

HIDEOUT, UTAH  
10860 N. Hideout Trail  
Hideout, UT 84036  
TOWN COUNCIL MEETING  
April 30, 2020  
6:00 p.m.

TOWN COUNCIL SPECIAL MEETING – EXECUTIVE SESSION ELECTRONIC ONLY

**I. CALL TO ORDER**

Mayor Rubin called the meeting to order at 6:10 p.m. on April 30, 2020.

**II. ROLL CALL**

**Town Council Members Present Electronically:**

Mayor Philip Rubin  
Council Member Chris Baier  
Council Member Kurt Shadle  
Council Member Jerry Dwinell  
Council Member Vytas Rupinkas  
Council Member Carol Haselton

**Staff Present Electronically:**

Town Attorney Dan Dansie  
Town Clerk Allison Lutes (present until 6:15 p.m.)

**III. AGENDA ITEMS**

**1. Swearing in of newly appointed Town Council Member Carol Haselton**

Ms. Haselton recited the Oath of Office and was sworn in as a Council Member, whereupon Town Clerk Allison Lutes left the meeting.

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

*Council Member Dwinell moved to enter an executive session to discuss pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property. Council Member Haselton made the second. Voting Aye: Council Members Baier, Shadle, Dwinell, Rupinkas and Haselton. Voting Nay: None. The motion carried.*

At 6:15 p.m. the executive session convened.

***[At 6:20 p.m., the ZOOM meeting platform recording this meeting malfunctioned and the meeting was disconnected. At the conclusion of the public meeting on this date, the Council agreed to schedule another executive session on May 4, 2020]***

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Allison Lutes, Town Clerk

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April 30, 2020  
6:00 p.m.

TOWN COUNCIL SPECIAL MEETING – ELECTRONIC ONLY

**I. CALL TO ORDER**

Mayor Rubin called the meeting to order at 6:38 p.m. on April 30, 2020.

**II. ROLL CALL**

**Town Council Members Present Electronically:**

Mayor Philip Rubin  
Council Member Chris Baier  
Council Member Kurt Shadle  
Council Member Jerry Dwinell  
Council Member Vytas Rupinkas  
Council Member Carol Haselton

**Staff Present Electronically:**

Town Attorney Dan Dansie  
Town Clerk Allison Lutes  
Town Planner Thomas Eddington  
Town Engineer Ryan Taylor

**III. AGENDA ITEMS**

**1. Swearing in of newly appointed Town Council Member Carol Haselton**

Mayor Rubin introduced the newest Council Member, Carol Haselton, who was sworn in prior to an Executive Session at 6:15 p.m. this evening. Ms. Haselton gave a brief statement on her background serving on other public boards and commissions.

**2. Continued Public Hearing: Consider adopting Ordinance 2020-05 repealing and replacing Titles 3, 10, 11 and 12 of the Town Code**

Council Member Dwinell led the discussion on this agenda item. He proceeded through a detailed discussion on each title to brief the Council on what had changed since the last Council discussion, and to address comments therein, with input by Dan Dansie, Ryan Taylor and Thomas Eddington.

**Title 3:** no changes.

**Title 10:** Mr. Dwinell addressed each comment within the document, with Messrs. Eddington, Taylor and Dansie fielding Council questions and providing additional clarity and input.

Regarding a landscaping requirement concerning bark material adjacent to homes, Council Member Rupinkas strongly felt the Town should have the fire department review the

landscaping requirements to give everyone the understanding where major risks lay. Council Member Baier felt the Town should encourage more xeriscaping.

As discussion concerning open and public space requirements and trails ensued, Council Member Baier suggested adding a clause to enable future developer negotiations concerning annexations to allow some flexibility. Discussion followed with Dan Dansie providing guidance and suggesting a new section, possibly in Title 12 to allow the flexibility concerning more broad land use requirements to take advantage of unique future opportunities. He explained in further detail the concept of exactions and the need to strike a balance between the burden and the exaction that is proportional to the burden created.

Mayor Rubin raised an issue concerning the need to clean up references within the Code to grading and excavation and to understand the differences between the two. Ryan Taylor explained that currently an excavation permit was used for work on a roadway or right of way. Park City recently renamed such permits "Work in Right of Way Permit," which he felt would remove any ambiguity. It was agreed the Mayor would discuss this with Kent Cuillard, Ryan Taylor and Thomas Eddington.

A discussion arose concerning the aesthetics and safety of slopes, (particularly as to homes backing steep slopes), retaining and rock walls. Thomas Eddington stated he would work with Ryan Taylor on adding criteria regarding geotechnical and aesthetic attributes for rock slopes.

Council Member Shadle felt health and safety was an important issue, for example in addressing homes that back to very steep slopes. He suggested flagging this for a future Council discussion.

Council Member Rupinkas questioned the use of wood burning fireplaces and stoves and the concern with air quality and safety. It was indicated the Council would need to enact an ordinance to address the issue.

At 8:54 p.m., Mayor Rubin opened the meeting for public comment.

Bill Keller Viewside Circle: *[while the following comments did not relate to the current agenda item concerning Code changes, the Mayor allowed the comments due to time constraints.]* Mr. Keller inquired about whether there was any oversight concerning road work, as he had noticed several ruts left behind in areas where work had been completed. Mayor Rubin responded that the Town is holding nearly \$100,000 of the contractor's money and will follow up to ensure the road surface is back to a reasonable surface. Mr. Keller noted the work appeared to be proceeding in a haphazard way. Additionally, the debris and garbage left behind is unsightly and he did not view it as being professionally done.

Ryan Taylor noted they were watching the quality of the work once completed, but conceded they needed to be more active day-to-day. The company had been notified regarding the need to clean up. Some of the areas are being completed for a fourth and fifth time, until the work is satisfactorily completed. Council Member Dwinell also noted the areas requiring revegetation that hadn't been completed as required; Mr. Taylor agreed to follow up.

With no further comments, the public hearing was closed.

The Council decided to schedule another special session to discuss Titles 11 and 12.

*Council Member Shadle moved to schedule a special session for Thursday May 7. Council Member Rupinkas made the second. Voting Aye: Council Members Baier, Shadle, Dwinell and Rupinkas.*

Council Member Haselton commented she would not be able to attend a May 7 meeting. It was decided to move the meeting to May 5 and to rescind the first motion.

*Council Member Dwinell moved to schedule the special session for Tuesday, May 5. Council Member Rupinkas made the second. Voting Aye: Council Members Baier, Shadle, Dwinell, Rupinkas and Haselton. Voting Nay: None. The motion carried.*

The Council decided to meet for an executive session on Monday, May 4 at 6:00 p.m.

**IV. PUBLIC INPUT - FLOOR OPEN FOR ANY ATTENDEE TO SPEAK ON ITEMS NOT LISTED ON THE AGENDA**

See Agenda Item III above.

**V. MEETING ADJOURNMENT**

*Council Member Shadle moved to adjourn. Council Member Rupinkas made the second. Voting Aye: Council Members Baier, Shadle, Dwinell, Rupinkas and Haselton. Voting Nay: None. The motion carried.*

The meeting adjourned at 9:11 p.m.

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Allison Lutes, Town Clerk