



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

December 3, 2015

CLOSED SESSION

The City Council met in Closed Session at approximately 2:45 p.m. Council Members in attendance: Mayor Jack Thomas, Andy Beerman, Tim Henney, Cindy Matsumoto, Dick Peek, and Liza Simpson. Staff Members Present: Diane Foster, City Manager; Tom Daley, Deputy City Attorney; Matt Dias, Assistant City Manager; Jonathan Weidenhamer, Economic Development Manager, Bruce Erickson, Planning Director; Anya Grahn and Kirsten Whetstone, Planning; Wade Carpenter, Police Chief; and Ann Laurent, Community Development Director. Others in attendance included Council Members-Elect Nann Worel and Becca Gerber.

Council Member Beerman moved to close the meeting to discuss property. Council Member Henney seconded the motion. Motion carried.

Council Member Henney moved to adjourn from closed meeting. Council Member Simpson seconded the motion. Motion carried.

STUDY SESSION

Library Board Update 2015:

The Board members expressed excitement from the success seen in teenage engagement at the library. Board Member Griffiths spoke about the programs for teens at the library, and felt it was a nice development. He noted there were other areas of the community that were under-served and he hoped to develop programs for these groups as well. Council Member Simpson was impressed that the Board reached out to this demographic to seek input on how to attract others within that demographic. Mayor Thomas was pleased with the success of these programs and thought many possibilities would come as a result. There was discussion on different features that attract people to the library. Council Member Beerman asked what programs were in place that would attract seniors to the library. It was indicated that the library focused on toddlers, teens and seniors because these groups were not as easily reached as other groups of people.

Council Member Matsumoto asked what programs other libraries offered to seniors. It was indicated that in some libraries there were senior centers attached, which offered reading clubs, speakers and other events. The Board members felt the library should be "the community center" and the proposed senior center should be subordinate to it.

There was discussion on the meeting room use at the library. It was noted that there was a lot of interest in the auditorium, and many private businesses used the other meeting rooms. Council Member Simpson thought the intent for the meeting rooms was for boards and other non-profit entities. Council Member Peek liked the fact that people would want to have birthday parties and family gatherings at the library. It was indicated that the Board was looking at software that would help the library staff manage the meeting room scheduling. It was also noted that some groups had to be turned away because the activity was not appropriate for the library. A meeting room rental price list was distributed.

Council Member Beerman was interested in seeing the report that was being worked on that would give statistics on meeting room use. Mayor Thomas stated he would like to see community uses for those rooms. He also thought it was important to reach out to the Latino community as well. Discussion ensued on attendance at the library, and it was noted that the board and staff were anxious to participate in the City's goal for reduction in energy use.

WORK SESSION

Council Questions and Comments:

Council Member Henney stated there had been many questions from citizens with regard to the leash law. He listened to KCPW as the new animal control officer was interviewed, and indicated the officer covered a lot of animal control issues, including the direction for officers to give citations, not warnings, for those not complying with leash laws. Council Member Matsumoto asked that Round Valley be considered as an off-leash dog park. The other Council members were supportive of having a dog park as well. Foster thought a work session on that issue could be scheduled for late January or early February. Council Member Matsumoto asked if the Park City officers were given the directive to give citations. Foster indicated that the officers were directed to talk to the citizens.

Council Member Matsumoto related she had attended the school board meeting, and expressed that she wanted to further define how the City and School District recreation programs could work together. She also attended the Historic Preservation Board where the issue of what constituted a historic structure was discussed.

Council Member Beerman noted he also attended the joint school board meeting. He attended the Mountain Accord meeting and indicated there would be a push for bus solutions by Winter of 2017, which would include enhanced bus service and charges for parking. He asked staff for reports on garbage can totes and vehicle idling enforcement.

Council Member Simpson indicated she liked the school board meeting. She attended the Fire Board meeting, and stated the budget was approved at the board level. She also attended the Lodging Association meeting, and noted this was the 53rd year of the Torch Light Parade. She indicated that she had visited Scott Simons, Streets Department, at the hospital, and wanted to encourage staff to email him greetings. Council Member Simpson noted she toured the Children's Justice Center (CJC) and would encourage the Council to take that tour. The CJC was looking for a new site, and she hoped the City might help them find a temporary site while they obtained sufficient funds to build. She spoke that this year the number of children's cases was doubled from the previous year. Council Member Peek asked that Heinrich Deters send the Council an email to set up a tour.

Mayor Thomas stated he attended the Electric Parade. The Best in Show was a car decorated as a gingerbread house. Ramp Skiis won the Entrepreneur Award, and the Mayors Award was a 1960s Dodge with a tree coming out of the back. He indicated that he also attended the school board meeting, Park City Historical Society meeting and the University of Utah vs. Brigham Young University basketball game, of which Utah won.

Park Meadows Well Filtration Site Planning Discussion:

Roger McClain, Public Utilities, introduced Nick Graue, Alison Butz and Michelle DeHaan. Graue stated the issue concerned two wells. Because of new federal regulations, new filtration equipment needed to be added. Since there was not enough space in the well house, and addition was needed. It was noted the empty space in the drawing shown to the Council was for vehicle entry. Butz stated the current buildings were non-conforming, and that would be an issue for building expansion. Because of these issues, new structures would need to be constructed. She indicated the buildings would have solar panels in an effort to support the City's critical energy priority. She asked if the Council supported construction on the proposed site, and if an interpreted trail would be supported by the Council as well.

Council Member Peek asked if the vehicle space was necessary. McClain stated having the vehicle backing into the building would facilitate the work of changing filters. There was also piping in the building that would need to be accessed. Other items not shown in the drawing were other work spaces. Council Member Peek wanted the new building to be built to its essential functional size.

Council Member Matsumoto was in favor with the location and building. Council Member Beerman was in favor as well, and thanked the group for supporting the City's sustainability goal. Council Member Simpson thanked McClain for his report on the wetland area. She felt screening from the road would be a priority. Mayor Thomas supported the site as well. He asked what materials would be used in construction. McClain stated he had looked at a couple different scenarios with different window sizes. Mayor Thomas suggested a flatter roof might make a lower profile building.

Council Member Matsumoto indicated she was not in favor the interpretive trail. Council Member Peek was in favor of screening the building from the public, and suggested a children's park in that area might be helpful. Council Member Henney stated he was in favor of the trail if it was cost effective. Council Members Beerman and Simpson were in favor and pushed for water conservation.

Graue asked if they could proceed to the planning phase. The Council members indicated they were in favor of proceeding with this project. Graue outlined the next steps for this project and indicated staff would reach out to the community for input.

Utility Mitigation Surcharge: Funding Discussion:

Matt Abbott, Sustainability, and Jason Christensen, Public Utilities, gave a presentation on their analysis of utility rates. Abbott indicated they had three options for the Council's consideration: Option One called for a rate increase across the board. Option Two would modify the existing elevation-based surcharge. Option Three would modify the water user rate structure, which was a combination of Options One and Two. They recommended Option Three for further analysis, and noted they needed to evaluate what would happen to

revenue if water use was greatly reduced. Council Members Simpson, Matsumoto and Beerman were in favor of Option Three. Council Member Henney supported Option Three as well, but expressed concern about making the fear that water conservation would reduce the City's revenue stream a consideration in this analysis. He indicated the City was shifting from secondary homeownership to primary homeownership and there was also an increased need for snow making, so the need for water was increasing and conserving water should be rewarded. Council Member Peek stated water conservation was critical, but he felt an analysis to keep the City whole would not be time wasted. Council Member Matsumoto noted the new EPA requirements, so budget analysis was necessary to fund those required upgrades. Mayor Thomas stated the City needed to conserve its natural resources, but it would be important to know what it would cost.

ElevateHER Challenge Update:

Ann Ober, Sustainability, introduced Trish Hatch and Pat Jones with Women's Leadership Institute, and indicated there were women in the audience involved in the ad hoc committee, who she asked to stand up and be recognized. Ober indicated a group of ten people discussed what the City wanted to do with women's leadership, and noted that in January there would be three women serving on the City Council. Ober noted that the City wanted to associate with the ElevateHer challenge, and asked if the Council could support this challenge. Council Member Matsumoto asserted many non-profits were headed by women, the City had a female City Manager, and there were many strong leaders within the City that were women, so she supported this effort. Council Member Simpson was in favor of the initiative, and felt this challenge would be a springboard for asking other entities within the community to sign on as well. Mayor Thomas agreed with both comments and noted that women in the Wasatch Front had, and continue to have, a battle getting equal pay for equal work, so he was anxious to have the City lead this effort.

Council Member Beerman stated he was in favor of this endeavor. Council Member Simpson recommended that the City pay plan be analyzed by an outside firm because benchmarking with other ski towns might be skewed. She also thought having an outside firm perform the analysis would give the City objectivity. Council Member Henney stated he didn't believe in gender bias, so he was in favor of this venture. He indicated he was also open to discussing the outside pay analysis. Council Member Peek agreed and also expressed that he didn't want to ignore the Latino demographic in the process.

Brooke Moss, Director of Human Resources, asked if the study would include an analysis within the City only, to which Council Member Simpson affirmed and noted she didn't want to study other cities. Foster stated it would be difficult to overcome societal bias.

Jones stated businesses were leading this initiative. She indicated that the Women's Leadership Institute looked at men as allies in the effort to lift women into leadership roles. She thought this effort had been very positive and successful thus far, and asserted the ElevateHer challenge has six commitments. She asked that all organizations look internally to see if they meet those commitments. Hatch stated she appreciated that the City was taking this initiative seriously, and thanked the Council for their support. Mayor Thomas asked for public comments. Bill Humbert stated he worked for RecruiterGuy.com, where the CFO was a woman. He also talked about the successful women in his family, and noted he supported women in their careers.

Mayor Thomas thanked those who were involved in this initiative for coming tonight.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Title	Status	Arrived
Jack Thomas	Mayor	Present	
Andy Beerman	Council Member	Present	
Tim Henney	Council Member	Present	
Cindy Matsumoto	Council Member	Present	
Dick Peek	Council Member	Present	
Liza Simpson	Council Member	Present	
Diane Foster	City Manager	Present	
Matt Dias	Assistant City Manager	Present	
Tom Daley	Deputy City Attorney	Present	
Michelle Kellogg	City Recorder	Present	

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Manager's Report – Neighborhood Traffic Management Program (NTMP) Update:

Council Member Matsumoto asked if any of the sidewalks along Deer Valley Drive were plowed. It was indicated the south side of Deer Valley Drive would be plowed regularly, but the north side would not be plowed. Council Member Beerman stated there were complaints on lighting and asked if the Old Town's lights would be removed. It was indicated that the cobra light was removed on Woodside and other locations would be looked at so there wouldn't be redundant lighting.

Council Member Henney asked if the community was aware of the process of coming to the City to voice their concerns. Steve Reese, Transit Department, talked about the process of approving and denying complaints. Foster asserted the community didn't know about NTMP in particular, but they did know that if they have issues, they can come to the City. Council Member Simpson noted that when she referred people to this program, they came away pleased with the results.

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

Bill Humbert apologized for his bullying comment that was made in a previous meeting, and noted Council Member Simpson was essential in helping him resolve his concern. He thanked the Council for their efforts. He liked Council Member Matsumoto because she was quiet, but when she spoke, people listened. He liked watching Council Member Beerman grow as a public servant over the last couple of years. He liked Council Member Henney because he took many data points and created a plan. He liked Mayor Thomas because following in the footsteps of Mayor Williams was a difficult task, and Mayor Thomas did an excellent job filling those shoes. He liked that Council Member Peek was a contractor and had that perspective. He liked that Council Member Simpson could take a discussion and get it on point. He liked watching Foster grow in her position as well.

Bob Wheaton, Deer Valley Resort General Manager, stated this was a stressful time of year for ski resorts and he wanted to thank Clint McAfee and Matt Cassel with their efforts in the beautification project with landscaping and street lights, etc. and water.

IV. CONSIDERATION OF MINUTES

Consideration of a Request to Approve the City Council Meeting Minutes from September 3, 2015, October 22, 2015, October 29, 2015, November 5, 2015, and November 16, 2015:

Council Member Henney requested that the minutes be clarified to reflect his statement in the September 3rd minutes, Page Five in the fourth paragraph. The statement was incorrectly attributed to Council Member Beerman.

RESULT: APPROVED WITH AFOREMENTIONED CHANGES

MOVER: Council Member Andy Beerman

SECONDER: Council Member Dick Peek

AYES: Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

V. CONSENT AGENDA

1. Approve Avatech's Economic Development Grant in Fiscal Year 2016 in the amount of \$10,000, and an additional \$10,000 per year over the next two years Totaling \$30,000:

2. Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with Bowen Collins & Associates for Engineering Services for Upper Swede Alley Utility Replacement Project for an Amount Not to Exceed \$37,900:

3. Approve Local Consent for Special Event Temporary Alcoholic Beverage Licenses During the Sundance Festival:

4. Approve Type 2 Convention Sales Licenses:

Council Member Simpson asked where the Type 2 Convention license would be located. It was indicated that it was in the historic building next to High West.

RESULT: CONSENT AGENDA APPROVED

MOVER: Council Member Liza Simpson

SECONDER: Council Member Andy Beerman

AYES: Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

V. NEW BUSINESS

1. Consideration of Ordinance 15-50, an Ordinance Approving the 1114 Park Avenue Plat Amendment Located at 1114 Park Avenue, Park City, Utah Pursuant to Findings of Fact, Conclusions of Law and Conditions of Approval in a Form Approved by the City Attorney:

Hannah Turpen, Planning Department, stated the applicant requested to combine lots. There was a historic home on this parcel, and the amendment would remove existing interior lot lines. She noted the Planning Commission had recommended approval.

Mayor Thomas opened the public hearing for those in the audience. No comments were given. Mayor Thomas closed the public hearing.

RESULT:	APPROVED
MOVER:	Council Member Dick Peek
SECONDER:	Council Member Andy Beerman
AYES:	Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

2. Consideration of Ordinance 15-51, an Ordinance Approving the 217 & 221 Park Avenue Plat Amendment Located at 217 & 221 Park Avenue, Park City, Utah Pursuant to Findings of Fact, Conclusions of Law and Conditions of Approval in a Form Approved by the City Attorney:

Hannah Turpen, Planning Department, explained this amendment would combine lots and the lot line would be moved to the south. This amendment would bring the lot into compliance with the zone, and would create two legal lots of record. Bruce Erickson clarified the lot dimensions.

Mayor Thomas opened the public hearing for those in the audience. No comments were given. Mayor Thomas closed the public hearing.

RESULT:	APPROVED
MOVER:	Council Member Cindy Matsumoto
SECONDER:	Council Member Dick Peek
AYES:	Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

3. Consideration of Ordinance 15-52, and Ordinance Approving the Sorensen Plat Amendment Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Mayor Thomas congratulated Francisco Astorga, Planning Department, on passing his American Institute of Certified Planners (AICP) certification test. Astorga indicated that with this plat amendment, there were two lot lines going through the structure and the amendment would meet all City requirements. Council Member Peek asked if this would be recorded as the Sorenson Plat Amendment to which Astorga indicated in the affirmative.

Mayor Thomas opened the public hearing for those in the audience. No comments were given. Mayor Thomas closed the public hearing.

RESULT: APPROVED
MOVER: Council Member Dick Peek
SECONDER: Council Member Liza Simpson
AYES: Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

4. Approve the 2016 Park City Municipal Insurance Placements:

Matt Dias stated the City was taking measures to reduce claims in order to reduce costs, but at the same time new facilities and more employees were contributing to an increase in the insurance premium.

RESULT: APPROVED
MOVER: Council Member Andy Beerman
SECONDER: Council Member Liza Simpson
AYES: Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

5. Amend the 2007 Master Festival License and Park City Services Agreement and Letter of Intent Between the Kimball Art Center (KAC) and Park City Municipal Corporation, as Approved by the City Attorney:

Jonathan Weidenhamer, Sustainability, explained the 2016 dates for this event would conflict with the Tour of Utah. He requested that the contract be amended to avoid the conflict with the Tour of Utah date and amend some financial terms. He also indicated the Letter of Intent reiterates that the festival would stay long term, have a free locals night, etc.

RESULT: APPROVED
MOVER: Council Member Tim Henney
SECONDER: Council Member Liza Simpson
AYES: Council Member Beerman, Henney, Matsumoto, Peek, and Simpson

6. Authorize the City Manager to Enter into an Agreement, in a Form Approved by the City Attorney, with the Brendle Group for Consulting Services for the Water and Energy Program, for an Amount not to exceed \$37,175:

Jenny Dierson, Sustainability, stated the City desired to hire the Brendle Group to help with the Water and Energy Program by figuring out baselines and metrics so the program can get up and running. Foster indicated City staff was very impressed with Brendle Group's performance record.

RESULT:	APPROVED
MOVER:	Council Member Liza Simpson
SECONDER:	Council Member Andy Beerman
AYES:	Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

7. Consideration of Ordinance 15-48, an Ordinance of Park City, Utah Amending Title 12-Sign Code, of the Municipal Code of Park City:

Tricia Lake, Legal Department, and Makena Hawley, Planning Department, spoke regarding this ordinance. Lake stated the proposed amendments would bring the code into compliance with the Reed vs. Gilbert, Arizona Supreme Court ruling.

Erin Sullivan, Legal Intern, spoke about the sign code in Gilbert, Arizona, and explained that governments can restrict speech as long as it does not restrict the content of speech. There were general restrictions in Gilbert, much like in Park City, with regard to language on signs. The Supreme Court stated there were three types of signs: political signs, ideological signs (noncommercial messages) and temporary direction signs. The code restrictions for these categories of signs were making reference to the content, so the Supreme Court struck down the code restrictions.

Council Member Beerman asked if requiring LED lighting in the signs could be included with the other amendments. Council Member Peek stated language could be added to say "the most energy efficient" signs. Sullivan noted the lighting requirements in Section 12-4-9. Tom Daley, Deputy City Attorney, stated the legal department could make those changes without bringing the code back to the Council for approval.

Hawley stated she appreciated the work legal did with the code. She explained Deer Valley came to the City in hopes of constructing a freestanding sign. The code would need to be modified to allow this request. She indicated the Planning Commission did not recommend the developer's request, and noted that the request could still go through the administrative process to get the permit for the sign. Council Member Matsumoto was certain Deer Valley would do an excellent job with designing a sign, but she was not sure the next requestor would do the same. Bruce Erickson stated all signs were reviewed and there was a Master Design Plan, with standards that the sign would need to meet.

Council Member Peek clarified that the requirement for this particular request was acceptable because of the land requirement (2500 acre minimum). Council Member Simpson stated she disagreed with Planning Commission's recommendation. Council Member Beerman asked if this would affect the City golf courses, etc. He was concerned about the approval process, and asked staff their thoughts. Erickson spoke to the Master Design Plan and the requirements. Mayor Thomas felt staff was qualified to handle the approval process. It was indicated the sign had to be on the resort's property.

Mayor Thomas opened the public hearing for those in the audience. Bob Wheaton with Deer Valley stated Erickson and City staff were very helpful in this process and noted that the proposed sign was part of the Deer Valley beautification project. Mayor Thomas closed the public hearing.

Council Member Henney asked what the disagreement was with the Planning Commission recommendation. Mayor Thomas explained that the Planning Commission dealt with the Land Management Code (LMC) definition and not so much the policy. Council Member Simpson stated the primary concern was size and that they might be setting a precedent with requests for bigger signs. Council Member Peek stated his concern was that it might set a precedent for electronic boards, but the land use that was tied to the approval was good.

RESULT: APPROVED
MOVER: Council Member Liza Simpson
SECONDER: Council Member Tim Henney
AYES: Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

8. Consideration of Ordinance 15-49, an Ordinance of Park City, Utah Repealing Section 4-3-7, Street Musicians, of the Municipal Code of Park City:

Tricia Lake, Legal Department, stated that staff recommended that this section of the code be repealed because it involved street musicians, and the concern was for the First Amendment rights of those performers.

Mayor Thomas opened the public hearing for those in the audience. No comments were given. Mayor Thomas closed the public hearing.

RESULT: APPROVED
MOVER: Council Member Liza Simpson
SECONDER: Council Member Tim Henney
AYES: Council Members Beerman, Henney, Matsumoto, Peek, and Simpson

VII. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder