200,000 would come from the Marsac remodel, \$100,000 from the Social Equity fund, \$350,000 from the Bollards Project, and \$350,000 from the Capital Fund balance. The Council agreed to that allocation. Dias indicated a lot of work went into getting to that number and he thanked the Budget Team for analyzing how to minimize impacts to staff. This was a one-time allocation, but an internal committee was formed to scope out an ongoing program. Briggs stated he would add the additions to the final budget.

Briggs discussed the proposed General Obligation (GO) bond for recreation facilities. He explained the debt schedule would drop dramatically in the next 15 years so a new bond would not increase property taxes. Council Member Dickey asked what debt was falling off, to which Daenitz stated there was a 2009 bond that was ending. There were also bonds that were refinanced to lower interest rates and that reduced the debt payment. Daenitz displayed other entities' debt in the region. Council Member Rubell was concerned that the City took on debt for regional use. Daenitz stated most of the debt was for open space and he acknowledged it could be used by regional users. Council Member Rubell asserted new debt for recreation facilities would be used regionally as well.

Briggs displayed the scenarios shown at previous meetings of projects that would be funded by the City and options of projects that could be on a GO bond. Council Member Gerber asked if the City Park building and the aquatics improvements could be on the GO bond as well. She suggested using the \$6 million saved from aquatics for future childcare funding. Briggs noted this was one-time funding. He thought childcare funding would be an ongoing priority, and it needed ongoing funding. Council Member Gerber suggested options for the future of childcare. Council Member Doilney stated the

Recreation Advisory Board (RAB) discussed the recreation needs extensively and the reason the City Park building and aquatics were funded through the budget was because existing infrastructure needed City support. In the past, the community pushed back on maintenance bonds. For those reasons, the items were left off the bond. The MARC expansion, pickleball facility and outdoor ice would be used regionally, but Basin Rec was expanding as well, and Park City residents were using those facilities. He supported putting all three projects on the ballot. Council Member Rubell supported leaving it to the voters to decide, but he thought the bond might fail if it was for \$30 million. He didn't hear a lot of support for the MARC expansion. He was concerned about the pickleball facility and the National Abilities Center (NAC) concern. He supported the ice sheet and pickleball courts going on the ballot for \$20 million. Council Member Toly stated the property tax increase was nominal between the options and she supported having all three facilities on the ballot. Council Member Dickey supported all three facilities being on the ballot as well. He noted Park City residents would be a minority of users. Council Member Gerber struggled with this because of the way the facilities would be used, but she supported a \$30 million bond. Mayor Worel noted the pickleball community had sent the Council 53 emails in support of the GO bond that included the pickleball facility. Briggs stated he would bring a resolution supporting the GO bond to Council for adoption in July.

**FY2023-24 City Manager's Recommended Budget: Budget Policies:**

Kirsten Darrington, Budget Coordinator, stated the Budget team wanted to overhaul the budget policies. She highlighted some areas that were cleaned up, including clarifying fund balance thresholds for each type of fund, reorganizing different sections, consolidating policies, removing irrelevant policies, and removing items that didn't belong such as Special Event Services, Traffic Calming, and Neighborhood CIP Requests policies.

Council Member Rubell was concerned with the settlement authority part of the policy since there was no internal audit function within the City. With conditions around that, he could support it. Council Member Doilney was comfortable with the policies as written. Council Member Gerber was comfortable with the changes and noted staff could continue to work on the pieces that concerned Council Member Rubell. Council Member Dickey thought they seemed straight forward. He thought it would be important to bring it back and discuss the policies individually. Council Member Toly supported passing the policies as written. Briggs stated they would include it with the final budget adoption. He noted they could go through it in more detail at a future date. Council Member Rubell asked to look at the Economic Development Grants and the Settlement Authority. He hoped for period reporting on the settlements so there was transparency. Daenitz stated this summer, an Economic Development intern would study and revise the Economic Development program and compare it with other cities' practices.

Margaret Plane proposed adding a sentence to the Settlement Authority to get to a reporting function so the Council could evaluate how it was working. Council Member

Gerber stated there were lease discussions regarding the library and she thought some of the Economic Development grants could be used for the leases. Daenitz stated he couldn't answer that question now. Briggs indicated the current policy was about business incentive, but there was funding in the Lower Park Redevelopment Agency (RDA).

**Bonanza Flat Conservation Easement and Adaptive Management Plan Update:**

Heinrich Deters, Trails and Open Space Manager, and Wendy Fisher, Utah Open Lands, presented this item. Fisher reviewed that the adaptive management plan was required to be reviewed no less than every five years. She thought it was valuable to look at the plan now. This plan was a toolbox for sustainable management, including conservation values. Within the plan there was conceptual trail design as well as Nordic skiing. Fisher stated some challenges included heavy use of the roads. The plan had detailed requirements for trailhead capacity. Parking areas were created to help with overparking. Enforcement was key to the success of this issue. Another challenge was trash and that was no longer a problem. Motorized vehicles in the area was a continuous challenge. Mayor Worel asked what was done when someone was illegally parked. Deters stated the car owner would receive a civil citation. Fisher indicated these issues seemed minor, but they had consequences for the area when there was disregard for the regulations.

Fisher stated part of the sustainable design was working with Mountain Trails Foundation. They found manmade trails that caused erosion, cut through wetlands, and affected wildlife. She noted there was a lot of work and science that went into restoration and conservation. They were relocating trails and restoring other areas to the original landscape. She stated the yurt deck would be replaced and she indicated it would be reduced in size. It would include a kiosk and a QR code so people could learn the history and ecology of the area.

Fisher referred to the six parts of the plan and wanted to return to Council and discuss the considerations, management zones, and adaptive management sections of the plan later. She thought the best way to revamp the plan was to have great understanding and communication. Mayor Worel asked if there was interest in using the plan from the other side of Bonanza Flat to keep cars from coming up. Fisher stated there was a state program, Guide the Growth, and she hoped to discuss Transit to Trails with other entities.

Council Member Rubell commented that at the last discussion, it was indicated a working group with Brighton Estates would be set up, but this had not happened yet. Fisher stated she had met with them twice and would meet with them again on June 22<sup>nd</sup>. She wanted to get feedback from Council on whether they wanted to move forward on changing the adaptive management plan. She also asked if Council wanted them to form a jurisdictional or technical stakeholder group. Deters stated he heard direction to follow the template on the next trail and finish the trail to Pine Canyon. He

was committed to meeting with that group and he would walk the trail with them as soon as the snow melted. Regarding access, Council Member Rubell indicated people at the Colorado Association of Ski Towns (CAST) meeting had similar experiences with trailhead problems and they used a vendor to reach solutions. They implemented a pay program to access the trail. He asked if those things could be looked at as well. Fisher stated that could be part of the consideration as the plan was reviewed. It was difficult because the land was in Wasatch County and getting parking under control was the first issue. Council Member Gerber stated there were discussions on trail permits, and it seemed permits would be more effort than benefit. She knew the area was being overused and she thought it would be good to look at paid parking or taking a shuttle. Fisher stated they were planning on offering a permit to use one of the trails, and noted there was interest in having parking permits as well. Council Member Gerber suggested having parking permits on peak weekends at a minimum.

Council Member Doilney was concerned with the level of management put up there. He knew there was overuse and it needed to be looked at, but he felt some of the oversight didn't make sense. Council Member Toly thought the rangers and tickets had been very helpful in the past year. The parking rails also helped. She suggested monitoring it for another year and pushing Transit to Trails or trying microtransit to get people to the trails. She noted more enforcement would mean hiring more rangers. Council Member Rubell stated planning needed to start this year for future management. Council Member Toly didn't want to charge residents to use Bonanza Flat. Council Member Rubell agreed but thought others should contribute. He asked to hear from experts on the feasibility of charging. Council Member Dickey supported having management conversations for managing trail capacity and parking. Council Member Gerber thought some kind of additional management would be valuable for residents as well. Council Member Doilney indicated this would be a snowball effect in that they would start the process and it would become more complicated as time went on. Staff would be required to enforce a lot of land.

Fisher summarized they would look at what other communities were doing and have an effective chart of use. Deters added they would provide additional management options. Matt Dias noted they should begin to have stakeholder meetings. Fisher asked if Council wanted jurisdictional and technical stakeholder groups and noted it was a little premature since they hadn't collected the data. Council Member Toly stated Fisher couldn't explore the trails with Brighton Estates residents and make a trail plan since there was still so much snow. But that was different than having a technical stakeholder group. Council Member Gerber suggested taking a hike with the Greater Park City Concerned Citizens group to increase understanding, but she wanted it to be clear that it wasn't the technical or jurisdictional groups. Mayor Worel directed Fisher not to form groups at this time.

**Discuss a Relaunch of the Microtransit Pilot Program:**

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Sarah Pearce, Deputy City Manager, Alex Roy, Senior Transportation Planner, and Joe Martin and Krista Glotzbach, Via, the contractor for High Valley Transit (HVT), were present for this item. Pearce reviewed the last discussion on microtransit and noted Council recommended coming back with costs for a summer program. Martin suggested having a longer pilot, noting Via didn't run service for a shorter period than six months. It would also give them more time to analyze the program. The proposal would run through the middle of April 2024. They would break down the service into peak periods and non-peak periods. He indicated if demand decreased, they could pull drivers off the road. The service would start Sunday, July 2<sup>nd</sup>, and run through April 13, 2024. Martin explained the benefit of having one app, and he recommended using the HVT app. He was willing to customize the service to Park City's needs. Regarding the app, he stated the City's fixed-routes could be on there as well as microtransit.

Roy reviewed Council requested goals on what microtransit should achieve. He displayed six proposed goals, including Citywide access to public transit, increase transit ridership by connecting riders to fixed routes, provide free door-to-door service Citywide, reduce parking demand, provide transit to neighborhoods without fixed route service, supplement peak demand service by providing microtransit in the winter only, and cost efficiency. Roy also wanted to tie the goals into the larger transportation goals which included prioritizing transit, reducing traffic congestion, and protecting residential neighborhoods.

Council Member Dickey favored the service starting in July. It would give the City a sense of summer demand and the data would help the City know if it would be feasible to have microtransit in-house. Council Member Toly was glad parameters for Park City could be different than for Summit County. She hoped to get this service to the trails.

Council Member Rubell wanted to have microtransit go to RFP eventually. Regarding goal proposals, he didn't want free door-to-door service, but he agreed it should go to trails. He supported Citywide access to transit, and felt reduced parking demand was good too. He wanted extended hours with microtransit that would prop up transit in the shoulder seasons when service hours were reduced. He was in favor of continuing the service with HVT as long as it could be customized to Park City. Council Member Doilney agreed and hoped the City could learn from data collected in the summer. He thought learning would continue the more the service was used. He supported an RFP eventually but thought more data was needed.

Council Member Gerber favored Citywide access but not door-to-door service. She noted Aspen had a free service within a limited area and a subsidized service outside the area. It encouraged people to get out of their cars. She requested data on single occupancy use. She wanted to learn from this to see if the Purple line could be increased to every 15 minutes. Council Member Toly stated a concern was that hotel guests were using microtransit instead of the hotel shuttles. She hoped that could be tracked. Martin stated currently there was not a field to know if users were tourists or

residents, but he thought that field could be added. He noted rider surveys could also collect that information. Council Member Dickey thought that would be a good configuration change. Council Member Toly was in favor of continuing the program.

Caroline Rodriguez, HVT, added they could work with the City team to determine what a threshold could be to determine who was going to that destination until the app could be updated. Roy asked about the timing of issuing the RFP. Council Member Rubell stated staff could determine when they would be able to implement the service and then issue the RFP in coordination with that date.

**REGULAR MEETING**

**I. ROLL CALL**

<b>Attendee Name</b>	<b>Status</b>
Mayor Nann Worel Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber Council Member Jeremy Rubell Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	<b>Present</b>
None	<b>Excused</b>

**II. APPOINTMENTS**

**1. Appointment of Terri Smith and Kara Beal and Reappointment of Sam Osselaer, Pam Bingham, and Lara Carlton to the Park City Public Art Advisory Board (PAAB) with Terms Expiring June, 30, 2026:**

Jenny Diersen, PAAB Staff Liaison, stated they received 13 applications for the board. She thanked Jennifer Gardner and David Nicholas for their service on the board.

Council Member Gerber moved to appoint Terri Smith and Kara Beal and Reappoint Sam Osselaer, Pam Bingham, and Lara Carlton to the Park City Public Art Advisory Board with Terms Expiring June, 30, 2026. Council Member Doilney seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

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

**Council Questions and Comments:**

Mayor Worel noted a toddler was almost hit by an e-bike on a trail and she thought this was not uncommon. She asked for a discussion on the e-bike policy. The Council agreed to have a future discussion on this matter.

**Staff Communications Reports:**

**1. FY 2023 Fraud Risk Assessment:**

Council Member Rubell asked for a discussion on an internal audit in the City since the City dealt with \$300-\$500 million per year on average. He thought it would help evolve the function of the City and be transparent to the community. Council Member Toly wanted to know how much the audit would cost. Council Member Gerber asked if the City did an internal budget audit annually, to which Matt Dias affirmed. Council Member Rubell stated the City did an external audit with a third-party auditor. He asked that the benefits of an internal audit versus an external audit should be part of the discussion. The Council members favored having a discussion.

**2. April 2023 Budget Monitoring Report:**

Council Member Rubell appreciated the percentage variances being included in the report.

**3. Bonanza Park Temporary Parking:**

Council Member Rubell stated there were a lot of parking uses proposed and an area for 85 spaces for general use, and he wanted to know what the strategy was. Matt Dias stated there was a lot of infrastructure, redevelopment, and a waterline project in the area. There was also private redevelopment in the area. While the projects were occurring, those needs could be accommodated. Council Member Rubell asked if this was a pilot to see how it would work as a central parking location. Dias replied the data would be taken into analysis and noted it would be nice to have managed parking. Council Member Rubell thought it would be great to consider the area as a staging area for the microtransit service.

**IV. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)**

Mayor Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda.

Carrie Dennis, 84098, asked Council to vote for the arts district. She was a Kimball Art Center (KAC) board member and indicated it was a passion for her family. She was grateful for everything KAC did for her family and stated the district was essential for vibrancy in the community. It touched every demographic.

Sean Parker stated bollards were rated. The Upper Main Street project included bollards and he was concerned the contractor would choose the cheapest one. He also noted security was an issue with this project because there was a big hole to the east of the bollards. He thought the project was poorly managed and thought it should be cancelled.

John Kenworthy 84060 thanked the Council and especially Mayor Worel for their trust in him as a Planning Commissioner. He stated being in public service took a toll on folks. He apologized to Council Members Doilney and Gerber if he crossed the line. He read a quote that kindness and love are the only things that are eternal.

Taylor R. Lee worked in 84060 and lived in 84098, related daycare concerns and noted her friend's daycare costs were doubling. She knew this was an issue for the community. If she didn't have childcare, she couldn't have her business in town. If solutions could not be arrived at, there would be negative consequences.

Michelle Crittenden updated Council on Community Cares about Kids. She worked in healthcare and wanted to continue working in her field. It was impossible to live and work here if daycare was not accessible.

Joe Cronley eComment "I wanted to give you some input as you prepare to make a decision on recreation projects funding and bonding. I am an active hockey player. I play in the Silver League at the Park City Ice Arena (PCIA). My son JB is 14 years old and plays hockey in the Park City Ice Miners organization. He has played in this organization for the past 10 years. Needless to say, we know the PCIA and the ice schedule quite well. The community is in need (I won't say dire) of more ice for hockey, figure skating, curling, birthday parties, and other activities and events. The current ice sheet is programmed from 6am to 11:59pm nearly daily. I actually believe the necessary solution is another indoor rink, but I know that another indoor ice sheet is not what the Recreation Advisory Board (RAB) is recommending. Given the options that the RAB has put forward, I encourage you to choose Scenario A, B, or C. All of these options include construction of a new outdoor covered, refrigerated ice rink funded by a General Obligation (GO) bond that would increase annual property taxes by a very reasonable and manageable amount. Additionally, an outdoor rink would give tourists another fun, outdoor activity to choose from when they have had enough skiing. Options A, B, or C would be a step in the right direction."

Mayor Worel closed the public input portion of the meeting indicated the Council allocated \$1 million for childcare and the details on how that would be spent would be forthcoming.

## **V. CONSIDERATION OF MINUTES**

**1. Consideration to Approve the City Council Meeting Minutes from May 25, 2023:**

Council Member Gerber moved to approve the City Council meeting minutes from May 25, 2023. Council Member Toly seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**VI. CONSENT AGENDA**

**1. Request to Authorize a Construction Agreement, in a Form Approved by the City Attorney, with Hidden Peak Electric Co., Inc. Not to Exceed \$178,950.00 to Install Two 150 kW ABB Bus Chargers, Six ABB Power Dispensers, and One Precast Concrete Vault at the Transit Bus Barn at 1053 Iron Horse Drive:**

Council Member Rubell moved to approve the Consent Agenda. Council Member Toly seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**VII. OLD BUSINESS**

**1. Deer Valley Development Company Petition for the City to Vacate Portions of Right-Of-Way on Deer Valley Drive West and South, and to Dedicate Doe Pass Road to the City, as Part of the Snow Park Village Base Area MPD and Subdivision Application. No Action Will Be Taken:**

Alex Ananth, Senior Planner, presented this item and summarized the MPD application and amendments. She distributed a table summarizing the details of the amendments throughout the years. She noted the eighth amendment in 2001 changed the Deer Valley (DV) MPD to what it looked like today. The 12<sup>th</sup> amendment gave density by combining a couple parcels. She explained a vacation of right-of-way (ROW) was a discretionary act and required findings of good cause and that neither public interest nor any person would be materially injured by the vacation.

Todd Bennett, Hannah Tyler, and Wade Budge, DV, were present for this item. Bennett stated his team took great care to deliver an exceptional development for their guests and more. The plan would improve transportation, grow affordable housing and address other community priorities. They would improve the integration of the Snow Park area and make it a benefit to the community. It would have a park and a childcare center. Tyler gave additional detail on how they would deliver substantial community benefits. They would create a shared mobility lane, have multi-use pathways, and increase rider safety by constructing a transit hub. They would also improve guest and public access.

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There would be direct access to the mountain transportation network, streamlined parking and an at-grade drop-off zone. All these efforts were to reduce car trips. They would create a transit-first infrastructure with the transit hub, the gondola connection to Silver Lake Village, and would have transit agenda collaboration with PCMC and High Valley Transit (HVT). She stated affordable housing was a priority for DV. They would develop over 200 employee beds and would utilize the Affordable Master Planned Development process for this project. The project would be within a half mile of essential services. DV recognized there were other issues in the community, one of which was childcare so they would expand their childcare program and preschool to increase the overall capacity. They would also develop a one-acre park near the DV ponds. Another community benefit was that DV would replace the public utilities as part of the project. Tyler summarized the development balanced the needs of the community as well as those of the resort.

Budge stated the way to unlock the previously mentioned benefits was the ROW vacation. The plan included elements of the General Plan. Council needed to weigh the policy. He noted if the vacation was approved, it would be conditioned on the Planning Commission approving the MPD. He stated there were now multiple ways to arrive at the resort. The code states good cause needed to be met and state law defined that as showing a legally sufficient reason. Budge stated the other standard was that the decision to vacate would not cause material harm. Harm was interpreted as denying an abutting landowner access to their property. The vacation provided access and would also have safer traffic movements, more drop-off points, and better programming and use of DV East and DV West. He noted that currently there was not a multi-modal center. Without the proposed plan, there was no room for a multi-modal center. They met the legal standards for Park City and the state. He stated having a village was preferred over having stand-alone condos.

Jeremy Searle, Wall Consultant Group, indicated they performed a traffic study for this proposal. He displayed trip generation from Snow Park traffic as well as anticipated trips with the proposed development. He indicated DV proposed 2,236 parking stalls which would increase trips by 7%. DV proposed several traffic mitigation measures, including a signal at the Y, a new left turn deceleration and acceleration lane, reducing parking demand by implementing paid parking, creating a transit hub, a new signal at Doe Pass Road and DV East, creating shared mixed lanes, and having a transportation demand management plan (TDM). Searle thought those plans would decrease trip generations. Of the concerns presented by WCG, DV addressed and solved all those concerns. He recommended the following: having a regular TDM meeting schedule, implementing a monitoring system, establishing clear goals that could be tracked and measured, being flexible to try new methods, considering paid parking and reconsidering the parking reduction with offsite mitigations, and spacing of driveways and access widths.

Council Member Dickey asked if the gondola to Silver Lake would run winter and summer. Tyler indicated it would be in operation when the other lifts were running.

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Council Member Dickey asked when the childcare would be expanded. Tyler stated that would happen in Phase Two. Council Member Toly asked if it would be a public gondola with a fee. Tyler stated the Planning Commission requested a free gondola but a DV pass would be required. Council Member Toly asked if the park would have amenities for children, to which Tyler affirmed.

Council Member Rubell stated the Bonanza housing plan was not serviced by Transit at this time, but discussions could take place regarding that. He indicated it would be great to have that area redeveloped and asked that DV work with the Transportation team regarding a potential service to the area. He also asked for impact data, such as employee generation and beds delivered. Those questions were answered in a previous memo but it was stated there was opportunity to address it when it moved to final design. Council Member Rubell asked when those questions would be answered. Budge stated those answers were getting to the Planning Commission and would continue as information was decided on. Council Member Rubell indicated the Council was asked to consider those answers for the ROW, but they didn't participate in Planning Commission meeting, so they couldn't take a wholistic view. Searle indicated there were concerns with the pickup area and DV collected data previously on average wait times. They applied the data to the current model and it showed there would be queuing but it would not go to the access or the parking garage

Council Member Rubell asked if some of the driveway alignments could be addressed. Searle stated that was about access spacing along Doe Pass and that could be refined, but it would not affect the operations of the drop off. Council Member Rubell asked if the model considered all the residential developments and hotels off DV East, ensured they would still have access, and that there wouldn't be problems with emergency vehicles. Searle stated it would not impact the driveways along that road. Council Member Rubell asked how far the mitigation for traffic backup would extend. Searle stated the City was looking at options to improve. John Robertson, City Engineer, indicated there were issues below DV that were not DV's responsibility. He was working with UDOT and looking at a bus rapid transit (BRT). The standard way of addressing congestion was to add lanes, but that was not an option for Park City. They were working on getting people on Transit to get cars off roads.

Council Member Gerber asked if dedicating the ROW would prohibit the DV gondola connection to Old Town. Tyler stated the gondola connection would be in line with a City connection, but could not happen without the vacation. Council Member Toly asked what incentives DV was considering for patrons who carpoled and also asked if efforts were being made to deter visitors from renting cars. Bennett stated they had incentives to get employees to use carpools and other modes of transportation. He thought there could be options for deterring guests from renting vehicles. Tyler stated there was a DV fleet available to guests.

Mayor Worel opened the public hearing.

Matt Nagie indicated there were other options to decrease traffic, but those were in the future. He stated the best way to reduce traffic now was to reduce the parking stalls. He felt increasing the occupancy in each vehicle would not reduce the number of vehicles.

Wes Richards, Oaks HOA President, reviewed the changes in the City over the years, and one change was increased congestion. He represented the Protect the Loop group which included 18 HOAs. He wanted to maintain the world-class resort experience. He quoted members of the Planning Commission.

Carol Chenevert stated this development was expanding and asserted there was a need for workforce housing and it should be located onsite. She thought vacating a viable ROW to improve a business was not the obligation of the taxpayers or the Council. All the benefits noted were benefits for the business and guests and not necessarily benefits for the community. Her group surveyed the community and links were sent to the HOAs and neighborhoods.

Kim Tessitore, Powder Run HOA President, stated Lower Deer Valley had a traffic problem and they sought solutions. They worked with DV and found they were working to the best of their ability to improve safety for all who go to the mountain. She stated there was no way to get to the mountain during peak days from her neighborhood and the proposed plan would now give them access. She thought it was important for Council to hear both sides of the issue.

Melyssa Davidson, Legal Counsel for Lakeside 84060, stated the Protect the Loop group members and survey respondents were not all residents. She indicated Deer Valley was already a world class resort. It was also a driver to the traffic problem. The General Plan dictates DV should maintain its status. The Lakeside community did not hear anything from DV during this process and they would be impacted. She wanted Council to look at the benefits and she thought those benefits were only to the resort and not the community as a whole.

Maureen Murtaugh asked that future hearings allow the public to address their concerns and that they might have access to give presentations like the applicant had. There were direct access impacts. She noted the walking paths were not as wide as Park City had requested and there were drop off conflicts, bike lane safety issues, etc. These were some of flaws with the plan.

Allison Keenen 84060 stated some flaws in the plan included the proposed transit hub. Big buses ran to and from DV empty. The transit hub would require skiers to walk further. The shared mobility lanes didn't run continuously around the loop. The après experience was too costly for many residents. Last year, 30 HOAs aligned to support the DV original entitlements. Now they aligned to propose an alternative solution with conditions that balanced community concerns with DV's desire to maximize profits. This would resolve injuries and would consider all of Park City.

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Scott Greenberg stated the plan would ask for expanded on-demand shuttle services. He proposed terminating all buses at the Old Town Transit Center and relying on micro-vehicles with ski carriers. Fixed routes would service Silver Lake and Empire. This would save time for buses and increase efficiency. Their plan would require undergrounding part of the loop.

Angela Moschetta 84060 stated eliminating buses would eliminate the need for a transit hub. Microtransit could serve the area. The neighboring HOAs supported bike and walking paths. This would be a net zero solution. She knew DV needed year-round guests and she proposed this form of transportation, saying this would be a tangible community benefit. She proposed a traffic study, new site surveys, and onsite workforce housing.

Nathan Rafferty, Ski Utah President and CEO, supported the DV proposed development plan. He noted a huge part of state and local revenue came from this area. There was deliberate planning for the resort, and the benefits included improved transportation, housing, and community amenities. He thought there was no better example of a community partner than DV. He hoped Council would approve the proposal.

Chuck Haggerty, Solamere HOA, stated they listened to hours of Alterra presentations, but the public got three minutes of public comment. The public asked for a Plan B, but they were never given a Plan B. Making DV a three-lane road was a safety issue. The Police Department could not monitor the speeds unless they parked on the ROW. This was a huge liability for the City. He noted the park was swampland that could not be developed. They wanted to work with the City staff and Alterra for solutions and that did not happen.

John Kenworthy 84060, supported the ROW vacation. He read many traffic studies and he hadn't seen one that didn't work. There were two ways to reduce traffic. One was to hire AVOs and the other was to expand the portals. The underpass at Deer Crest was completed and was less than eight minutes from Richardson Flat. He thought parking spaces could be added to the Richardson Flat Park and Ride and a shuttle could go from there to DV via Deer Crest. This was also an easier access for those coming from the Wasatch Back. He also suggested the Old Town Lift and Silver Lake gondolas could be locations for ski school dropoffs. DV had been a great partner for over 40 years, and they would do what it took to make things work.

Becky Robertson 84060 Fawngrove Condos, stated her complex was opposed to the new development. The negative traffic impact was winter and summer. She stated nobody knew what traffic would look like in the future so predictions could not be made. The road widening project would impact Fawngrove as well. She felt the existing ROW was adequate without easements. She wanted to maintain a good relationship with DV but that required compromise.

Tanner Blackburn, Deer Crest Master Association, indicated his team dealt with the gondola during the ski season. They shared common space with DV including ski trails. From experience, DV made every effort to be good partners. Deer Crest communicated regularly with them and their feedback was well received by DV. They supported the proposed development.

Brad Olch 84060 stated everyone was in the City, directly or indirectly, because of the ski industry. He thought the proposed plan would benefit the community. The traffic problem could be reduced by using Richardson Flat as a transportation center. The gondola going to Silver Lake could also go downtown or to the transportation center, which would be great, and losing it would be a mistake. He reviewed all the projects the City invested in while he was mayor and noted the community was opposed at the time. Now, everyone loved them. He supported this project.

Ed Parigian 84060 stated the project looked good from a high level. Most of the benefits were required by the Planning Commission anyway. When the plan was looked at more closely, it would affect real people. There would be more cars and more congestion. He hoped a deal could be reached.

Tyler Mugford, St. Regis General Manager, supported the proposed development. The DV plan addressed concerns that everyone was talking about.

Jennifer Wesselhof, Chamber of Commerce President and CEO, stated the Chamber led a sustainable tourism plan and this development would embody the sustainable plan. It aligned with the City's transit plan as well. It also included gathering areas wanted by residents. Competition for tourism was real and this development would be a world class offering. Visitors contributed heavily to the economy. Success for DV meant success for Park City. She asked for Council to support the project.

Jody Whitesides 84060 stated at one time, the DV resort was open space and now the area was over-developed. This project was all about money. The assumption that traffic outside the area was not due to DV was wrong. There was a better way to make the resort world class and that was by including all the residents in the decision making.

Bob Dillon indicated he other residents worked with Stein Eriksen 20 years ago to ensure the development would not negatively impact the residents. Regarding the DV proposal, he stated the benefits would be there without the road vacation. He asked if the gondola would be lit at night and if they would be filled with liquored up people. Council needed to consider whether the City needed a beach and a gondola running year-round and at night.

Joanna Williams, 84060 Hidden Meadows HOA member, stated they were not against some development at DV. But the ROW vacation would be a mistake and would negatively impact residents of Lower Deer Valley. She thought the plan would hinder

access for emergency vehicles. She didn't support a circulation plan that would impair access to her home. She proposed building employee housing at Richardson Flat so they could take the bus to the resort. Her HOA supported Protect the Loop group.

Catherine Cimos 84060 thanked DV for the thoughtful design and community benefits. They missed the target on the main community benefit, which was traffic. She recalled when Zions National Park implemented the shuttle service and she felt that was an example of transit success. She suggested having a shuttle service from Richardson Flat to DV.

Krista Mathews 84098 supported Alterra's plan. They looked at the laws and went above and beyond in offering amenities of community value. She stated customer expectations were constantly changing. Many resorts offered the après experience and she felt that would change traffic patterns. She thought they proved good cause. They also offered benefits that addressed other local priorities, such as affordable housing and childcare.

John Phillips 84060 expressed his support for DV's application. He concurred with Commissioner Kenworthy and former Mayor Olch. He was on the Commission when the application came in and the current presentation had many revisions. He thought this plan would provide a world class ski resort and would be a benefit to the community. There would always be traffic problems. This plan would not fix everything, but it would be an improvement. He thought the plan would set up future solutions as well.

Deb Rentfrow stated there was no consideration for traffic mitigation below the Y. Traffic at Bonanza and DV was bad. The traffic analysis referenced intercept lots. She thought any intercept lots should be funded by DV. She referred to the budget discussion today, and a proposed GO bond. She suggested DV donate to the recreation facilities as a trade for the ROW. She also thought it was a threat to say there would be a condo village if the plan was not approved.

Laurel Barry, President of In the Trees, strongly urged Council to accept the alternative plan proposed by Protect the Loop. It addressed many issues with which residents had voiced their concern.

Mayor Worel closed the public hearing.

Council Member Dickey stated this plan would be evaluated for good cause and material harm and impacts. The ROW had value, but the plan did not meet good cause on its own. He stated there needed to be a dialog with DV and to take the comments from the residents and negotiate a win-win with the resort and the residents. He thought there needed to be a sizable impact for the City to give up its ROW. He wanted to put the compromise back through the public process. Council Member Toly agreed. Council Member Gerber stated this was a good direction to take. She hoped for a broader

conversation on traffic on Deer Valley Drive. She supported the suggestion made by Council Member Dickey.

Council Member Doilney heard from the public that the City needed to work with DV. There needed to be negotiation and a transparent process for moving forward and figuring out the ROW vacation. Council Member Rubell agreed in general. He didn't like the assertion that a condo village would be built if the plan was not approved. He thought the plan would be good for the community. He stated the key was community benefit. Public safety was also a priority.

Mayor Worel summarized that Council wanted to enter into discussions with DV to explore traffic and infrastructure options that were beyond what the current proposal was. The goal was to find agreement and good cause for the ROW vacation. When discussions were completed, they would come back for public input. Council Member Rubell added there were comments on injury. He asked that a legal opinion be given for people to understand what "material injury" meant.

Bennett stated they were open to having discussions with Council and to serve the City the best way possible. Mayor Worel indicated she and two Council members would be in on those discussions as well as key staff. She asked if Council was willing to step away as the appeal authority if necessary. Council Member Rubell asked for a summary of the Planning Commission discussion on that. Margaret Plane indicated they forwarded a positive recommendation to consider a code amendment that would remove Council as the appeal authority for MPDs and CUPs. Staff suggested using an appeal panel, appointed for three-year terms. Council Member Rubell wanted to wait on this application until the Council approved the code change and then apply it to this application as well. Plane stated the current discussions could make it so Council would be unable to sit as the appeal authority. Council Member Doilney wanted to eliminate any potential impropriety. There was consideration to be had on this deal. For this item, he did not want to sit as the appeal authority if DV was entering into discussions with the City. Council Member Gerber agreed with Council Member Doilney. She wanted to make it clear Council didn't want to be the appeal authority on this application. Council Members Dickey and Toly supported the global change of not having appeal authority.

**2. Consideration to Authorize the City Manager to Execute a Construction Contract Amendment with Geneva Rock in a Form Approved by the City Attorney Not to Exceed \$577,282 for a Total Contract Amount of \$2,727,646 for Rossi Hill Roadway Improvements:**

John Robertson, City Engineer, presented this item and reviewed that there was a contingency up to 10% of the project to fund change orders. For this contract, the contingency was \$250,000 and the change order exceeded that number. Waterlines were discovered and they needed to be moved. Also, neighbors had stormwater issues and the drain was moved. Weather-related conditions were also problematic. The crew

needed to stabilize soils as well. He noted the project was under the estimated budget even with the addendum.

Mayor Worel asked if the problems were from having bad waterline information, to which Robertson affirmed. He added there were underground streams that made the soil unstable as well.

Mayor Worel opened the public input. No comments were given. Mayor Worel closed the public input.

Council Member Rubell stated the City needed to get a handle on these construction projects. He wanted to see a table of the projects with schedules and amendments.

Council Member Rubell moved to authorize the City Manager to execute a construction contract amendment with Geneva Rock in a form approved by the City Attorney Not to exceed \$577,282 for a total contract amount of \$2,727,646 for Rossi Hill roadway improvements. Council Member Doilney seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**3. Consideration to Approve the 2023 Level Five Special Event Permit for the Park City Kimball Arts Festival (PCKAF) Supplemental Plan:**

Jenny Diersen and Chris Phinney, Special Events, and Hillary Gilson, Kimball Art Center (KAC), presented this item. Diersen indicated one major change was that Richardson Flat would be utilized with more frequent routes during the festival. There would also be transit from the high school, Park City Mountain, and Deer Valley Resort. The current fee estimate was approximately \$172,000. Anything over that amount would be paid for by KAF.

Gilson reviewed programming updates, including an expanded Local's Night to include all Main Street employees, highlighting local and emerging artists by putting banners on the booths, having three new "Best in Show" awards, having live screen-printing during the festival, and having a design contest for Utah-based artists. They would also increase the number of student art murals from three to four. Gilson explained the material changes, including signage on both sides of the Main Street bridge, moving artist and volunteer lounges to Treasure Mountain Inn, using the City stage, and having Carl Malone Ford and Chevy as a sponsor. There would be a bike valet and all landfill waste would be recorded.

Mayor Worel opened the public hearing.

Betsy Wallace 84060, Former Sundance Film Festival Managing Director, stated she supported Arts Fest and asserted this event brought in visitors from around the world. The operations were well-run and they worked well with staff.

Mayor Worel closed the public hearing.

Council Member Rubell had a hard time with the car sponsorship. The City subsidized the event and promoted it as a community identifying event. The City had sign ordinances and had specific ordinances regarding chain stores, but the event was going to put a lot of cars with ads on them on the street. He hoped this could be thought about in the future.

Council Member Rubell moved to approve the 2023 Level Five Special Event Permit for the Park City Kimball Arts Festival Supplemental Plan. Council Member Dickey seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**VIII. NEW BUSINESS**

**1. Consider the Appeal of the Planning Commission's Denial of the Washington School House Conditional Use Permit (CUP) for a Minor Hotel, Located at 543 Park Avenue:**

Margaret Plane reminded Council they were now a quasi-judicial body and not a legislative body. This role was different because they were applying specific facts to existing policy. They would review De Novo – as if there was no previous decision. She read from the code on appeal authority. The appellant would have to prove the land use authority erred. The Council would have to determine the correctness of the land use authority's interpretation and application of the plain meaning of the land use regulations. They would favor a land use application unless the land use regulation plainly restricts the land use application.

Mayor Worel asked if any Council member had conflicts of interest, and nobody had conflicts.

Lillian Zollinger, Planner, gave a history of the site and stated the building was in disrepair in the 1980s. A Conditional Use Permit (CUP) was applied for, and the building was permitted for a bed and breakfast. Virgil Lund, Planner, stated a lap pool was approved in 2010. Conditions prohibited public assemblies. Guest and employee parking was prohibited on Woodside Avenue or Park Avenue. The conditions carried over in 2015 when a CUP was requested to make the garage a laundry room. In 2020, the applicant applied to be a minor hotel. A minor hotel would include a parking reduction of one space, an increase from 30 guests to 60 people, which would include

guests, non-guests, residents, and staff. The applicant proposed small gatherings held inside from 8:00 a.m.-10:00 p.m. and the applicant provided a noise management plan. They provided a plan to provide an extra parking space that could be accessed from Woodside Avenue. They provided a parking management plan for mitigation. The CUP was denied by the Planning Commission on June 8, 2022. Zollinger stated the applicant was appealing the denial. She reviewed the Planning Commission criteria used to determine the denial.

Wade Budge and Thomas Holt represented the appellant. Budge stated this was a great business and it provided a great service. By attaining approval, the business could maintain the level of service expected. He stated the business was not requesting anything that was not allowed. Code maintained that a minor hotel was allowed in the district. They had a world-class kitchen but only guests could eat there. They only sought to accommodate guests of guests. If the hotel was not full, guests of guests could eat there. A noise and traffic plan was prepared. Guests of guests and employees could not park there at mealtimes. The reason they pursued the request for a minor hotel was because it was allowed. There were conditions where a CUP could be denied, but the state ombudsman stated this application denial was unjustified.

Zollinger read the Planning Commission's Finding of Facts: Finding of Fact Nine stated small gatherings of private events are not allowed in the HR-1 Zone. The Planning Commission was concerned about the detrimental effects on the surrounding residential neighborhood.

Lund reviewed Finding of Fact 10: the request to use the site for private events, and to allow the use of the dining facilities by non-guests, and to increase the use from 30-60 guests for dining was not compatible with the surrounding structures. The Planning Commission found the vehicle impacts could not be sufficiently mitigated. The applicant argued there was no evidence apart from adverse public comment to justify the Planning Commission's findings that the proposed use would create incompatible impacts on the residential streets and a public nuisance.

Zollinger discussed Finding of Fact 11: The applicant requested a parking reduction from 12 to 11 spaces to protect vegetation and the vegetative buffer between the building and neighboring properties. The Planning Commission found the parking reduction could not be mitigated because there would be increased street traffic. The proposed additional parking space would require a permit the applicant currently didn't have. Although the applicant provided a parking study that showed sufficient parking, staff learned they had obtained 40-50 temporary parking permits every six months which indicated the parking need exceeded the capacity.

Lund explained Finding of Fact 13: the reliance on public parking facilities as a mitigation strategy was unreasonable. The Planning Commission found this

unreasonable because the increase of non-guests required mitigation such as parking facilities then the minor hotel use would need more than 11 parking spaces.

Zollinger addressed the Ombudsman Advisory Opinion points, and read the Planning Commission reviewed the proposal as an expansion of a non-conforming use and not a stand-alone CUP. They determined incompatibility with the surrounding structures was insufficient, and they did not have sufficient evidence that the detrimental effects would not be mitigated. The findings made were inappropriately tied to the erroneous review as an expansion. She indicated the Council could deny the appeal, grant the appeal, remand the appeal to the Planning Commission for further evaluation, or continue the item to a date certain and request additional information.

Mayor Worel opened the public hearing.

John Plunkett 84060 stated he represented 28 neighbors and they believed the Planning Commission was correct in denying the application. The owner was in California and had other hotels. They invested in this property and they needed to abide by the current conditions. The expanded dining for 50 could not be mitigated. In addition to dining, they requested extended hours from 8:00 a.m.-10:00 p.m. which would open it for breakfast, lunch and dinner. He asked for a denial and thought the change would be harmful to the neighborhood.

Kirsten Ehrica 84060 stated the Washington School House Inn (WSH) was a great neighbor, but the owners bought in a residential area and their request would negatively impact her home. Even though WSH did a great job with the renovation, the residents had made renovations to their homes and they did not want impacts that would decrease the value of their homes. She requested that Council deny the appeal.

Clayton McNeel, 84060 indicated the existing business was compatible with the residential area. He thought the Planning Commission was correct in denying the request that would double the capacity of guests visiting daily. If the CUP was approved, the surrounding neighborhood would be negatively impacted. It would also be a dangerous precedent for the town.

Michael Kirby requested that Council deny the appeal. There was no shortage of restaurants and wedding venues in the City, but there was a shortage of livable neighborhoods.

Jody Whitesides 84060 indicated he walked past the WSH many times and it was so busy. He could not imagine expanding it and encouraged the denial of the appeal.

Deb Rentfrow stated the Planning Commission did not review the application as a non-conforming request. The staff reports clearly indicated it was a new CUP being requested. She agreed with staff that the parking study was flawed. The Planning

Commission did their job and took into account the previous conditions from the existing CUPs. She asked that Council uphold the Planning Commission's findings and deny the appeal.

Scott Sabey eComment “Public Comment In an effort to stifle the neighbors living around the Washington School House bed and breakfast, WSH has grossly overstated the holdings in the cases of *Ralph L. Wadsworth Const. v. West Jordan City* and *Davis Cty. v. Clearfield*. WSH effectively argues that the cases require planning commissions to entirely ignore all public comment unless city staff independently investigates and substantiates each and every statement. Such an interpretation would place an impossible burden on local government and the public, and that is not what the cases hold. Such an interpretation would deny the voting public any voice and would eviscerate the critical public comment and information gathering process, essentially requiring residents to submit notarized affidavits before their input could be considered. That is clearly not the law. Actually, the cited cases simply state that mere “vague reservations” expressed by the public are insufficient evidence to support a denial. That is not the nature of these neighbors’ comments. The public comment on the WSH CUP application consisted of substantial and substantive input and evidence based on first-hand experience of neighbors who know the actual impact of living in close proximity to WSH as it currently operates—even without the double capacity and expansive uses that it now seeks. The Staff Report evidences that the neighbors’ comments constitute substantial, compelling evidence that have more than adequately supported the Planning Commission’s denial of the application. WSH did not rebut any of those comments during the application process or even in its submission to the Ombudsman. Instead, WSH made bald statements that there was no evidence in the record and wrongly dismissed the entire public participation process by conveniently labeling everything it didn’t like with the label of “public clamor.”

Mayor Worel closed the public hearing.

Budge stated they were not seeking a private event area. They only wanted to expand the interior use for guests of guests. He read LMC 15-15 Hotel/Motel and stated they were not opening a restaurant. He also addressed the parking issue. There was enough space to conform to the parking requirement by disrupting the vegetation and they could go through that process. Another option was that the Engineer could approve two compact parking spaces in front of the building. He stated they would combine the adjoining lot so it would never be a building lot if this use was approved. He indicated there could be increased parking, but they were currently overparked. The State Ombudsman had four trained attorneys who looked at this and made their findings. Also, there was nothing in the record refuting the traffic study. He asserted they no longer got temporary parking permits, and that time period was irrelevant. He also stated recent changes to state law was that only properties adversely affected could give public comment, and only Mrs. Ehrica was an affected party who gave a comment.

Mayor Worel reviewed the options for Council consideration. Council Member Gerber asked to continue the item so more information could be obtained on the temporary parking permits and how they were used. Council Members Dickey, Toly, and Doilney supported continuing to a date certain. Council Member Rubell preferred to remand it back to Planning Commission. Council Member Gerber asked if remanding it to the Planning Commission meant that Council wanted them to mitigate it or could the Planning Commission just deny it again. Mark Harrington, Senior Attorney, stated it depended on what Council decided. It could be remanded for a process reason or a finding of error, or if Council disagreed with the decision. Council would need to define the reasons for remanding. Council Member Dickey stated there were several issues and he wasn't clear if Planning Commission erred. He preferred that it come back to Council.

Council Member Dickey moved to continue the appeal of the Planning Commission's denial of the Washington School House Conditional Use Permit for a minor hotel, located at 543 Park Avenue to July 13, 2023. Council Member Doilney seconded the motion.

**RESULT: CONTINUED TO JULY 13, 2023**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**2. Consideration to Approve Ordinance 2023-28, an Ordinance Approving the 1120 Empire Avenue Plat Amendment, Located at 1120 Empire Avenue, Park City, Utah:**

Virgil Lund, Planner, stated the plat amendment would remove an interior lot line and a side lot line. The duplex was a non-conforming use but had been maintained continuously. He indicated the nonconformities were addressed and there was good cause for the plat amendment. Any future development would need to comply with the off-street parking requirements of providing four spaces.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Dickey moved to approve Ordinance 2023-28, an ordinance approving the 1120 Empire Avenue Plat Amendment, located at 1120 Empire Avenue, Park City, Utah. Council Member Toly seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**3. Consideration to Continue an Ordinance Approving the North Norfolk Plat Amendment, located at 1325 Empire Avenue and Parcel SA-200, Park City, Utah:**

Spencer Cawley, Planner II, stated Planning Commission asked to continue the item.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Doilney moved to continue an ordinance approving the North Norfolk Plat Amendment, located at 1325 Empire Avenue and Parcel SA-200, Park City, Utah to a date uncertain. Council Member Toly seconded the motion.

**RESULT: CONTINUED TO A DATE UNCERTAIN**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**4. Consideration to Approve Ordinance No. 2023-29, An Ordinance Approving the Eagle Way Second Amended Plat Amendment, Located at 1460 Eagle Way, Park City, Utah:**

Spencer Cawley, Planner II, presented this item and stated the amendment proposed to extend the lot by combining the lot behind it. The proposed plat complied with the zone and with the sensitive land overlay criteria. The Conditions of Approval (COA) mitigated vegetation loss, and development on the Estates Zones parcel would require additional sensitive lands analysis.

Council Member Dickey asked where the access to the Estates lot was to which Cawley indicated there was an access easement from Eagle Way. Council Member Gerber asked what the benefit of combining the parcels was. Cawley stated the benefit was to change the meets and bound parcel description a subdivision lot.

Mayor Worel asked if the existing house was the only structure on the property. Cawley stated there were plans for an extension to the house but there were no plans for additional buildings at this time, but other structures were allowed. Mayor Worel asked if the structure counted as a structure on the Estate lot, to which Cawley said it did not.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Rubell moved to approve Ordinance No. 2023-29, an ordinance approving the Eagle Way Second Amended Plat Amendment, located at 1460 Eagle Way, Park City, Utah. Council Member Doilney seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**5. Consideration to Approve Ordinance No. 2023-30, An Ordinance Amending Land Management Code Section 15-15-1 Definitions to Comply with Changes to State Code:**

Jack Niedermeyer stated the code amendment would clarify the City followed state code on these issues.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Rubell moved to approve Ordinance No. 2023-30, an ordinance amending Land Management Code Section 15-15-1 Definitions to comply with changes to state code. Council Member Doilney seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**6. Request to Authorize a Contract with Gillig in a Form Approved by the City Attorney, Not to Exceed \$16,500,000, for Fifteen 2023 Gillig Electric Buses, Four 150 kW ABB Depot Chargers, Twelve ABB Power Dispensers, and One 300 kW Overhead Charger:**

Kim Fjeldsted, Transit Manager, stated this bus purchase had been worked on for 3.5 years. The original request was for 14 buses, and then Park City added another bus. The City's portion of the cost was \$2.9 million and High Valley Transit (HVT) would be helping with that amount. The HVT buses had already arrived and the City was waiting for one bus.

Council Member Rubell asked how many electric and nonelectric buses the City had. It was indicated the City had 20 electric buses and 16 diesel buses. Council Member Rubell asked about the 60% inflationary increase. Fjeldsted indicated Park City selected more expensive bus options than HVT.

Mayor Worel opened the public input. No comments were given. Mayor Worel closed the public input.

Council Member Rubell moved authorize a contract with Gillig in a form approved by the City Attorney, not to exceed \$16,500,000, for fifteen 2023 Gillig electric buses, four 150 kW ABB depot chargers, twelve ABB power dispensers, and one 300 kW overhead charger. Council Member Toly seconded the motion.

**RESULT: APPROVED**

**AYES:** Council Members Dickey, Doilney, Gerber, Rubell, and Toly

**IX. ADJOURNMENT**

With no further business, the meeting was adjourned.

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Michelle Kellogg, City Recorder