

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF AUGUST 5, 2015

BOARD MEMBERS IN ATTENDANCE: Lola Beatlebrox, Cheryl Hewett, Hope Melville, Doug Stephens, David White

EX OFFICIO: Bruce Erickson; Anya Grahn, Polly Samuels McLean, Louis Rodriguez

ROLL CALL

Chair Pro Tem White called the meeting to order at 5:05 p.m. and noted that all Board Members were present except for Puggy Holmgren and Hodgkins who were excused.

APPROVAL OF MINUTES

March 4, 2015

MOTION: Board Member Beatlebrox moved to APPROVE the minutes of March 4, 2015 as written. The motion was not seconded before the Board voted.

VOTE: The motion passed.

April 1, 2015

MOTION: Board Member Beatlebrox moved to APPROVE the minutes of April 1, 2015. The motion was not seconded before the Board voted.

VOTE: The motion passed. Board Member Hewett abstained

PUBLIC COMMUNICATIONS

Ruth Meintsma, a resident at 305 Woodside Avenue, stated that she attended the City Council meeting last week and heard a discussion regarding grants. The Council talked about approving the grant funding for the two properties the HPB had reviewed on Park Avenue and Ontario. Ms. Meintsma noted that one property was an RDA and the other was City-wide. She noted that the City Council discussed the extra money beyond the \$30,000; however, there was still some confusion. Ms. Meintsma stated that the house Park Avenue was City-wide and the total amount in City-wide is \$47,000. She reviewed the RDA map showing the two RDA in two different colors. The green was the lower Park RDA and the gold was the Main Street RDA. Ms. Meintsma remarked that the General Fund is any historic structure that does not fall in those two areas. She

indicated a pocket on the map that was not covered by the RDA and would be considered City-wide. Ms. Meintsma pointed out Daly Avenue, Ontario and other streets that do not fall into the RDA. She presented a list of properties that were not covered by either RDAs. Ms. Meintsma explained that she compiled the list by going through the Historic Sites Inventory and using the map to find out which of those addresses were not in the RDA. The addresses on the list were City-wide. She identified structures on the list that had already been redeveloped or added on. However, they were still on the list and were eligible to apply for a grant for the historic portion of the structure. Ms. Meintsma stated all there was only \$47,000 per year to be split among all of the addresses on the list. She noted that during the City Council meeting all \$47,000 was given to the one Park Avenue address. Consequently, there was no grant money left in the General Fund for other City-wide properties for the rest of the year. Ms. Meintsma remarked that there would be another \$47,000 available next year; but if two of the same type of projects were in the City-wide area, they would have to split the \$47,000, which is not enough to do what the grant is intended to do. Ms. Meintsma intended to present this to the City Council but she wanted the HPB to see it first.

Board Member Beatlebrox thought it was clear that there was not enough money in the grant program for multiple grant applications over the course of a year.

Ms. Meintsma believed there was enough money in the two RDAs. The lack in funding was for the city-wide properties.

Planner Grahn explained that RDAs are kept as a line item. If they go above the line item then the City Council has to reallocate funds, which would shift funds away from another potential project, depending on the RDA. Board Member Beatlebrox understood that Nate Rockwood had approved the \$67,000 funding and she asked if that was correct. Planner Grahn stated Kirsten Whetstone was the planner on that application. She would follow-up with Planner Whetstone and notify the Board as to whether or not it was approved. Chair Pro Tem White stated that he also understood that it had been approved, but the Council left it was left up to Nate Rockwood to find the funds.

Ms. Meintsma stated that she was at that meeting and Mr. Rockwood stated that the money was available and it just needed to be moved.

Assistant City Attorney McLean asked Planner Grahn to update the Board on what occurred at the last City Council meeting regarding the two grants. Planner Grahn reported that the City Council reviewed both of the grant applications. For 943 Park Avenue they decided to fund the basement and everything the HPB had agreed, minus the railings, which the HPB had recommended not adding because it was self-imposed since the owner lifted the house. Planner Grahn noted that the grant for 943 Park Avenue was coming from the General Fund.

Because that fund is limited to \$47,000, the grant was maxed out at \$47,000. The City Council also reviewed 264 Ontario. The applicant had brought forward new information as far as new costs because they were further along in the construction and had received some of the bills. Planner Grahn stated that \$30,000 was allocated for the Main Street RDA grant fund; however the City Council wanted to award more than \$30,000 for this project and awarded up to \$63,000 with the Budget Manager's approval and a minimum of \$30,000.

Assistant City Attorney McLean remarked that the Grant Program is currently being discussed and input from the HPB is key to those discussions. She noted that a joint meeting with the City Council and the HPB was scheduled for September 3, 2015. Planner Grahn explained that the Staff had recommended changes to the Grant Program to either make them more need based or to focus on specific projects. The City Council thought it was important to keep grant funds open for everyone because the renovations are expensive and they want to support them. Planner Grahn assumed they would be relooking at the budget in the future.

Ms. Meintsma explained why she felt there was inequity within the Grant Program. She intended to present this same information to the City Council the following evening.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES.

Board Member Melville had questions regarding the grant program. She understood from their discussion in March that the grant applications would come back to the HPB and then go on to the City Council. She asked why that did not occur this time with the properties on Park Avenue and Ontario.

Planner Grahn stated that when the Staff met with the HPB some of their questions raised good talking points about the grant program. The Staff tried to work through those issues and determine the best solutions to bring back to the HPB. However, it took a long time for the Staff to work through the issues, and because 264 Ontario was nearing completion and 943 Park Avenue had been put on hold for starting construction, the City Council directed the Staff to bring it to them first in order to move these applications forward so they could continue to look at the Grant Program and revise it if necessary.

Board Member Stephens asked if the decision made at the City Council boxed in the HPB with regards to the Grant Program in the future. Assistant City Attorney McLean stated that the Grant Program is not legislatively based. It is policy and not part of the LMC. Therefore the process is easier to change. Ms. McLean noted that because the program involves money the City Council has the discretion on what to delegate to the HPB and which guidelines to delegate. She believed it was still an open dialogue. Ms. McLean had not attended the City

Council meeting, but she understood that the Grant Program came up in relation to the two properties in question. She was certain that the City Council would like to hear input from the HPB in terms of how the Grant Program moves forward, and that should be part of their discussion at the joint meeting in September.

Board Member Beatlebrox suggested that the Staff include the Minutes from that City Council meeting in the next packet so the Board could review and better understand the discussion that took place. Ms. Beatlebrox thought it would be helpful to have a work session ahead of the joint meeting because the HPB minutes from April and March have a number of issues that have not been resolved. However, the City Council resolved the issues and talked about sending it back to the HPB. She believed the minutes from the City Council meeting would explain what those issues were that they wanted to send back, and what their own ideas were on those issues. Ms. Beatlebrox reiterated the benefit of being able to talk those out in a work session. Planner Grahn offered to schedule a work session for their September 4th, which is the day before their joint meeting with the Council on September 5th.

Board Member Melville asked if the HPB would get an update on what happened with the Rio Grande Building, and whether there were other things the Board should consider or do differently. Planner Grahn replied that the City Council had also asked for an update and she would prepare a full detailed update. She explained that the project was issued a stop work order. The applicant had asked to restructure the roof because it was failing, but when they did that they also took the gables with it. As the Staff worked with the applicant, they found other discrepancies between the work being done and the Preservation Plan. They spent most of May and June going through the project in detail to make sure the Staff understood the proposed changes and how to resolve it. Ms. McLean thought it would be appropriate for the Staff to schedule a work session to give the update.

On behalf of the Board, Chair Pro Tem White welcomed Bruce Erickson as the interim Planning Director. On behalf of the Staff, Assistant City Attorney McLean congratulated David White and Hope Melville for being reappointed to the HPB, and she welcomed Doug Stephens and Jack Hodgkins as the new Board members and congratulated them for being appointed. As Chair Pro Tem, Mr. White echoed the congratulations. Ms. McLean stated that election of a new Board Chair would be scheduled for the next meeting.

WORK SESSION

Assistant City Attorney McLean provided annual legal training on the Open Public Meetings Act as required by State Code. She commented on the importance of acting in the open and being transparent. They should deliberate

openly and so the public has the benefit of seeing their thought process. The HPB falls under the Open Public Meetings Act and it is a broad requirement and all City Boards fall under it. Ms. McLean clarified the definition of a meeting and what constitutes a meeting. A meeting occurs anytime there is quorum. In the case of the HPB four members constitutes a quorum. No business of any kind can be conducted without a quorum. Subcommittees are different and do not require a quorum. Ms. McLean stated that in the event of chance meetings with other Board members or at an event, they should not discuss HPB business, particularly if there are four or more Board members present. She explained that they could talk one on one, but she reminded them of the intent of the law and the importance of having open discussions. When private conversations occur, neither the public nor the other Board members have the benefit of hearing their thought process. Ms. McLean advised the Board not to continue to discuss the issues once the meeting is adjourned.

Assistant City Attorney McLean cautioned the Board members to be careful about what they put in emails because those can be subject to GRAMA requests. She noted that the City has a provision for electronic meetings; but the HPB would have to adopt rules to allow it. If the Board members were interested in having the ability to participate electronically, the Staff could schedule that discussion on a future agenda. Ms. McLean reviewed the noticing requirements of the Open Public Meetings Act. She explained the process for public hearings per State Law and noted that a public hearing is not always required; however, in Park City if people are interested enough to attend a meeting they generally are given the opportunity to comment.

Assistant City Attorney McLean stated that all HPB meetings are recorded from the time the meeting is opened until it is adjourned, and written minutes are prepared for all meetings. The recordings and the written minutes are available to the public. Ms. McLean commented on the importance of the minutes because they are the official record of the meeting. The Board members should carefully read the minutes and correct anything that is inaccurate before the minutes are approved.

Ms. McLean remarked that the purpose of the annual legal training is to remind the Board members of the rules and requirements. She remarked that most violations do not happen intentionally, but there could still be consequences if the requirements of the Open Public Meetings Act are violated.

Ms. McLean reviewed the purpose of the HPB. She suggested that the Board Members consider their role as the Historic Preservation Board prior to the joint City Council meeting. If they would like the Council to change their role that would be a good time to petition them to do so.

Board Member Melville thought the Board needed to be more familiar with the Design Guidelines. Planner Grahn recalled a previous work session where the Staff reviewed the Design Review process with the HPB. She agreed that the Board only has to apply the Design Guidelines when they hear an appeal and it would be helpful if they were more familiar with them. Planner Grahn offered to schedule a work session and prepare an exercise where the Board would have to apply the Guidelines in different scenarios.

Walking Tour of the McPolin Farm

Planner Grayn reported that she and Planner Turpen have been working on a Preservation Plan for the McPolin Farm since May of last year. The City Council has been talking about what improvements should be made to the Farm and how it can be stabilized. This was a good opportunity for the HPB to walk through the buildings to see their condition and to hear some of the history of the Farm and the condition the buildings were in when the City purchased it in the 1990s.

The HPB adjourned the meeting and left for the site-visit to the McPolin Farm.

The meeting adjourned at 5:48 p.m.

Approved by _____
David White, Chair Pro Tem
Historic Preservation Board