



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

August 3, 2017

WORK SESSION

Council Questions and Comments:

Council Member Henney attended the Recycle Utah meeting, where they had an ongoing discussion on toxic materials. An outside company would charge the recycling center to pick up the toxic material. It had proved difficult for the group to budget for this disposal. He requested that if Recycling Utah got into a budgeting bind due to the toxic material disposal, the Council contingency fund be used, and asked if Luke Cartin could discuss this with Recycle Utah to obtain more information.

Council Member Gerber attended the Planning Commission meeting, the Joint Recreation meeting with Council Member Worel, and the Park City Area Lodging Association (PCALA) with Mayor Thomas and Jonathan Weidenhamer, where they discussed the implementation of the Transient Room Tax. She attended the Best of Park City that the *Park Record* put on and noted the MARC won the "Best Fitness Center" and two Park City Police officers, Captain Kirk and Officer Clouse, were nominated as "Best Law Enforcement Officer." She asked if election ballots for Park City could have postage paid. Foster stated that would be a discussion for elected officials. She also requested that the garage and cardboard recycling container down the street be cleaned to reduce the foul smell.

Council Member Worel stated she would not be able to attend the Planning Commission meeting on August 23. Council Member Henney offered to attend in her place. Council Member Worel attended the Arts and Culture steering committee meeting and noted the strategic plan was progressing. She attended the quarterly advisory meeting at Valley Behavioral Health, and met with the State Treasurer, along with Council Member Beerman, where they learned that people could go to www.mycash.utah.gov to see if the state owed them money.

Council Member Beerman indicated the ebike program was amazing and so popular that some of the bikes didn't have time to recharge. He noted he was in the vanguard for the Tour of Utah. He also commented that many residents were concerned about events and traffic in the area during those times.

Mayor Thomas stated he met with the representatives from Courchevel, and noted they were interested in enhancing the exchange relationship with staff. He felt there was a lot to learn from that community. Polly Samuels McLean, Assistant City Attorney, stated she went to France on vacation and visited Courchevel and the people, who were anxious to continue the relationship. Dias stated the next steps in the relationship would be the trade of technical staff. He suggested a trade in the fall or spring would be optimal and noted staff from Housing, Planning, or Trails could be exchanged. Mayor Thomas indicated he went to a groundbreaking for Goldener Hirsch Inn, noting the architect and the Eccles family were present. He attended the Backyard with Council activity. Foster noted Linda Jager was looking for residents who would host the "Council in my Backyard" events. Council Member Beerman suggested moving the events around; having them on the ebus, ebikes, McPolin Barn, etc. Mayor Thomas indicated that he, Foster and Heinrich Deters met with Wasatch County where they discussed water. He also attended the Fire Board meeting, and the PCALA meeting.

Bruce Erickson noted that last night the Historic Preservation Board (HPB) sent a positive recommendation to the Planning Commission on the management of flat roofs.

Mayor Thomas acknowledged staff for all their hard work. Council Member Worel stated the installation of the art piece at the MARC would be completed soon.

Discuss Capital Projects Development Process:

Matt Twombly, Project Manager, presented this item. He stated there had been questions on the process for projects, so a task force was created that reviewed and documented the best practices for capital projects and how they aligned with the budget process. Twombly worked with the Budget Department and it was decided the Capital Improvement Project (CIP) process should be phased. He explained this process would break down a budget for each year of the project process. Twombly stated the task force that set the written procedure included Roger McClain, Anne Laurent, Alfred Knotts, Jonathan Weidenhamer and the Budget Department. They identified the different types of projects and the timeline for presenting to Council along the way. He indicated the more the project went to Council, the more expensive the project would become. Council Member Henney thought that the written procedure might help contain the scopes and maintain the original budgets for projects.

Council Member Beerman stated when Council agreed to a scope, it would still return to Council several times. Twombly stated it was imperative that Council was involved with the projects, especially after feedback was received from the community. Foster stated bringing the project to Council made the process more transparent, although, as Twombly related, the projects would become more expensive with each Council presentation. Mayor Thomas stated in order to save money, the greatest attention should be given to the schematic design.

Council Member Henney indicated he was pleased with the written protocol for capital projects and asked if there were other areas in the City where written procedures could be applied. Foster stated that Building permitting would be another area where a written procedure would be helpful.

Council Member Beerman indicated the public usually responded when the City was far into the project. He asked how the community could be involved in the planning process. Weidenhamer stated community engagement was important from the onset. He thought common terminology and the same steps should be used with all projects so the average person would understand.

Alfred Knotts indicated there would be large UDOT projects coming down the pipeline and he stressed that any requests for changes after the scope was set could delay the project for up to three years.

Council Member Henney thought community engagement was essential, and the City should continue going the extra mile to ensure that people knew about the projects the City was working on.

Roger McClain stated he was using the new process for his current projects and it was going very well.

Recreation Advisory Board Interviews:

Mayor Thomas, Council and Ken Fisher interviewed Ed Parigian, Brett Isaacson, and Jane Campbell for the open positions on the Recreation Advisory Board. The applicants were informed a decision would be made in the next few days.

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 3:45 p.m. Council Member Beerman seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting at 5:55 p.m. Council Member Matsumoto seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Title	Status
Jack Thomas	Mayor	Present

Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	City Recorder	Present

II. APPOINTMENTS

1. Consideration to Approve the Appointment of Cheryl Fox and Jennifer Malherbe for Terms Expiring June, 2020 and Peter O'Doherty to Fulfill a Vacant Term Ending in June, 2019 to the Special Events Advisory Committee (SEAC):

Council Member Gerber moved to approve the appointment of Cheryl Fox and Jennifer Malherbe for terms expiring June, 2020 and Peter O'Doherty to fulfill a vacant term ending in June, 2019 to the Special Events Advisory Committee (SEAC). Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

2. Consideration of the Following Appointments to the Historic Preservation Board: John Hutchings, Term Expiring May, 2020, Ann Alexander Weiner, Term Expiring May, 2018, and Reappoint Puggy Holmgren and Lola Beatlebrox, Terms Expiring May, 2020:

Council Member Matsumoto moved to approve the following appointments to the Historic Preservation Board: John Hutchings, term expiring May, 2020, Ann Alexander Weiner, term expiring May, 2018, and reappoint Puggy Holmgren and Lola Beatlebrox, terms expiring May, 2020. Council Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Heinrich Deters, Open Space and Trails Manager, stated staff had been monitoring the Bonanza Flat area, and he indicated many people were using the land. He requested

port-o-potties for that area. Foster stated this was an administrative request that was within the budget. If Council had concern, this item could be brought back to a future meeting for further discussion. The Council did not have any concerns.

Staff Communications Reports:

- **Park Silly Sunday Market Mid-Season Review**
- **Neighborhood Traffic Management Program (NTMP) Update**
- **Hillside Soft-Surface Trail Enhancement Update**
- **Debrief of the 2017 Fourth of July Celebration**

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

Kathy Dopp requested a wildlife road crossing structure at McPolin Barn, and indicated the request was denied in the Neighborhood Traffic Management Program (NTMP) process. She gave some statistics on the costs of injury and property damage due to wildlife accidents. She read a prepared statement advocating a wildlife road crossing structure.

Council Member Matsumoto asked how the phases of NTMP worked. Corey Legge stated a petition was submitted by local residents and www.change.org and it was denied at Phase I. In Phase II, the committee would discuss the best way to move forward. If a request was denied in Phase II, the community could appeal to Council. There was also a Phase III where the request would be further evaluated by the committee.

Council Member Henney asked if the City could participate in this project since SR 224 was a state road. Legge stated the City would have a part in the decision because it owned the land on both sides of the road, but UDOT would need to participate as well since it was a state road.

Kerri Allardyce stated she was here with some other transportation professionals. She read a letter by Will Clark, Peak Transportation, with regard to the Micro-Transit project, and noted the Council received this letter via email. She then read her own prepared statement, asserting the City was not taking the input from transportation professionals into account with regard to the Micro-Transit project.

Mark Blue stated he was disappointed with the administration for pushing the Micro-Transit program. He was in favor of the ebike program, but didn't think elected officials should be involved in the taxi business. He felt the money would be better spent helping Main Street employees obtain free parking.

Sam Rubin, Four Seasons Concierge, talked about the email from Alfred Knotts with regard to traffic restrictions during Arts Fest. He felt consideration should be given to a properly permitted vehicle. He also expressed concern with the RFP for the Micro-Transit program, and thought the desire of the Council was not reflected in the revised RFP.

Michael Falk stated the new Micro-Transit RFP was a bad business decision and was not feasible. The residents in the community that he talked to said they would not use this form of transportation. He suggested the Council focus on the rampant drug overdose problem in the City. These were the people that really needed help.

V. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from July 11 and 13, 2017:

Council Member Henney noted he was present for the July 11 meeting. He also requested clarification on Page 12 of the July 13 minutes, that the City would be held to the same standard as developers and would not be granted exceptions.

Council Member Henney moved to approve the City Council Meeting minutes from July 11 and 13, 2017 as amended. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

ABSTAINED: Council Member Matsumoto for the July 13 minutes

VI. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with MC Contractors, LLC, for the 4Th Street Waterline Replacement Project in an Amount Not to Exceed \$217,918:

2. Request to Authorize the Mayor to Enter into a Settlement Agreement Between Daine and Eyreka Smith, Park City Municipal Corporation, and the Silver Strike Home Owners Association (HOA):

Council Member Worel moved to approve the Consent Agenda. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

VII. OLD BUSINESS

1. Consideration to Approve Ordinance No. 2017-40, an Ordinance Amending Municipal Code Title 4, Licensing, Chapter 3, Peddlers and Solicitors Licensing, Section 9, Convention Sales and Commercial Hospitality:

Beth Bynan, Business License Specialist, presented this item. She reviewed the proposed code amendments, including prohibiting vendors from daytime teardowns, increasing the administrative fees, and introducing three different loading permits. She indicated there were challenges because early morning teardowns would create noise and outreach would begin closer to the Sundance Festival. Snow removal would take precedence over load-ins and load outs. She said a key part of these regulations would be enforcement, so an enforcement fee was also proposed to be added to each license. Bynan stated that a \$100 payment to Republic Services would also be required before a license would be issued, due to the large amounts of trash generated with the festival. She did not know if the amendments would reduce the number of vendors since they would have to stay at least five days before they could tear down.

Council Member Beerman asked about the bid fee that was collected for the Historic Park City Alliance (HPCA) to be used for trash and recycling. Bynan clarified that the bid fee was collected for HPCA to manage the contract and was strictly an administrative fee, whereas the \$100 payment to Republic Services would cover the trash collection.

Mayor Thomas opened the public hearing.

Mike Sweeney commented that the Finance Department was very proactive in reaching out to the community to get feedback on the proposed code amendments. He commended them for their efforts.

Mayor Thomas closed the public hearing.

Council Member Henney asked if the stakeholders were concerned about having an undue burden with these code amendments in place. Bynan stated the different permits would enable some spaces to have both daytime and evening activations from different renters, so those spaces were taken into consideration with the code amendments.

Council Member Gerber stated HPCA was very grateful that the City was implementing the load-in and load out features. She asked if they would be assessed an additional trash fee for those setting up in Prospector. Bynan indicated there would not be an

additional fee. Council Member Gerber asked about recycling. Bynan stated it would be good to give applicants instructions on recycling so more recycling could be utilized.

Council Member Matsumoto was happy to see these amendments, and stated she hoped the local businesses would be able to benefit with these regulations in place. Council Member Worel stated her only concern was the requirement to load out at 4:00 a.m., and indicated she would be interested in hearing feedback from those affected residents. Council Member Beerman asked if the entities would have the same fees no matter what they were giving away; whether it was water, lip balm, etc. Bynan stated that the City could not discriminate based on what was being distributed.

Betsy Wallace, Executive Director of Sundance Institute, remarked that she was grateful for the amendments and thought they would help curb ambush vendors from setting up during the festival.

Council Member Henney moved to approve Ordinance No. 2017-40, an ordinance amending Municipal Code Title 4, Licensing, Chapter 3, Peddlers and Solicitors Licensing, Section 9, Convention Sales and Commercial Hospitality. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

VIII. NEW BUSINESS

1. Consideration to Approve the 2018 Sundance Film Festival Supplemental Plan Amendments, Including Venue Changes and Estimated Costs:

Jenny Diersen, Special Events Coordinator, and Betsy Wallace and Tina Graham, Sundance Institute, presented this item. Diersen stated Sundance proposed changes to the venues by adding the Sports Authority building and the Kimball Arts Center (KAC) and eliminating the upper two floors of the Claim Jumper building. She completed community outreach by going door-to-door in the surrounding area of the Sports Authority building. Much of the feedback was good, but there was concern about parking. Staff was working with the Transportation Department on traffic mitigation. She noted there would be approximately \$170,000 in operation mitigation fees.

Wallace stated Sundance was excited about this opportunity to have a 25,000 square foot facility that was not on Main Street and felt it was a great addition for the festival. Council Member Worel asked what the Sports Authority building would be used for the rest of the year. Wallace stated she would not want the building to go dark, but they did not have plans for it at the moment.

Council Member Henney stated there was a concern for dark spaces on Main Street but this was a different location. He asked if there was a desire by Sundance to create a vibrant space there. Wallace stated a permanent theatre was not allowed there, so future plans for the building had not been set. Council Member Henney asked about the business response to outreach efforts. John Stephenson stated he walked around the Homestake neighborhood. Most people weren't home, but those that he met were concerned with parking, mostly on the Yard side of the area.

Mayor Thomas opened the public hearing.

Steve Joyce stated parking was a real concern in the Sports Authority parking lot because during Sundance there was a 10 day traffic jam. He requested Council consider the small businesses that were being eliminated by the future Arts and Culture District, noting the community needed gas stations, dry cleaners, etc. Now Sports Authority was a dark space. He was concerned about the businesses that were leaving town.

Bryan Markkanen stated there was a karate studio currently in that space and it was noisy, so he requested some sound barriers to protect the neighbors from the noise. He also proposed that the dark space could be used by KAC.

Mayor Thomas closed the public hearing and stated dark spaces happened from time to time.

Council Member Gerber commented that she understood the street would not be activated this year like it was last year. She favored looking for opportunities to use the building, and thought the KAC or Quincenera parties might be a good fit. She asked if the seats would be fixed. Stephenson stated the seats could be removed.

Council Member Worel expressed concern about the use of the venue during the rest of the year, noting that some uses could affect traffic and parking year round. There were many other unknowns, such as how another theatre would affect the Film Series, Eccles and other theatres that sometimes had difficulty filling their seats.

Council Member Matsumoto stated the space might remain dark for years so she was in favor of using it for Sundance. Council Member Henney indicated this was a good solution for Sundance's need for space. He noted the private sector could do something worse and the City would have no say on how it was used. Mayor Thomas had confidence Sundance would be able to reprogram the space for the balance of the year. Council Member Beerman stated Sundance really needed space and this was a good solution. He thought the sound barrier suggestion was a good one.

Council Member Beerman moved to approve the 2018 Sundance Film Festival Supplemental Plan Amendments, including venue changes and estimated costs. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

2. Consideration to Approve Ordinance No. 2017-41, an Ordinance Approving the Lilac Hill Subdivision-First Amended at 632 Deer Valley Loop Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Anya Grahn, Planner II, presented this item. She stated the previous owner had gone through the plat amendment process and a number of conditions were added. The new owner requested to split the lot into two lots. Frank Watanabe, owner, stated the Historic Preservation Board (HPB) approved the removal of the 1962 addition from the original structure. He met with many neighbors and listened to their concerns about the access onto Rossie Hill Drive, but limiting access to only Deer Valley Loop was infeasible for this property. He was committed to comply with the conditions and noted that the development would conform with the surrounding area. He stated there were two conditions specifically regulating access on Rossie Hill and he was complying with these regulations. Watanabe displayed his project overview.

Council Member Worel asked if there was room to add another driveway onto Deer Valley Loop. It was indicated with the current design, it might exceed the City restriction.

Council Member Beerman asked if a pedestrian stairway was being planned for that area and/or were they willing to participate in that for safety reasons. Matt Cassel, City Engineer, stated a stairway was considered but since it would not connect to anything the idea was dropped. Council Member Beerman didn't think there were any alternatives for pedestrians. Council Member Gerber stated most residents were trying to get to the bus stop so stairs to the bus stop would be helpful.

It was indicated the duplexes were connected underground in order to keep the historic district feel of the area. Discussion ensued on possibilities for the driveway on the lots. Bruce Erickson stated the driveway was not the issue but a symptom of the issue of nightly rentals, snow removal, and other concerns.

Mayor Thomas opened the public hearing.

Diane Bernhardt represented the Save Rossie Hill Alliance. She indicated the Thompson cabin had been there for 117 years. She requested that access be limited to Deer Valley Loop. She quoted the code that stated the purpose of the RM Zone was to limit driveway access. She explained Rossie Hill Drive was an arterial road, and noted

the safety hazards on this road. She thought a new driveway cut would set a precedent for future driveway cuts. She requested this be approved with the condition that the only access would be off of Deer Valley Loop.

Allison Kitching stated last fall the residents were told that it was not the time to address the Rossie Hill access issue. They were here tonight to urge Council to limit the access to Deer Valley Loop. She noted the Fire Chief indicated that Rossie Hill Drive would be narrowed in the future, and this was a concern as well.

Mary Wintzer reviewed that Stonebridge had a road cut and she asserted the driveway access wouldn't be seen by drivers. She explained that this was a dangerous road and she requested that Council take this into consideration.

Bob Gurr indicated Allison Kitching gathered 22 signatures on a petition (see attached). He stated he had a difficult time seeing cars from his driveway and he knew that the proposed driveway would have a greater sight problem.

Matt Shire stated last fall the Council was opposed to the Rossie Hill access. He concurred with the public sentiment that if the subdivision was approved, access to Rossie Hill should be denied.

Anita Baird indicated she called that road "the slip-n-slide" and explained the dangers associated with it in the winter.

Mark Kair thanked Council for their time and consideration of this issue. He echoed the sentiments of his neighbors.

Mayor Thomas closed the public hearing.

Council Member Matsumoto said there was no consensus last fall on what the Council decided on this road. She also stated this concept was much more favorable than big multifamily housing units that had access to Rossie Hill. She supported saving the BLM property in the area. Mayor Thomas expressed concern with the driveway onto Rossie Hill. He suggested that the owner consider continuing the item, and changing the lot lines for more possibilities.

Council Member Henney asked what the conditions were that were set in the fall. Grahn displayed the conditions for Council to view, and noted that access was granted to Deer Valley Loop and Rossie Hill Drive. Council Member Henney favored continuing the item. Council Member Worel felt there was a life/safety issue on Rossie Hill Drive. She favored having the applicant work with the Planning Department to look at other options for the driveway. Council Member Beerman stated the road was dangerous, "No Parking" signs were needed along the road, and a staircase was needed as well. He felt safety on the road in the long run needed to be addressed. Council Member Gerber

agreed that this item should be continued and they should bring back options for the site.

Council Member Matsumoto asked if other lots that faced Rossie Hill would request access. Grahn stated the BLM owned a major part of the land there. Council Member Henney stated this lot could have access from either Deer Valley Loop or Rossie Hill Drive. Harrington stated that Council approved the 2016 ordinance on this subdivision with access minimized for Rossie Hill. If continuance was desired, clarification should be obtained from the Planning Department on the circumstances around the subdivision approval last fall. A lot that met the requirements should be allowed to develop. Council should be more specific and couldn't ignore what was approved in 2016. If Council prohibited access to Rossie Hill Drive, then it would be necessary to revoke the former ordinance.

Council Member Henney moved to continue Ordinance No. 2017-41, an ordinance approving the Lilac Hill Subdivision-First Amended at 632 Deer Valley Loop pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney to a date uncertain and that a hyperlink be provided to the City Council minutes from 2016 when the original ordinance approving the subdivision was passed, with the hope of coming to a resolution that addresses the concerns of the neighbors, the Council and the applicant. Council Member Worel seconded the motion.

Council Member Matsumoto asked that neighbors on Deer Valley Loop be notified prior to the Council meeting so they would have a say on the proposed additional traffic on their street.

RESULT: CONTINUED TO A DATE UNCERTAIN

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

3. Consideration to Approve Ordinance 2017-42, an Ordinance Amending Park City Land Management Code (LMC) Title 15 Chapter 1, Section 18 Appeals and Reconsideration Process; Title 15 Chapter 11 Section 10 Park City Historic Sites Inventory; Title 15 Chapter 11, Section 11 Design Guidelines for Park City's Historic Districts and Historic Sites; and Title 15- Chapter 13 Design Guidelines:

Anya Grahn and Hannah Tyler, Planning Department, presented this item. Grahn stated this code amendment reflected historic preservation changes that were made to the State Code. They included giving an appellant the choice of appealing to the Board of Adjustment or to the City Council, the City Council would make the final determination on which sites to list on the Historic Site Inventory, with the recommendation of the HPB, and the Design Guidelines were now being codified.

Council Member Matsumoto asked if the State gave the appellant the choice and if the 30 day limit to appeal was longer than it used to be. Tyler stated these amendments

were all State mandated, and noted the appeal timeline used to be 10-14 days. Grahn clarified that if staff denied the request to remove the historic significance, the applicant could appeal to the Board of Adjustment or to the City Council. The decision could be appealed to the court from there.

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

Council Member Beerman moved to approve Ordinance 2017-42, an ordinance amending Park City Land Management Code (LMC) Title 15 Chapter 1, Section 18 Appeals and Reconsideration Process; Title 15, Chapter 11 Section 10 Park City Historic Sites Inventory; Title 15 Chapter 11, Section 11 Design Guidelines for Park City's Historic Districts and Historic Sites; and Title 15- Chapter 13 Design Guidelines. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

4. Consideration to Approve Park City Shot Ski Event – a Level Three Special Event, on Saturday, October 14, 2017:

Tommy Youngblood, Special Events, noted the event date was changed to October 14 since the following weekend was UEA weekend. He stated the Sunrise Chamber of Commerce requested to sponsor the activity and make it an annual event. HPCA recommended having more crossings on Main Street for pedestrians. It was noted that last year the event had 1091 participants. Youngblood stated the footprint would not be larger than last year since the route would include a U Turn.

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

Council Member Matsumoto moved to approve Park City Shot Ski Event – a Level Three Special Event, on Saturday, October 14, 2017. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

5. Consideration to Continue an Ordinance Approving Woodside Park Subdivision - Phase I, Located at 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue to a Date Uncertain:

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

Council Member Beerman moved to continue an ordinance approving Woodside Park Subdivision - Phase I, located at 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue to a date uncertain. Council Member Henney seconded the motion.

RESULT: CONTINUED TO A DATE UNCERTAIN

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

6. Consideration to Authorize the City Manager to Execute a Professional Service Agreement, in a Form Approved by the City Attorney, with Golder Associates for the Mine Tunnel Condition Assessment Project in an Amount of \$72,672:

Kyle MacArthur, Water Distribution Manager, presented this item. He stated there were 1,200 miles of tunnels and shafts but the City only controlled five miles of the tunnels. There were two part time staff that helped with the mine tunnels, and engineers were needed. Every five years a mining engineer was hired to evaluate the tunnels and make suggestions for keeping the miners safe. This year, the engineers would also identify areas where mitigation could be done in the tunnels for water treatment.

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

Council Member Gerber moved to authorize the City Manager to execute a professional service agreement, in a form approved by the City Attorney, with Golder Associates for the Mine Tunnel Condition Assessment Project in an Amount of \$72,672. Council Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

7. Consideration to Approve an Interlocal Agreement for the Process to Nominate a “Wasatch Back Commissioner” to the Central Wasatch Commission Between Park City Municipal and Summit County:

Matt Dias, Assistant City Manager, presented this item and indicated this interlocal agreement would codify who would represent the Wasatch Back at the Central Wasatch Commission (CWC) meetings for the next two years.

Council Member Beerman asked what would happen if one party or the other withdrew from the CWC. Dias stated a discussion would need to take place with the CWC on how to handle the designations going forward.

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

Council Member Worel moved to approve an Interlocal Agreement for the process to nominate a “Wasatch Back Commissioner” to the Central Wasatch Commission between Park City Municipal and Summit County, and to confirm Council Member Beerman, who the Council previously nominated, to that position. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto, and Worel

IX. ADJOURNMENT

X. REDEVELOPMENT AGENCY

I. ROLL CALL

Attendee Name	Title	Status
Jack Thomas	Chair	Present
Andy Beerman	Committee Member	Present
Becca Gerber	Committee Member	Present
Tim Henney	Committee Member	Excused
Cindy Matsumoto	Committee Member	Present
Nann Worel	Committee Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	Secretary	Present

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

Chairman Thomas opened the public input portion of the meeting for those who wished to speak on items not listed on the agenda. No comments were given. Chairman Thomas closed the public input portion of the meeting.

III. NEW BUSINESS

1. Consideration to Approve the Purchase of 1225 Black Rock Trail, #306-P and 1835 Three Kings Drive, #25-6, Amend the Deed Restrictions to Align with Current Program Guidelines and Goals and Then Sell the Units to Qualified Households:

Rhoda Stauffer, Affordable Housing Specialist, presented this item. She explained there were two deed restricted units that she proposed the City buy in order to update the deed restrictions, which would be approved by Council, and then re-sell the units.

Council Member Worel asked if the units could be included in the lottery. Stauffer thought the process could move quickly enough to allow these units to be included with the other affordable units.

Chairman Thomas opened the public hearing. No comments were given. Chairman Thomas closed the public hearing.

Committee Member Gerber moved to approve the purchase of 1225 Black Rock Trail, #306-P and 1835 Three Kings Drive, #25-6, amend the deed restrictions to align with current program guidelines and goals and then sell the units to qualified households. Committee Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Committee Members Beerman, Gerber, Henney, Matsumoto and Worel

XI. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

Proposed Amendments to the Type 2 Convention Sales License

Festival Loading Operations, Fees
August 3, 2017

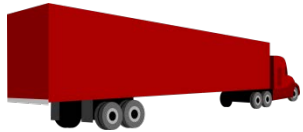
Background

- During the Sundance recap portion of the March 9, 2017 City Council meeting, Council asked staff to return with ideas on ways to better regulate the activities of entities which are not affiliated with the Sundance Film Festival and which are required to obtain a Type 2 Convention Sales License to operate.
- In the past, there has not been a coordinated loading operation or a consolidation of efforts to orchestrate a team approach to regulate the activity, so the loading operations have been very chaotic at times and even *dangerous*.

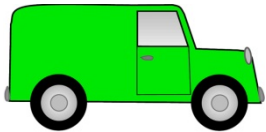


- Staff created a workgroup comprised of multiple internal departments within the City (Finance, Special Events, Planning, Building, Parking, Streets, Transit, Public Safety, Transportation Planning, Community Engagement, Sustainability), as well as key external stakeholders to develop ideas and take a holistic approach to address the trash impacts and loading activities of Type 2 Convention Sales Licensees..
- Staff & stakeholders feel the current fees for the Type 2 CSL do not adequately cover the trash & recycling impacts of these temporary business, nor do they adequately cover the staff & Council time it takes to approve each application.

Load-In/Load-out



- **RED Loading Permit-** for large-scale loading operations, only permitted between 4am-10am* on designated days
 - →Day 6 4am-First opportunity for **LOAD-OUT** for Type 2 Convention Sales Licensees
- **GREEN Loading Permit-**for smaller loading operations such as catering, food/beverage or linen service (15 minute maximum, allowed during day & evening), vehicle may not be larger than 15' in length.
- **BLUE Loading Permit-**for the active loading of musical instruments, sound equipment and related materials (permitted during the day/evening but with specific parameters on location and timing)



Challenges & Opportunities

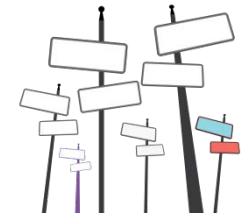
- Noise



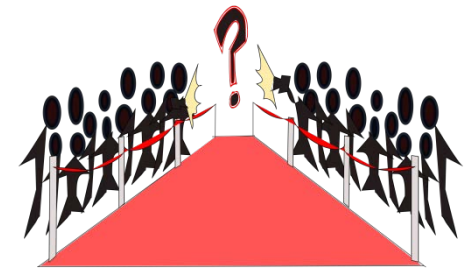
- Snow Removal



- Sign installation, Tow Trucks, Extra bus drivers, accessory Police



- Protest marches, snow storms, NFL playoff games, celebrity appearances



Enforcement

Keeping Main Street vibrant and safe during the Sundance Film Festival is a priority for Sundance Institute & PCMC, and is in the best interest of residents and visitors.

- Have more **Public Safety** presence available during day/evening to address incidents where illegal loading is taking place- especially if there is a life safety concern.
 - Parking & Code Enforcement staff need the extra support from Public Safety to effectively enforce illegal and unsafe loading.
- Adding *enhanced enforcement* fees of **\$45.58** to each Type 2 CSL will help cover the cost associated with the additional need for Public Safety support.



BID

- Main Street Business Improvement District tax of \$243 shall apply to “all businesses within the District” – including Type 2 CSLs
 - In recent past, fees have not been collected and local full-time businesses and landlords, as well as the HPCA are left to mitigate the costs of increased removal services.
 - The *temporary nature* of these businesses create large amounts of trash & recyclables (shipping boxes, take-out boxes, to-go cups, coffee cups, etc.)
 - → The compounding effects of these impacts have left HPCA in dire need of a solution to address this annual occurrence.



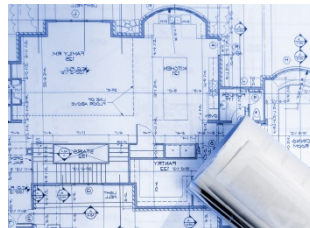
Administrative Fees

- \$149
 - Inspections (IPA, FIPA, PIPA, & final walk-through)
 - Staff Review:
 - Building
 - Finance
 - Planning
 - Public Safety
- Receive City Council Approval



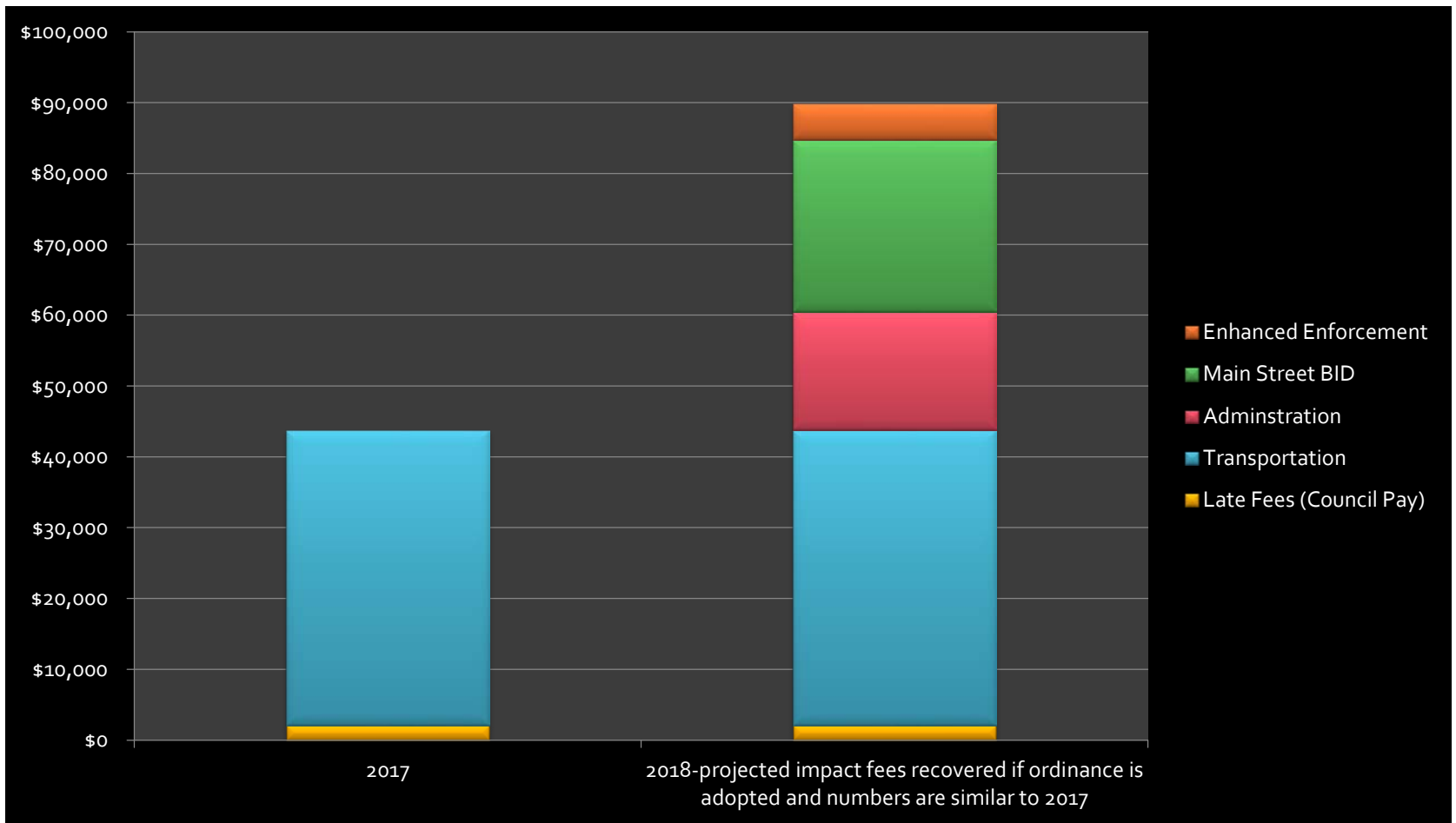
Type 2 CSL Application Requirements

- Completed Application form
- FIPA (first inspection prior to application)
- Design Occupant Load – Occupancy
- Floor plans/ site plans
- → \$100 Receipt of payment from Republic Services



RECEIPT		DATE _____	No. _____
RECEIVED FROM _____		\$ _____	DOLLARS
<input type="checkbox"/> FOR RENT			
<input type="checkbox"/> FOR _____			
ACCOUNT _____	<input type="radio"/> CASH	FROM _____	TO _____
PAYMENT _____	<input type="radio"/> CHECK		
BAL DUE _____	<input type="radio"/> MONEY ORDER	BY _____	
	<input type="radio"/> CREDIT CARD		
			<small>A-2701 T-40000002</small>

Impact cost recovery



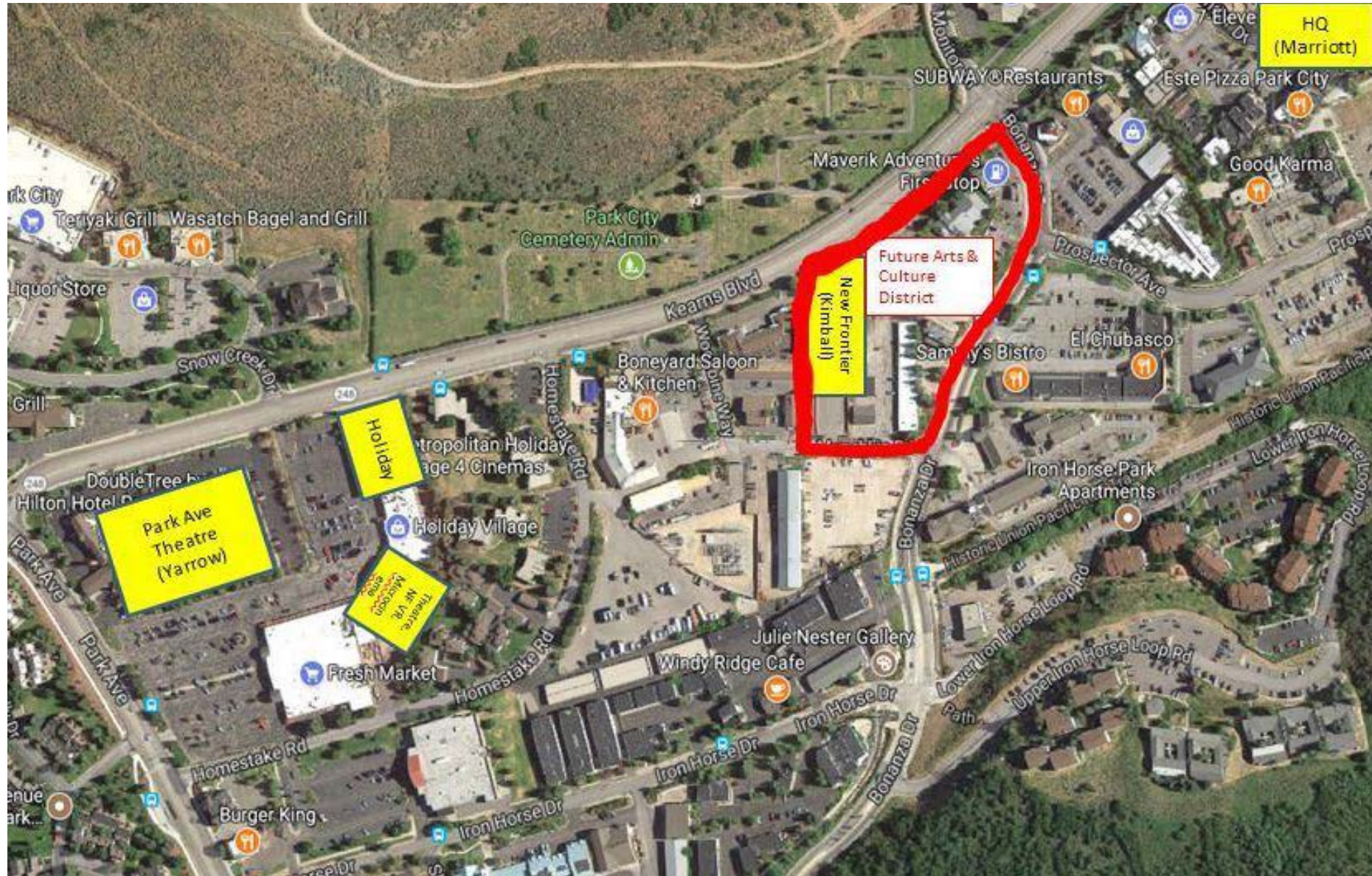
Sundance Film Festival Supplemental Plan

Venue Changes & Costs

Changes are for during the Sundance Film Festival – not year round use

- Venue Changes:
 - Adding Sports Authority Theatre & Kimball Art Center
 - Removing Claim Jumper, 5th Street Closure, Lower Main Street Closure.
- Sundance estimated \$2 million renovation to Sports Authority Space – (5 year lease agreement).
- Transportation Mitigation plan in development.
- Community Outreach ongoing. Anticipated completion 7/31.
- Financial Considerations & Costs sharing – Total fees estimated at about \$170,000.

Proposed Venue Change for Sundance Supplemental Plan



2017 - 2018 Changes

2017 Venues	Occupancy	2018 Venue	Occupancy
Claim Jumper – New Frontier	680 people	Sports Authority New Frontier, Micro Cinema & Theatre	1,200
5 th Street Closure - Microcinema	80 people	Kimball Art Center (1401 Kearns) – New Frontier Exhibition Space	360 people - 200 at one time
Lower Main Street Closure – Festival Village	400 people	Will come back with Fest Village location – Bob Wells?	TBD
Total Occupancy	1,160 people		1,560 people

Incremental increase of approx. 400 people with the proposed venue changes:

- Remains necessary to keep current mitigation plans on Main Street.
- New Mitigation Plans required at new venues.

Benefits outweigh the challenges:

- Keeps theatre in Park City, but out of the Old Town Core.
- Supports creation of a Theatre District.
- Open Lower Main Street & 5th Street in 2018 to help with traffic flow.
- Communication Outreach allows understanding to create best solution.

Total Cost of Ops/ Mitigation Plan – estimated at about \$170,000.

Financial Considerations

DRAFT Sundance Film Festival ESTIMATED Increased Mitigation Costs				
Item	Estimated Cost	City	Sundance	Notes
SFF Internal Venue Ops				
Snow Removal	\$10,000		\$10,000	
Garbage & Recycling	\$2,000		\$2,000	
Signage	\$5,000		\$5,000	
Parking Attendants	\$30,000		\$30,000	
PCMC City Services				
Increased Transit (3 Busses)	\$50,400	\$16,632	\$33,768	3 busses x 14 hours x 10 days @ \$120 an hour
Increased Police (2 officers)	\$21,000	\$21,000		2 officers x 14 hours x 10 days @ \$75 an hour
Barricades & Traffic Control	\$800	\$400	\$400	
Pedestrian Management	\$22,400	\$22,400		4 people x 14 hours x 10 days @ \$40 an hour
Plan Review Fee	\$11,050	\$11,050		waived, per contract
State Tax Fee	\$170		\$170	If building permits are waived, this fee will not be charged.
Building Permit Fee	\$17,000	\$17,000		waived, per contract
Total Estimated Cost 2018				
Total Estimated Cost	\$169,820	\$88,482	\$81,168	
Break Down of Total Estimated Costs				
Total City service cost FY18	\$99,620	\$65,682	\$33,938	transit, public safety, plan review & b. permit fees
Total Hard Costs FY 18	\$70,200	\$22,800	\$47,400	actual out of pocket expenses

Estimated increases in costs for operation and mitigation are \$169,820.

Staff is asking Council to support a Change Order request with a 2% inflation escalator per Section 6.2 of the Contract, including:

- City to waive \$28,050 in Building Permit fees;
- City to pay for \$39,432 in hard costs for Pedestrian Management, Barricades and Transit.
- City proposes to increase and pay for additional police presence, estimated to be approximately 280 hours (\$21,000) to ensure public safety and response capability.
- Sundance to pay for \$81,168 in hard costs associated with the change including snow removal, trash and recycling, signage, parking attendants, transit and barricades.

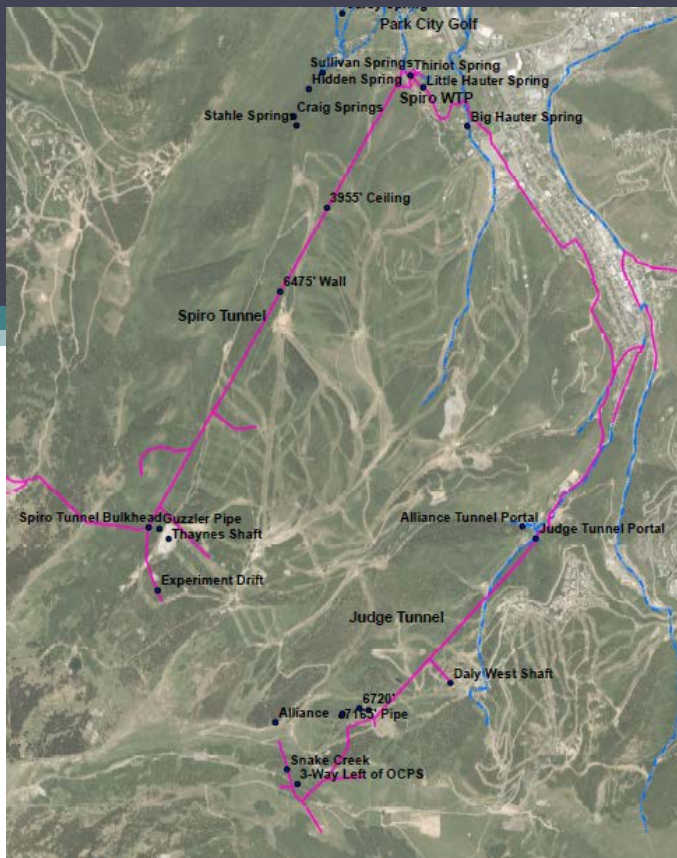
Recommendation to Council

Staff recommends that Council review and approve changes to the Sundance Film Festival Supplemental Plan in a form approved by the City Attorney including:

1. The addition of two new venues
2. The removal of a number of venues from the previous year, contingent on the approval of the Sports Authority space
3. Estimated increases in City Services fees, value or value in kind for operation and mitigation of the proposed venue changes during the Sundance Film Festival are amount of \$169,820 (one hundred sixty nine thousand, eight hundred and twenty dollars) – Exhibit C.
4. Council should consider a Change Order request from Sundance as according to section 6.2 of the City Service Contract

The approval is conditioned upon return at a subsequent Council meeting that will further specify mitigation efforts and operational planning. Staff will return to a future meeting to request approval of the complete supplemental plan for the 2018 Festival.

Mine Tunnel Condition Assessment



Current Maintenance Program

- Two part time employees with mining experience plus JSSD staff
- No mining engineering expertise



Goals of Assessment

- **Maintain water quality and volume in tunnels**
- **Gain increased understanding of hydrogeology in relationship to MIW**
- **Improve current maintenance and safety programs**



Redevelopment Agency

Purchase of two deed restricted units

- ❖ 1225 Black Rock Trail #306-P
- ❖ Silver Star – 1835 Three Kings, #25-6



Redevelopment Agency

30-60 day Process

- ❖ Close on purchases
- ❖ As owner, amend deed restrictions to be reviewed by Council
- ❖ Record amended deed restrictions
- ❖ Sell to qualified household



Lilac Hill Subdivision

Project Overview

- Reconstruct and renovate historic miner's cabin
- Build second home to east of miner's cabin fronting Deer Valley Loop
- Build two additional homes on southern half of lot fronting Rossie Hill Drive
- Subdivision of plat will create two lots to facilitate proposed development



Deer Valley Drive



Rossie Hill Drive

Aerial View of Rossie Hill with Project Added

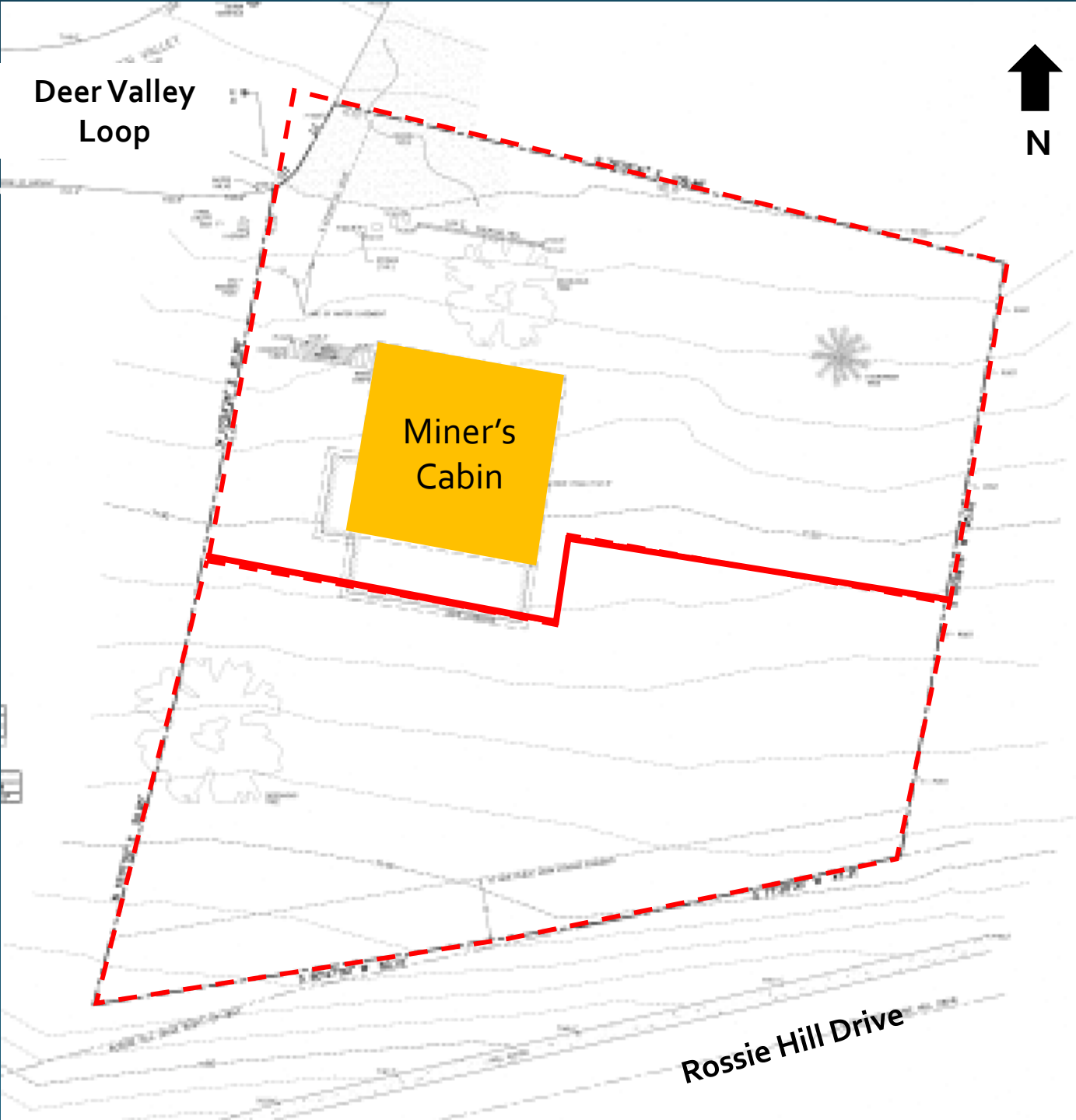
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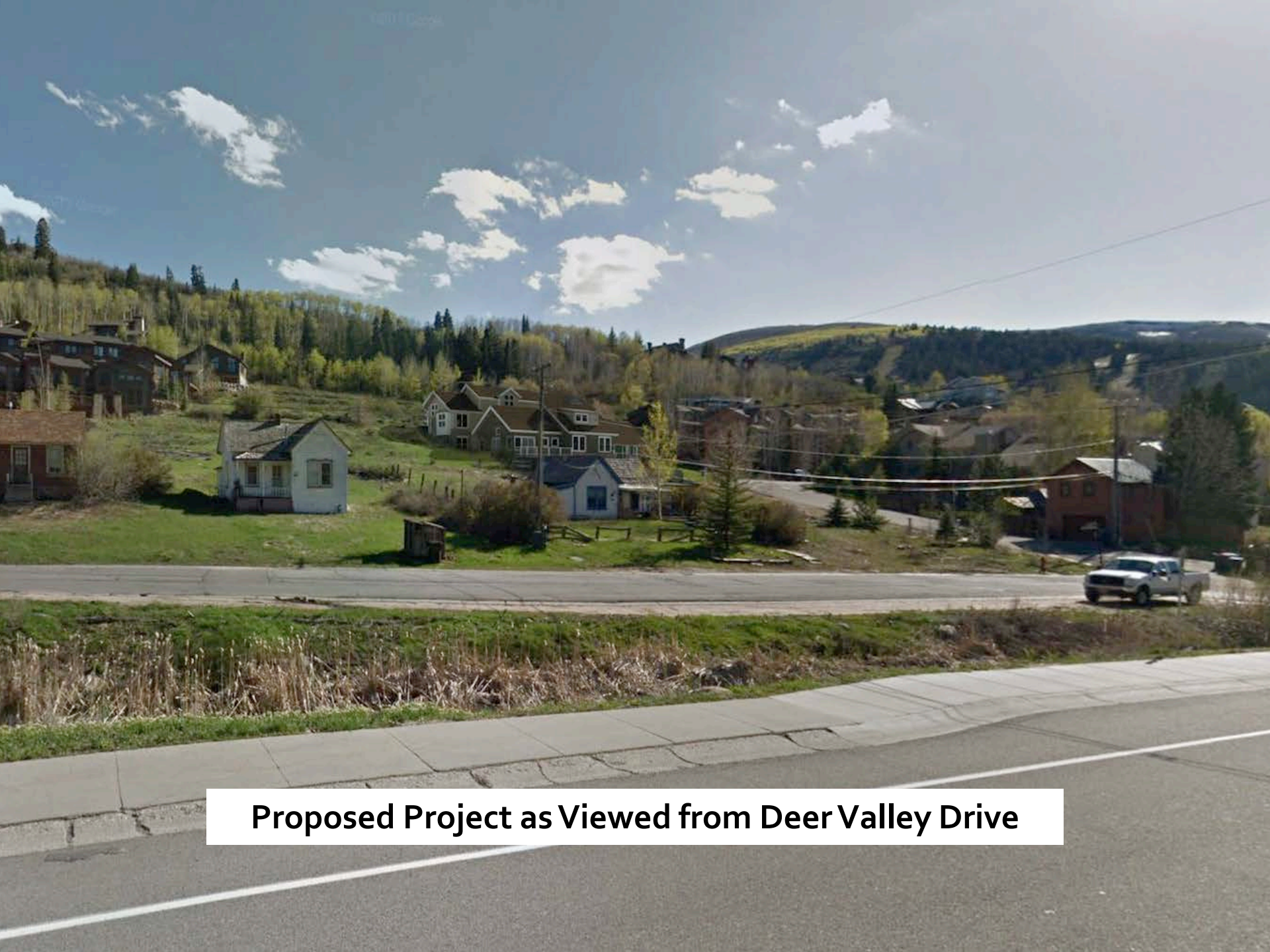
Deer Valley
Loop



Miner's
Cabin

Rossie Hill Drive





Proposed Project as Viewed from Deer Valley Drive

Save Rossie Hill Historic Open Space

We are opposed to the Rossie Hill driveway access as proposed as part of the PL-17-03494 - 632 Deer Valley Loop - Plat Amendment for several reasons:

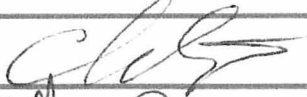
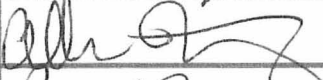

1. Rossie Hill Drive is a poorly engineered, sub-par roadway which will soon be narrowed further as part of a planned 2018 City project
2. Rossie Hill Drive is a congested, high traffic road used by vehicles, bicycles, and pedestrians. Rossie Hill Drive is used by residents and visitors from on Rossie Hill Drive, but also residents and visitors from Ontario.
3. The proposed development of 632 DVL provides only minimal parking. Guest, secondary and maintenance parking be forced on to Rossie Hill Road, complicating and congesting an already busy, substandard roadway.
4. A driveway cut on Rossie Hill Drive sets a precedent for additional driveway cuts along Rossie Hill Drive when the Richard Dennis' parcel is eventually developed. Additional road cuts will further complicate this already congested, dangerous, roadway.


To: The Honorable Mayor and City Council of Park City, UT

We the undersigned declare:

- 1) We support the restoration of the 632 DVL historic mining-era home.
- 2) Because 632 Deer Valley Loop can clearly and easily be developed with its existing access from Deer Valley Loop, we request that Park City officials approve the PL-17-03494 - 632 Deer Valley Loop - Plat Amendment subdivision **only if driveway access is limited to Deer Valley Loop.**

	Signature	Name	Street Address	email
1		Lance Anderson	656 California View	lanceanderson@yahoo.com
2		RANIA ANDERSON	656 CALIFORNIA VIEW	Rania@adren@gmail.com
3		MARY DEMKOWICZ	602 Sunny Side	mdemkow2@gmail.com
4		MARY WINTZER	320 McHenry St.	wintzerme@aol.com
5		Matthew Shier	630 Coalh. View Ct	mshier@shierkatz.co
6		William Tew	525 Rossie Hill	wptew1@gmail.com
7		Mark Pypor	287 302 McHenry	markpypor@concast.net
8		Randi Pypor	302 McHenry	Randipypor@concast.net
9		PATRICIA CONSTABLE	287 McHenry	decpc49@mln.com
10		Morgan Hole	310 McHenry St	morgansh@msn.com
11		Bob Bennett	355 McHenry St	bob.bennett.bb@comcast.net
12		Matey Erdos Hole	310 McHenry St	matey-erdba@hotmail.com

	Signature	Name	Street Address	email
13		Charlie Wirtz	320 mchenry	wirtzcmc@red.c
14		ALLISON KITCHING	670 DEERVAULT LOOP #19, DC	ALLISON@KUHLL.COM
15		PAMELA MAUPIN	525 ROSSIE HILL DR	pmaupin1@gmail.com

16.  Christine Shuster 638 Coalition View
Christine@CartShuster.com

Save Rossie Hill Historic Open Space

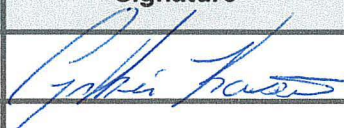
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	Signature	Name	Street Address	email
1		Cindy Kaiser	638 coalition view	snowbirdcindy@Aol.com
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	Signature	Name	Street Address	email
1	<i>Elizabeth J Pooley</i>	Elizabeth J Pooley	56 Daly	<i>ejpooley@gmail.com</i>
2	<i>Kristin Gentile</i>	Kristin Gentile	555 Deer Valley Dr	<i>gentile_k@hotmail.com</i>
3	<i>Diane A. Bernhardt</i>	Diane A. Bernhardt	630 Coalition View Ct	<i>diane.a.bernhardt@gmail.com</i>
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Save Rossie Hill Historic Open Space

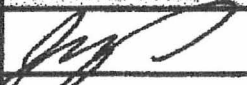
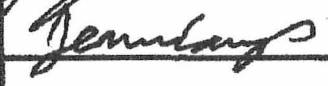
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	Signature	Name	Street Address	email
1		JEFF CAMP	590 COALITION	JEFF@JEFFCAMP.COM
2		JENN CAMP	590 COALITION	JENNIF@JEFFCAMP.COM
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- Good evening, I am Frank Watanabe, the owner of 632 Deer Valley Loop. Tonight, I am joined at the table by Bryan Markkenen, from Elliott Workgroup, who is the architect leading the design of this project, and Bo Pitkin, who is managing the overall project for me.
- I have been a regular visitor to Park City for more than two decades, and for the past 8 years, my wife, my two sons and I have been part time residents.
- Back on the wall is a motto “Keep Park City Park City”, and that statement really captures why we chose to make Park City our second home. We love the history and small town feel that Park City has maintained.
- For nearly the past two decades I have been in Park City, I have driven past the decrepit and increasingly dilapidated Thompson Cabin at 632 Deer Valley Loop, and frequently asked “*why doesn’t someone do something about that*”, so when the opportunity presented itself to buy and restore the cabin, we jumped at the opportunity
- Tonight we are discussing our proposal to subdivide the lot in two, a proposal that is fully consistent with the Land Management Code, and in a few moments,

I would like to share with the Council a brief overview of our proposal for the property.

- Before we get into the details of the project and the proposed subdivision, I would also like to acknowledge that the Council is likely to hear a number of comments from our neighbors, and I know that you have already received a number of emails regarding our proposal.
- Since buying this property, I have sought to reach out to our neighbors and to be fully transparent about our plans, and recently I met with many of our neighbors. We listened to their concerns, and in response, we went back and relooked at our proposed development to see if we could address those concerns.
- Unfortunately, it is clear after my review that due to the constraints of this particular property and the historic miner's cabin, limiting access to the property from Deer Valley Loop would make this project – including the restoration of the historic cabin -- unviable.
- I would also point out that, when the city incorporated the property into the city, the prior owner agreed to a number of **unusual additional** restrictions on the property, which are recorded on

the plat, including application of the “Design Guidelines for Historic Districts and Historic” sites **not only** to the historic miner’s cabin, but to all buildings on the site **even though** the property is not in the Historic District; as well as restrictions on sight lines; excess restrictions on open space; and restrictions on driveway access and driveway design.

- When I purchased the property, it was with the clear understanding that I would have to honor these conditions, but also with the expectation that the city would similarly abide by them. From day one, I have committed to honoring **all** of these restrictions, and to working closely with the city’s planning department to ensure the development is consistently with Park City’s heritage.
- One of the concerns our neighbors have raised is the proposed driveway off of Rossie Hill Drive accessing the southern proposed sub lot. In their comments to me, to the Planning Commission, and in written comments to the City Council, they have raised safety concerns relating to Rossie Hill Drive in general, and have suggested that our proposed driveway accessing Rossie Hill Drive would exacerbate those safety issues, as well as set a

possible precedence for future developments in the area.

- The city has already addressed this matter in conditions 8 and 9 in the conditions of approval ordinance.
- Specifically, Condition 8 states “Should the future subdivision of this lot result in new lots fronting Rossie Hill Drive, the new lots shall only be accessible from the eastern half of the Rossie Hill frontage where the property line directly abuts the City right-of-way.”
- And Condition 9 states “Any future access off of Rossie Hill shall have a slope of no more than 5% for the first 20 feet of the driveway off of the right-of-way to maintain sight lines.”
- Our proposed plans for the development of this property, currently under review with the city’s planning department, are in **full compliance** with both of these conditions.
- I would point out that by our count, there are more than fifty homes that currently rely on Rossie Hill Drive (many owned by people in attendance tonight) as their primary ingress/egress. Is it **really** credible to suggest that the addition of two homes to the area (an increase of less than 5%, and even less if we

include outside traffic already using Rossie) would have any measurable impact on the conditions on Rossie Hill Drive?

- Furthermore, the topic of the driveway access from Rossie Hill was discussed at the July 12th Planning Commission meeting, and at that meeting, the City Engineer Matt Cassell stated that with the conditions attached to the plat, he was comfortable that the proposed driveway on Rossie Hill Drive was safe.
- I won't presume to comment on the broader issue of the safety of Rossie Hill Drive, and any other changes the Council may see fit to make to the roadway in general.
- Regarding the matter of any "precedent" set by our project, I would simply point out that earlier this year the Council saw fit to rezone BLM Lot 18 from RM to HRL and ROS. So a decision relating to an RM lot seems like a poor precedence for any potential future developments on BLM Lot 18.
- Some of our neighbors have also brought up the importance of preserving Park City's historic character, and the role of the Thompson cabin in that character. I wholeheartedly agree with the importance of "keeping Park City Park City", but I fail to see how leaving a derelict, burned out miner's

cabin with a hole in the roof to steadily rot away helps to make Park City Park City. Instead, we are proposing to renovate and renew the Thompson cabin, preserving its historic character for generations to come.

- I would now like to take just a few minutes to provide an overview of the proposed project to the Council.