

Minutes
Town of Hideout
Town Council Special Meeting and Public Hearing
June 30, 2023

The Town Council of Hideout, Wasatch County, Utah met in a Special Meeting and Public Hearing on June 30, 2023 at 2:00 PM electronically via Zoom Conference Call due to the ongoing COVID-19 health concerns.

Special Meeting and Public Hearing

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 2:04 pm and reminded participants there was no physical anchor site for the meeting due to ongoing COVID-19 health concerns.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Chris Baier
Council Member Carol Haselton
Council Member Sheri Jacobs
Council Member Bob Nadelberg (*excused at 3:03 pm*)

Excused: Council Member Ralph Severini

Staff Present: Town Administrator Jan McCosh
Town Attorney Polly McLean
Recorder for Hideout Alicia Fairbourne
Financial Consultant Katie Shepley

Others Present: Valeree Roper, Greg McIntyre, Don Stanger, and others who may have logged in using a partial name or using only a phone number.

III. Public Hearing

1. Discussion and possible approval of the amendments to the Town Budget for the Fiscal Year 2022-2023

Mayor Rubin introduced the agenda item, clarifying that it involved the final amendments to the Town Budget. Financial Consultant Katie Shepley then presented a detailed overview of the budget adjustments, emphasizing the reallocation of funds within various accounts.

Ms. Shepley explained that the amendments were necessary due to changes in revenue and expenditures. She outlined the sources of funds, including the use of Class C Road Funds and favorable outcomes in areas such as street expenses, municipal energy tax, and salaries and

benefits. On the contrary, uses of funds were discussed, including higher legal costs, lower property taxes, and miscellaneous expenses.

The General Fund balance indicated a need to take an additional \$91,000 from Capital Funds, while the Enterprise Fund showed a surplus of \$170,000, mainly from favorable standby fees. The surplus in the Enterprise Fund would be directed back to the Capital Funds to balance the budget.

Mayor Rubin clarified that the adjustments were not an increase in spending but rather a reallocation of funds to align with municipal accounting rules. Ms. Shepley then provided a comprehensive breakdown of the Enterprise Fund, noting favorable outcomes in various areas and explained the reasons behind the surplus.

Ms. Shepley also touched on the positive financial outlook for the Military Installation Development Authority (MIDA) Fund, highlighting increased revenue from property taxes and sales tax from the MIDA area. The Class C Road Funds were discussed, emphasizing the utilization of accumulated funds to support road maintenance.

Mayor Rubin opened the floor for council questions, inviting clarification and discussion on the proposed budget amendments.

Council Member Baier raised concerns about the legal fees incurred by the town. Expressing feedback and concerns received from the community, she sought clarity on the significant legal expenses reflected in both the General and Enterprise Funds.

Ms. Shepley provided an overview, attributing the legal fees to various legal issues the Town had faced over the past year. Mayor Rubin supplemented the explanation, stating that the legal challenges included lawsuits from individual homeowners and developers related to building processes and code adherence. He emphasized that the Town incurred expenses when legal cases extend beyond the coverage provided by the state.

Council Member Baier acknowledged understanding the legal issues but felt obligated to address community criticisms regarding the Town's representation and management. She inquired about the allocation of legal funds for the next fiscal year, and Ms. Shepley confirmed that the budget for legal expenses in Fiscal Year 2024 was set at \$267,000, with an increase from the previous year.

Mayor Rubin provided additional context, mentioning the Town's commitment to upholding codes and standards, which sometimes led to legal challenges. He explained that ongoing legal cases were consuming resources but anticipated a reduction in legal expenses in the upcoming fiscal year as existing cases concluded.

Council Member Baier expressed gratitude for the clarification and affirmed that her question stemmed from community concerns.

There being no further questions from Council, Mayor Rubin opened the floor for public comments at 2:28 p.m.

There were no public comments. Therefore, Mayor Rubin closed the floor at 2:29 pm and asked for a motion.

Motion: Council Member Nadelberg moved to approve Resolution 2023-R-07 amending the Fiscal Year 2022-2023 Hideout Budget as described. Council Member Haselton made the

second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs and Council Member Nadelberg. Absent from voting: Council Member Severini. The motion carried.

IV. Agenda Items

1. **Consideration of adopting Resolution 2023-R-XX to amend the Fee and Rate Schedule to include a water rate increase beginning July 1, 2023, and an increase in fees**

Mayor Rubin presented the discussion regarding the consideration of adopting Resolution 2023-R-XX to amend the Fee and Rate Schedule. The proposed changes included a water rate increase starting from July 1, 2023, and adjustments in various fees.

Town Administrator Jan McCosh explained that inflation-based adjustments were made to many fees due to increased costs associated with managing the Town. Mayor Rubin requested a discussion on the fees as shown to provide clarity. Ms. McCosh confirmed that planning fees, inspections fees and license fees were adjusted for inflation and labor intensity.

The discussion then focused on water-related fees. Ms. McCosh mentioned an error discovered and subsequent correction in water connection fees. She explained that any new fees or fee adjustments would be reviewed by the Finance Team and the Budget Committee. Mayor Rubin and Ms. McCosh presented a detailed explanation of the adjustments in water meter service rates, including the introduction of usage tiers for water conservation purposes.

Council Member Baier raised concerns about the trajectory of the rates, especially between the 10,000 to 20,000-gallon range, suggesting it did not follow a linear pattern. Mayor Rubin acknowledged the issue and expressed the need to review and potentially adjust the rates.

The discussion touched on comparisons with other communities, feedback received, and the impact of the rate changes on residents. Council Member Baier suggested deferring the adoption of the water rates section until further analysis could be conducted.

Mayor Rubin proposed adopting the Fee and Rate Schedule, excluding the water rates, and revisiting the water rates in the next meeting after further analysis and adjustments. Council Member Baier agreed, expressing concerns about potential confusion among residents with multiple rate changes.

Discussion ensued regarding the possibility of retroactively applying the water rate changes to July 1. It was decided to adopt the resolution but defer the water rates section to the next meeting for a thorough review and potential adjustments.

There being no further questions from Council, Mayor Rubin asked for a motion.

Motion: Council Member Baier moved to approve Resolution 2023-R-08 for repealing and replacing the Fee and Rate Schedule to update the rates due to inflation and to amend the water connection fees erroneous calculation. The water usage tables would be adjusted and addressed at a subsequent meeting. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs and Council Member Nadelberg. Absent from voting: Council Member Severini. The motion carried.

Council Member Nadelberg was excused at 3:03 pm.

2. Discussion and possible adoption of Resolution 2023-R-XX regarding the restriction of fireworks

Mayor Rubin introduced the agenda item regarding the discussion and possible adoption of Resolution 2023-R-XX concerning the restriction of fireworks in the Town.

Mayor Rubin clarified that this was a routine matter that the Council addressed annually, and it involved restrictions recommended by the Fire District for the wildland-urban interface. Council Member Baier raised a question about the specified periods for fireworks discharge, pointing out that it seemed like fireworks were allowed during certain holiday periods.

Town Attorney Polly McLean, responding to the question, explained that the State Code allowed the Town to generally ban fireworks except for specific holidays. The resolution was aimed at reinforcing the ban on fireworks due to increased fire risk, especially in the wildland-urban interface. Mayor Rubin sought further clarification, questioning whether a separate resolution was needed for holidays.

Ms. McLean clarified that the resolution encompassed both the general ban and the ability to restrict fireworks during high-risk periods throughout the summer. The resolution essentially made the discharge of fireworks within Town boundaries illegal during specified periods.

Council Member Baier expressed satisfaction with the clarification and reiterated concerns about fireworks due to fire hazards, potential irresponsibility, disruption, and the impact on pets.

Council Member Haselton noted the positive impact of restricted closures in the Ross Creek area, reducing the risk of fireworks-related incidents.

There being no further comments or questions from Council, Mayor Rubin asked for a motion to adopt the resolution.

Motion: Council Member Baier moved to adopt Resolution 2023-R-09 finding hazardous environmental conditions and restrictions of fireworks within all portions of Hideout. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton and Council Member Jacobs. Absent from voting: Council Member Nadelberg and Council Member Severini. The motion carried.

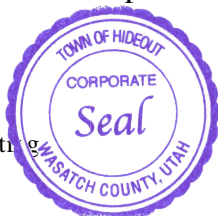
Council Member Baier asked for Staff to place the fireworks ban signs at the entrances and notice the ban on the website. She inquired how enforcement would be handled. Mayor Rubin stated reporting of violators would result in a citation.

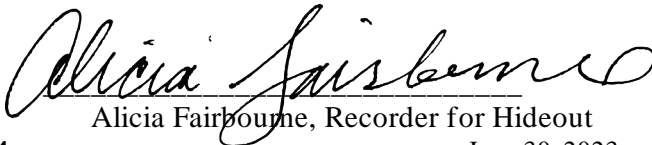
V. Meeting Adjournment

There being no further business, Mayor Rubin asked for a motion to adjourn.

Motion: Council Member Baier moved to adjourn the meeting. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton and Council Member Jacobs. Absent from voting: Council Member Nadelberg and Council Member Severini. The motion carried.

The meeting adjourned at 3:15 pm.




Alicia Fairbourne, Recorder for Hideout