

Minutes
Town of Hideout
Town Council Regular Meeting
July 14, 2022

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on July 14, 2022 at 6:00 p.m. electronically via Zoom due to the ongoing COVID-19 pandemic.

Regular Meeting

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:02 p.m. and reminded participants there was no physical anchor site due to the ongoing COVID-19 pandemic.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Chris Baier
Council Member Sheri Jacobs
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Ralph Severini

Staff Present: Town Attorneys Polly McLean and Cameron Platt
Town Administrator Jan McCosh
Town Planner Thomas Eddington
Director of Engineering and Public Works Timm Dixon
Town Clerk Alicia Fairbourne
Town Building Administrator Carol Kusterle

Others Present: Bret Rutter, Glenn Seymour, Katie Shepley, and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. February 10, 2022 Town Council Minutes DRAFT

There were no corrections.

Motion: Council Member Haselton moved to approve the February 10, 2022 Town Council Meeting Minutes as presented. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Severini. Abstaining from voting: Council Member Jacobs and Council Member Nadelberg. None opposed. Motion carried.

IV. Follow up Items from Council Minutes

Council Member Severini asked if any education regarding noxious weeds was posted on the website. Town Building Administrator Carol Kusterle stated there had been education articles in the Town Newsletter beginning in January.

Council Member Severini inquired if there was a possibility of an ordinance amendment to require dogs be on-leash at all times. Mayor Rubin stated Staff had not received enough feedback from residents to suggest amending the Code, although if Council wanted to investigate further, he was open to the suggestion. Council Member Severini expressed desire to include an article in the newsletter or on the website regarding reporting aggressive animals to Heber Valley Animal Services.

Council Member Haselton suggested photos on the website to identify the more prevalent weeds located within the Town. She noted it was difficult to make the distinction between natural vegetation or plants and noxious weeds, and photos would be helpful. Mayor Rubin noted the weed remediation companies could identify the various types of noxious weeds and would only spray those.

Council Member Haselton inquired if Town Planner Thomas Eddington could provide a map of adjoining properties to Hideout and identify vacant lots where small commercial development could be constructed. Council Member Severini asked for a descriptive table showing acreage as well.

V. Public Input - Floor open for any attendee to speak on items not listed on the agenda

Mayor Rubin opened the floor for public input for any items not listed on the agenda at 6:19 p.m.

Bret Rutter – Mr. Rutter inquired if a notice could be issued stating the dumpsters and sanitation facilities were meant for the use of construction workers and were not for public use. He also agreed photos of noxious weeds and education materials posted on Hideout's website would be useful. Mayor Rubin asked Director of Engineering and Public Works Timm Dixon to post signage informing the public the dumpsters and restroom facilities were not for public use.

There being no further public comments, Mayor Rubin closed the floor at 6:24 p.m.

VI. Agenda Items

1. Discussion regarding the appropriate usage of outside water

Mayor Rubin explained comments were made by residents who were concerned about irrigation water being used irresponsibly during the drought. Council Member Severini asked if there were any guidelines the Town could adhere to. Assistant Town Attorney Cameron Platt noted Jordanelle Special Service District (JSSD) recommended watering twice per week, but noted it was solely a recommendation and not a requirement. He noted other municipalities limited the time of the day watering could take place, and others who regulated the day of the week watering was permitted. Town Administrator Jan McCosh noted Summit County had adopted an ordinance which temporarily raised the water rates during a drought. Mr. Platt would research other municipalities' ordinances and provide a draft ordinance for the August Meeting.

2. Discussion and consideration of adopting Ordinance 2022-O-XX regarding Dark Skies Lighting

Mr. Dixon provided information regarding the lighting study which was conducted by members of the Staff. He and Mr. Eddington would conduct further studies during the summer months and provide the findings to Council. He noted the majority of the Town was in compliance aside from some street lighting. He noted one portion of the Rustler development was out of compliance.

Mayor Rubin stated some of the bulbs in the lighting fixtures exposed the sides of the lightbulbs. In order to become dark sky compliant, the light shade would be required to cover the sides of the lightbulb so the light would be directed downward.

Mr. Eddington agreed some of the lighting in Rustler and Shoreline may not be in compliance. He reiterated Mr. Dixon's statements, noting the majority of the Town was within compliance and further studies in early August would take place. He noted comments had been received from residents of the Rustler subdivision, which mentioned retrofitting the houselights to shield the sides of the bulb. Mr. Eddington explained the Dark Skies Ordinance imposed a three (3)-year timeline for which the homeowners and Homeowners Association (HOA)'s could replace those light fixtures.

Mr. Eddington mentioned other comments were received regarding the use of string or café lights, which the Dark Skies Ordinance did not address. He recommended adding language in the Ordinance which would permit string lighting except during the hours of 12:00 a.m. and 6:00 a.m. Council expressed their support.

Council Member Baier commented on Section 10.16.02 Purpose, which addressed the events to educate the public. She asked for the language to be changed from "...events will be held two times a year to educate the community ..." to "... may hold events to educate the public..." since Hideout was not committed to obtaining certification from the International Dark Sky Association. Mayor Rubin agreed.

Council Member Baier addressed the holiday lighting period noted in Section 10.16.04, which permitted holiday lighting between December 1 through March 31. She inquired if Council agreed with those dates. Discussion ensued. Mr. Eddington pointed out holiday lighting was prohibited between the hours of 12:00 a.m. and 6:00 a.m. It was determined holiday lighting would be permitted between November 15 through March 1. Council agreed with the amendment.

Bret Rutter asked for clarification between holiday lighting and string lighting. Council Member Baier stated clarification would be made in the Ordinance so as not to contradict itself.

Glenn Seymour suggested permitting non-holiday string lights during times of entertainment. Mr. Eddington noted Mr. Rutter and Mr. Seymour's suggestions and would draft concise definitions for the next meeting.

Council Member Baier noted Section 10.16.06 mentioned the Kelvin temperature of outdoor recreation facilities. She researched typical standards of outdoor recreation facilities which indicated between five thousand (5000) and six-thousand five hundred (6500) kelvins was standard. Mr. Eddington would do further research to ensure three thousand (3000) kelvin temperature would be sufficient and present his findings at the next meeting.

3. Update regarding Transportation/Regional Planning

Ms. McCosh provided an update of Transportation and Regional Planning Meetings she had attended with Council Member Haselton. She noted the Utah Department of Transportation (UDOT) updated its Regional Transportation Plan every five (5) years. The renewal was in process this year and Ms. McCosh was able to meet with UDOT Region II to discuss Hideout's Trails Plan and other items she felt needed to be included in the Regional Transportation Plan.

Ms. McCosh indicated she had discussed creating a Transportation Committee with Council Member Haselton. Council Member Haselton agreed and offered to move from the Infrastructure Committee to chair the Transportation Committee. Ms. McCosh mentioned another Transportation Planning Meeting was to be held in the forthcoming week and she and Council Member Haselton would attend. She would also include an invitation to residents to become members of the Transportation Committee in the upcoming Town Newsletter.

Council Member Haselton added she had attended several Interlocal Meetings with members in Wasatch County, which primarily focused on issues related to the bypass in Heber and Highway 40. She and Ms. McCosh submitted comments stating State Road 248 needed to be addressed as well. They also made comments of the need for regional public transportation and parking in Hideout. Ms. McCosh noted Wasatch County had recently passed a Transportation Tax, which would provide funding for these types of needs.

4. Noxious weed process update

Ms. Kusterle provided an update regarding the Town's noxious weed process. She noted various Staff and a contracted weed abatement company had surveyed the various properties in Hideout which indicated there was an increased infestation of noxious weeds which could pose a problem if left untreated. She had sent out approximately two-hundred sixty (260) notices of abatement to residents, developers, and HOA's. At the time of this meeting, she indicated approximately one hundred (100) properties had not responded and were out of compliance. Mr. Platt explained what further measures could be taken toward non-compliant property owners and HOA's.

Ms. Kusterle noted Hideout Municipal Code Section 5.04.110 Standards for Weed Control stated weeds could be rototilled and could be buried under soil. She discussed with the head of the Wasatch Weed Board if rototilled weeds could continue to reproduce if buried, and he confirmed they could. She suggested the Code be amended to describe weeds should be removed completely from the property. She also noted Code should indicate there may be more than one treatment required for full remediation. Mayor Rubin recognized the Code language may need to be amended and asked the Town Attorneys to investigate the change.

Mayor Rubin stated he had discussed the excess noxious weeds at the State Park with the head of the Wasatch Weed Board. Council Member Baier stated the State Park did not have the personnel to spray for weeds though they would provide the chemicals and equipment to volunteers. Ms. Kusterle suggested making an appeal to the Wasatch Weed Board to coordinate volunteers to spray.

It was discussed to possibly implement a weed abatement fee similar to stand-by fees to each resident and lot owner in the Town and have professional weed abatement companies contracted to spray multiple times each year. Mayor Rubin would discuss with the Town Attorneys to explore the possibility.

Council Member Baier thanked Ms. Kusterle for the progress she had made in the weed abatement process. She would like for the Code to be reviewed and amended where necessary prior to starting the process in the following year. Other Council Members agreed and thanked Ms. Kusterle for her hard work. Council Member Haselton suggested having a community weed pulling day.

5. Discussion of June, 2022 survey results

Mayor Rubin presented the results from the survey which was sent to residents in June, 2022 and explained the Boulders development project had been withdrawn. Although the survey had focused primarily on the Boulders development, there were insights as to what the residents were supportive of in regard to the overall development of the Town.

Mayor Rubin provided a brief summary of the results and asked Council to review the results in detail and email him the top three (3) to four (4) takeaways for future goals. He suggested another survey and discussion around the end of the year to address future goals. Council Member Severini suggested highlighting specific questions and gathering additional feedback from the residents in order to provide clarification and additional discussion in a regular, quarterly update.

6. Discussion of nightly rentals

Mayor Rubin explained there were some developments within Hideout in which nightly rentals were permitted. There was language which required nightly rentals be managed by a professional property management company. However, there was not a mechanism currently in place to enforce that standard. Mayor Rubin wanted to discuss how the nightly rental properties could be identified, and if the Town was receiving revenues from the Transient Room Tax (TRT).

Ms. McLean suggested requiring a business license for each nightly rental in which the property management company would be detailed during the application process. She mentioned Granicus was a software company which scanned the addresses of nightly rentals and could provide those addresses to the municipality. Council Member Severini stated such software could prove to be quite costly and may not be worth the expense.

Ms. McCosh mentioned there had been discussion within communities to involve the Chamber of Commerce in the enforcement of nightly rentals, in which case, municipalities would be better equipped to respond legally if necessary.

Mayor Rubin would explore options for enforcement and present findings at a future Council Meeting.

7. Discussion and possible approval of Resolution 2022-R-XX regarding the Emergency Operations Plan

Mr. Platt reminded Council an Emergency Operations Plan (EOP) and order of succession had been adopted in November 2021. The EOP listed Wasatch County's order of succession in the document. The proposed Resolution would make an amendment to the EOP detailing the order of succession specific to Hideout.

Council Member Baier asked that training be provided to Council and Staff. Mr. Platt stated online training videos would be provided and distributed.

There being no further questions from Council, Mayor Rubin asked for a motion to approve the Resolution.

Motion: Council Member Nadelberg moved to adopt Resolution 2022-O-09 amending the Emergency Operations Plan as outlined. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. None opposed. Motion carried.

8. Poly Platform update

Mayor Rubin provided an update regarding the Poly Platform and noted Town Clerk Alicia Fairbourne had worked with the developers of the Application to review and update the functionality and design of the Application. The developers submitted the changes to Android and iOS for approval, however, because it was for governmental use, there were security measures which delayed the approval. The developers expected to gain approval in the following week. Ms. Fairbourne would contact the developers and provide links to the beta test for Staff and Elected Officials to use when it was available.

VII. Closed Executive Session - Discussion of pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed

There was no need for an Executive Session.

VIII. Meeting Adjournment

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

Motion: Council Member Nadelberg moved to adjourn the Meeting. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. None opposed. Motion carried.

The meeting adjourned at 8:31 p.m.



Alicia Fairbourne
Alicia Fairbourne, Town Clerk