

**PARK CITY COUNCIL MEETING MINUTES
SUMMIT COUNTY, UTAH,
October 22, 2015**

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**PARK CITY COUNCIL MEETING MINUTES – DRAFT
SUMMIT COUNTY, UTAH
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CLOSED SESSION

To discuss Property and Litigation

STUDY SESSION

Main Street Tenant Mix Discussion

Jonathan Weidenhamer and Alison Butz, Historic Park City Alliance (HPCA), recommend the City take a limited role in addressing the tenant mix on Main Street as the current discussion supports us refraining from influencing free market forces. They suggest Council should consider steps to address building vacancies and currently pending updates to the vertical zoning ordinance.

Butz addressed the vacant buildings on Main Street and the allowance of chain stores, saying both affect our authenticity and historic character. Mayor Jack Thomas states some store owners make enough money they don't have to be open year round, which makes it appear like there are vacancies; therefore, we need to know what tools we are dealing with. Council member Matsumoto says she feels vacancies and tenant mix are two different discussions. Says she's not sure what other cities do but would like to spend some staff and community time to figure out the answer.

Council member Henney states the free market is what is driving everything, but if it's unbalanced it will leave unintended consequences. He believes there are governmental factors that can counteract free market drivers, but we need to figure out what those are first, and we need the support of the business community to make them successful.

Council member Beerman says, as a business owner, he feels there are three parts to this discussion -- historic character, business mix, and overall vibe of the street -- and losing any one these would put our community in danger. He feels we should address the issue of vacancies wherever we can find leverage. Says construction is also a problem as it is ever-present and inhibits movement with many projects taking too long. Feels we limit chain stores as they may ruin the character of Main.

Council member Simpson says a way to impact free market dynamics is to create smaller spaces that are attractive to small businesses. Would like to discuss the hotbed piece more because she's not sure it's in a crisis stage and says Main Street has never seemed "un-vibrant" to her.

Council member Henney doesn't want to see the City's involvement have an unintended consequence of affecting other parts of town that provide spaces for businesses who are pushed off Main, but feels it's worth it to take a look at property ownership there.

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Bruce Erickson, Planning Director, spoke to how he and Weidenhamer have taken a deeper look at the code and says we need prioritization on issues. Council member Henney believes we can address the vacancy issues easily by requiring businesses to be open other parts of the year; also feels we need office space above street level because it creates vibrancy during the shoulder season, and would like to encourage that through more available parking. Erickson states he can't currently find a correlation between parking on Main and office space. Butz states they have their eye on that issue. Erickson says the 2016 events will be their test model to put solid regulations in to place in 2017.

Public Comment

Jan Wilking states the businesses that can afford rising rents are national chains. He supports bringing in more hotbeds and small businesses to Swede Alley. Feels more beds on Main would be a benefit as it would create more traffic. Regarding vacant buildings, he agrees with the City to use whatever tools they can to fill them throughout the year. Wilking feels we have a fairly decent mix and doesn't feel we should further limit real estate offices on Main as they bring in traffic. As a business owner, he says international/national business owners look at China Bridge and worry about where their employees would park, so it scares them away.

Hans Fuegi states the intersection by Kimball Arts Center currently has dark spaces and that's a concern to him and that something needs to be done about vacant buildings. Would be hard to control rent but he would be in favor of limiting formula stores and encourages bringing in only those that are locally based. Feels improving Swede Alley's aesthetics would be extremely beneficial.

Michael Kaplan says what we're seeing with Main Street is a natural cycle that other towns have gone through, so it would be beneficial to learn from them and their mistakes/successes. Suggests looking at condos that don't allow kitchens, which forces tenants down to Main.

Staff Update on the City's Public Website Upgrade

Scott Robertson and IT staff spoke to the status of the city's new website and gave accolades to Vision Internet for their work as this has been one of the smoother website transitions he has worked on. The site will go live at the end of October.

Robertson says the new site has more functional menus and is less busy looking, and that making changes on the fly is much easier now than before. They have taken ideas from Council and across the organization to incorporate in to the site, which is much easier to navigate and has the ability to feature more events and highlights from each department. Shannon Dale, IT, says there is more control with the home screen and highlights different ways to spotlight more news events than we could before. She demonstrated some of the menus and features of the home page and department pages. She reports access to document central can happen directly from the City Council page. Council member Beerman asks about mobile usage and how it will adjust depending on the device you use, to which Dale explains the site will automatically adjust.

WORK SESSION

Council Questions and Comments and Manager's Report

Council member Matsumoto attended the Historic Preservation Board meeting last night and reports Planning and Preservation are doing a great job discussing features they're looking for and how we can

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best meet needs with the temporary ordinance. Attended Friends of Library luncheon today, which was very nice.

Council member Peek attended Planning Commission, which was deja vu all over again with the normal processes occurring. They discussed nightly rentals and moving more things to the consent agenda with input from legal.

Council member Beerman attended the Project for Deeper Understanding on the school bond discussions. There were solid arguments on each side and a great turnout. Monday he attended the ULCT Legislative Policy Committee meeting; it was an interesting session because Speaker of the House Hughes spoke about why we're not supporting Medicaid as a state. Two of our Congressional Representatives Stewart and Chaffetz also spoke. Chaffetz talked about the Remote Transaction Parity Act, which is the internet sales tax act; reports Chaffetz feels the Feds will get something done on that this year, which will have implications for Park City. He attended a Mountain Accord Management Team meeting and reports they have shifted everything over to the Wasatch Front Regional Council, reports d they need to make an amendment to the Accord so they can resign it, which will be on the next meeting's agenda. They're taking RFPs for the new program director who they hope to hire two weeks from now.

Council member Henney attended the Recycle Utah Board meeting. Their programs continue to be very successful, in particular the hazardous waste program. We can expect to see a larger request for a service contract from them. They also discussed their Aqua Affair, which was very successful. He attended a Mountainlands Community Housing Trust meeting and reports the big news there is they have negotiated a deal with a developer out by Weilenmann School where there will be a 40-unit affordable housing development. Attended the HPCA board meeting on Tuesday where lots of discussion was held regarding the impacts of filming on Main Street as we've had an unexpected flurry of filming requests. There's work being done to make sure we don't overwhelm Main Street. He reports Bill Malone and Kim McClellan presented on their Thin Air event, the first of its kind, which will have a keynote speaker along with a welcoming dinner and third-day breakfast. They've received indications of interest from well over 1000 people and it's to be held in April. Reports Alfred Knotts, Transportation Planning Manager, did an excellent overview of our current transit initiatives, specifically regarding Main Street. Henney attended a public transit meeting on Tuesday at the Recreation Basin offices that was not well attended. There were six or seven members of the public, which was disappointing, but there was a lot going on that night. City Manager Diane Foster said the attendance doubled later in the evening.

Council member Simpson says the transit planning meeting at the library was very well attended and there was excellent input. Reports Knotts, Caroline Ferris and Roger Armstrong with the County met with Mayor Marchant of Kamas regarding transportation issues in the Kamas Valley. They will be addressing the Kamas City Council on transit issues.

Mayor Thomas attended the ULCT meeting. He also attended the Snyderville Basin Sewer District meeting and thanked Jan Wilking for leading it; says they addressed growth in the county and possible rate increases. Reports he and Foster attended a meeting for an organization supporting the Latino population of Salt Lake, where they discussed services they provide for Latinos. He feels we could learn from them in creating a similar structure here in our community to empower Latinos and help those who aren't as fortunate as the rest of us.

Foster addressed the County Council's direction to start a transportation task force where they discussed the critical need of remote parking. The County invited the City to participate in a joint blue ribbon commission to find land that is politically acceptable. Council agrees to participate. Foster officially introduced Anne Laurent, our new community development director.

Brew Pub Plaza Project Update

Weidenhamer introduced representatives from GSBS, Struck, and Civitas architects. Jennifer with Struck spoke to key takeaways they have researched, including adaptable multi-use space, respect for the fact that this is an emotional center of town, honoring the legacy and history of the area without replicating it, and creating aspects of engagement and interaction. She states that the must-haves for the plaza are authenticity, a sense of discovery that makes people want to come back again and again, and keeping it a transitional space where residents and visitors can interact.

Brent spoke to the visual aspects of the plaza by displaying pictures that illustrate the five thematic guideposts they hope to represent, which are a sense of discovery, authenticity, fusion, intimacy, and rebellion. People come to Park City to ski, have an adventure and discover something new. He explains that fusion is the merge of nature and man. They want to bring the mountain to the plaza. Intimacy is the level to which people are connecting to the environment and connecting to each other. Rebellion is about progression and taming the West. There's an element of funk that goes along with this theme.

Christine spoke to how the space will be used and by whom on a day-to-day basis and also for events. She states they conducted a series of interviews with those who run events/festivals in the community to discover how they would use this space. The interviews showed people are looking at indoor and outdoor space that would work seamlessly together. Most people mentioned they want a space where they can go to just relax in addition to a space for events. They want this space to be a place for everyday activities that is also dog and kid friendly.

Mayor Thomas questioned the need for a commercial kitchen and asked how they are looking at this space, whether it be as a daily use space that can open up into a space for a few larger events a year, or vice-versa. Christine says this tension is something the design team is already working on and they're at a transition point right now as far as thinking through those design aspects.

Christine next addressed the results of the resident survey conducted through the HPCA. The survey asked why they come to Main Street, with the majority saying they come for dinner, events, bringing visitors, coming for lunch, and arts and entertainment. The top events they attend are parades, Park Silly Market, Kimball Arts, Halloween on Main, Savor the Summit, and street concerts. The survey also asked about their favorite spot in Park City right now. Top responses were City Park, the Post Office, Main Street, and the trails. She says her team would like to create a place that will generate daily activity as well as accommodate event activity. They want a place that encourages people to stay and play that is multi-seasonal.

Heather says they will come back on December 17th with three conceptual designs. Craig says they have begun design phase and have developed a fairly solid structure to frame designs on. Weidenhamer Council if they would like to see some of the design in process in a few weeks rather than waiting for the final product, to which Council said yes.

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Employee Electric Vehicle Charging Stations

Matt Abbott, Sustainability, presented Staff's plan to add two electric vehicle charging stations at public works for employees in the private lot. He addressed cost issues regarding this project and says the total cost would not exceed \$5,500. Staff recommends Council review details and provide direction, to which Staff would return with policy and guidelines in the future.

Council member Henney asked if the stations will be just for employees, to which Abbott says yes. Council member Peek asked if a dual charging station is possible from a single pedestal, to which Abbott says that is an option. Council member Beerman says he's a big fan of electric vehicles and these charging stations fit in with the city's goals. He feels it's a small investment for us to encourage this type of activity. Council member Simpson asked about charging stations in China Bridge, to which Abbott says that will be a place where they will add more stations. Mayor Thomas says he would like to see this use expand to the public as well.

Main Street & Swede Alley Early Deliveries Discussion

Due to a formal complaint and public comment by several residents, Matt Dias addressed the issue of early morning deliveries on Swede Alley. He reports Council made a change to the ordinance in 2011 due to a noise complaint that allowed deliveries to take place during a longer period of time. Dias states he and Sergeant Randall have met with trucking companies and discussed the changes they will be making to reduce noise levels. Council member Peek asked how many people complained to bring about the change to the ordinance in 2011. Council member Simpson says there was one resident.

Council member Beerman thanked Dias for his hard work to mitigate this complaint and says his one concern is that deliveries taking place at 3:00 and 4:00 in the morning hit the one time the streets are quiet. He asked if deliveries can be made earlier like around midnight.

Public Hearing

Lynn Ware Peek says she is up at strange hours of the night and has notice it is very noisy on Swede Alley and Main in the early AM hours.

Henney asked if we have metered the decibel levels. Dias says they have and that delivery functions fall within current decibel level ranges. Other adjustments to deliveries were discussed such as shifting deliveries further up the street and adjusting delivery routes.

Sargeant Jay Randall says what he's noticed is a few key drops in this particular area, mainly from Sysco. Beerman asks if these companies can deliver to Main during this time, and feels delivery times can be adjusted and that maybe food could be delivered a day in advance.

Jason Booth with Sysco talks about their delivery schedule on Main and Swede Alley. Mayor Thomas asks if they could change their delivery times to later in the morning. Booth says that would not work as their deliveries take a long time as it is. Mayor Thomas says that this is a delicate subject. Dias reiterated this has been the only complaint for this particular location in the past year. Booth states they have adjusted their delivery schedule somewhat to help alleviate this situation and are willing to move their drop locations and adjust the position of their trucks. Council member Simpson says she doesn't think this issue is delicate, but they do need to create a balance. She explains that the complaint is from a person living on Main Street, which is a commercial district. There are benefits to living on Main Street and there are costs, and the extra noise is the cost of living there. She states since they've had only two complaints in eight years that she's not in favor of changing the status quo. Council member Matsumoto

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agrees with Simpson, but says they should mitigate the noise as much as possible. The drivers need to be sensitive about the noise they're making, but Matsumoto also doesn't want to change any of the policy they have in place right now.

Carol Fontana, who lives on upper Main Street, says the noise level has improved and she appreciates the changes that have been made, but feels it's a totally different issue down on lower Main.

Utility Mitigation Surcharge: Strategy Discussion

Abbott, along with Clint McAfee, Jason Christensen from Water and Bina Skordas, Sustainable Energy Project Manager, spoke to their efforts on a water conservation program. McAfee says as far as supply goes, we're secure but water quality continues to be a major priority. The environment we live in requires an extremely high amount of energy to move water around. We're at the top of the watershed and a lot of the economic activities in town depend on water. We have to pump water high and McAfee estimates we pump 700 million gallons of water a year just for snowmaking and golf course upkeep. Because of this, we have the responsibility to use our water and energy resources in the most efficient way we can. His goal is to develop a program that has internal leadership and expertise that changes the way we work and think and provide services rather than someone else telling us what we should be doing. McAfee outlines the next steps for the program and mentions that on November 12th, Staff will come back before Council to continue this discussion on how to fund this program.

Skordas states they've been successful in their goals to create an energy team in the water department. They've created energy and hydraulic models, and have created tools to better understand their system so they can better prioritize future projects. Tomorrow they'll go over proposals they've received and will be picking a candidate this week.

Council member Henney asks what amount of savings they've achieved thus far. Skordas says it's 1.2 million kilowatt hours of savings, which is about 9% of total usage.

Abbott spoke to the five goals they are focusing on. The first is to reduce peak demand of water and energy. Peak demand is the most expensive to use or deliver. Number two is to reduce dollars spent on energy and that's addressing efficiency and utilization. Number three is to reduce energy consumption per gallon. Number four is to produce local renewable energy. Number five is to make sure we're delivering water and delivering water no matter what and that these efficiency programs don't get in the way of that. He concluded that they're trying to move away from energy sources that are subject to political whims.

Mayor Thomas points out that we often talk about changing fixtures or doing other things to reduce our energy consumption, but we don't often talk about having fewer lights. He thinks there's overkill in lighting in a lot of things we do. We need to start thinking about minimizing and essentials only.

Christensen spoke to the program's assumptions. Council member Beerman suggested we experiment with current technologies instead of waiting for the perfect solution. Christensen says there are existing technologies out there that can be immediately put to use.

McAfee mentioned the steps already in motion include how to pay for this through water rates as well as incentives for energy conservation. He then explains what this program is not. It's not a program to reduce customers' bills. There's an efficiency and an environmental goal, and some of those environmental goals may result in projects that don't have a good return on investment. Our

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understanding of Council's goals is that's all right. We want to do a mix of both projects—those that pay for themselves quickly and those that have an environmental benefit to the community and globally as well. We don't think this program is a carbon tax or a carbon offset. There's two reasons we feel this way: we want to apply this program to many different projects and the goals aren't specific to carbon, the secondly, we realize there's some negative political implications to using the word "carbon" and we're not interested in creating that issue; we're more interested in fulfilling these goals.

Council member Henney asked if they will come back with a closer look at the rate structure. MacAfee says they hope to come back before Council in a work session. Abbott states Staff recommends Council's approval for the water and energy resiliency program. Council unanimously agrees it's outstanding.

REGULAR MEETING

I. ROLL CALL - Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6:00 pm at the Marsac Building on Thursday, October 22, 2015. Members in attendance were Andy Beerman, Dick Peek, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Phyllis Robinson, Community & Public Affairs Manager; Korey Kersavage, Budget; Jason Christensen, Water; and Karen Anderson, Deputy City Recorder.

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Manager's Report – Lower Park Avenue/Bonanza Park Public Meetings on Redevelopment and Transportation
2. Manager's Report – Sister City Courchevel Update
3. Manager's Report – Quarterly Budget Monitoring Update

Council member Simpson asked a question about what SP meant in the quarterly budget report. Council member Matsumoto asks if there were any alarming or wonderful incidents with the budget. Korey Kersavage, Budget, said he's not sure what SP means but that the budget balanced with nothing of particular concern.

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

Ed Parisian states they are going through the process of preserving Library Field and asks Council to think long and hard and listen to the people on this issue.

IV. CONSENT AGENDA

1. Authorize the City Manager to Enter into a Contract, in a Form Approved by the City Attorney, for Online/On Demand Safety Training and Recordkeeping in an Amount Not To Exceed \$33,460.00.
2. Authorize the City Manager to Enter into a Contract, in a Form Approved by the City

Attorney, for Closed Circuit Video (CCV) upgrades to the Park City Public Safety Building in an Amount Not to exceed \$35,155.00.

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

V. NEW BUSINESS

1. Consideration of a Request to appoint the Blue Ribbon Housing Commission.

Phyllis Robinson spoke to the seven-member Blue Ribbon Housing Commission that will provide community perspectives on current housing-related issues. The commission's term would run from October 26, 2015 through March 31, 2016. The selection committee is made up of a four-person committee including Staff, Scott Loomis, and Shellie Barrus. Applicants were ranked and names were forwarded to Council for approval. Their first meeting will be October 26th.

Council member Simpson asked if the meetings are opened to the public, to which Robinson says yes and that they will publish the meeting schedule.

**Council member Simpson moved to approve the request
to appoint the Blue Ribbon Housing Commission
Council member Matsumoto seconded
Approved unanimously**

2. Consideration of a Request to Authorize the City Manager to Enter into a Contract, in a Form Approved by the City Attorney, to:
 - A. Execute a Special Services Contract with J.U.B Engineers, Inc. for Engineering Services Related to the Creation of a Storm Water Management Plan and investigation of the Creation of Storm Water Utility; in an Amount Not To Exceed \$88,380.
 - B. Execute a Provider Special Services Minor Contract with Zion's Public Finance, Inc. for Financial Services Related to the Investigating the Creation of a Storm Water Utility; in an Amount Not to Exceed \$29,225.

Jason Christensen spoke to the storm water contract award Staff is asking Council to enter in to. Objectives are to intertwine a storm water management plan and proposal for storm water utility. The management plan will improve storm water quality leaving Park City. Christensen discussed the controls that will be implemented to improve the water quality.

Council member Matsumoto asked if there will be a utility user fee attached to this. Christensen says most likely. Council member Simpson feels we at least need to do a study in order to know the pros and cons of this utility before making a decision on the contract.

Public Hearing

Mayor Thomas opened the public hearing. No comments were heard. Mayor Thomas closed the public hearing.

**Council member Matsumoto moved to approve authorization to enter into a contract with J.U.B Engineers, Inc. for engineering services related to the creation of a Storm Water Management Plan and investigation of the creation of Storm Water Utility, in an amount not to exceed \$88,380; and a contract with Zion's Public Finance, Inc. for Financial Services related to investigating the creation of a storm water utility, in an amount not to exceed \$29,225, in a form approved by the City Attorney
Council member Henney seconded
Approved unanimously**

VI. ADJOURNMENT

**Council member Simpson moved to adjourn
Council member Peek seconded
Approved unanimously**

CLOSED SESSION MEMORANDUM

The City Council met in a closed session at approximately 12:00 pm. Members in attendance were Andy Beerman, Dick Peek, Cindy Matsumoto, Liza Simpson and Tim Henney. Staff members present were Diane Foster, City Manager; Mark Harrington, City Attorney; Tom Daley, Deputy City Attorney; Matt Dias, Assistant City Manager; Jason Christensen, Water; Clint McAfee, Water Manager; Jim Blankenau; Sustainability; Lori Collett, Finance Manager; Phyllis Robinson, Public Affairs Manager; Heinrich Dieters and Rhoda Stauffer, Sustainability; and Nate Rockwood, Budget Director. **Council member Henney moved to close the meeting to discuss Property and Litigation. Council member Simpson seconded. Motion carried.**

The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Katie Madsen.