

Minutes
Town of Hideout
Town Council Regular Meeting
May 11, 2023

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on May 11, 2023 at 7:00 p.m. electronically via Zoom Conference Call due to the ongoing COVID-19 health concerns.

Regular Meeting

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 7:00 p.m. and reminded participants there was no physical anchor site for this meeting. Mayor Rubin explained there was a lack of a quorum at the regularly scheduled meeting time of 6:00 p.m., and therefore, there was a delay in the start time.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Carol Haselton
Council Member Sheri Jacobs (*joined at 7:45 p.m.*)
Council Member Bob Nadelberg
Council Member Ralph Severini

Excused: Council Member Chris Baier

Staff Present: Town Administrator Jan McCosh
Town Attorney Polly McLean
Town Planner Thomas Eddington
Director of Public Works Daniel Allen
Director of Engineering Timm Dixon
Recorder for Hideout Alicia Fairbourne
Financial Consultant Katie Shepley

Others Present: Ray DeJaco, Greg McIntire, Damian Taitano, Larry Eisenfeld, Jack Walkenhorst, Steve Grant, Planning Commissioner Peter Ginsberg, and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. January 12, 2023 Town Council Regular Meeting Minutes DRAFT

There were no corrections to the minutes.

Motion: Council Member Haselton moved to approve the January 12, 2023 Town Council Regular Meeting Minutes as presented. Council Member Severini made the second. Voting

Yes: Council Member Haselton, Council Member Nadelberg, and Council Member Severini. Absent from voting: Council Member Baier and Council Member Jacobs. None opposed. The motion carried.

IV. Follow Up Items from Approved Minutes

Council Member Severini inquired about several follow-up items, including:

- If the Town would take Damian Taitano up on the offer to use his Kubota tractor for snow removal. Mayor Rubin clarified that the Town purchased its own, so there was no need to borrow Mr. Taitano's.
- Additional information regarding nightly rentals in other communities and the fiscal benefits (if any) for the community. Town Planner Thomas Eddington explained he was continuing to compile data and discussions were ongoing.
- Regarding parking enforcement during days of snowfall, how that would be handled and by whom. Mayor Rubin explained parking enforcement was conducted by the Wasatch County Sheriff's Office. He shared the process for reporting and handling violations and asked for cooperation from the local contractors during snowstorms.

Council Member Severini asked if there had been any actions taken by the Sheriff's Department, to which Mayor Rubin mentioned several incidents during the winter, primarily involving vehicles impeding the plowing process.

V. Update on Golden Eagle Subdivision

Town Attorney Polly McLean provided an update on the Golden Eagle Subdivision. She stated that on May 1, a judge ruled on a case involving the Town not issuing building permits. The judge found four out of five reasons cited for not issuing permits were invalid. The remaining issue was related to storm drains. The judge called for another hearing on May 19, 2023 specifically to rule on the storm drain issue. It would be an evidentiary hearing. The Town was waiting on the judge's decision after the May 19 hearing before proceeding with issuing any building permits. She noted if the Town received storm drain reports and calculations from Mustang Development before the hearing, the Town could potentially be able to start issuing permits, assuming all other requirements were met.

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

Mayor Rubin opened the floor for any public input at 7:11 p.m. and instructed participants on the procedure for speaking.

Damian Taitano inquired about making progress on building permits while waiting for a ruling on the storm drain issue. He also asked if lot owners could pay fire department fees and whether water and streets had been accepted. Mayor Rubin said they wanted to wait for the ruling before issuing full permits, but did not see an issue with allowing people to pay fire department fees now which could be refunded later if needed.

Town Engineer Timm Dixon explained that storm drains were connected to road and shoulder quality, so it made sense to wait for the judge's ruling before proceeding.

Mr. Taitano then asked who was accountable for the permit issues the judge already ruled were illegal reasons to withhold permits. Mayor Rubin took responsibility as the Chief Executive

Officer of the Town, stating current administration and Staff attempts to interpret and uphold the law to protect citizens. He acknowledged prior administration did not do enough to ensure proper infrastructure design. The judge originally supported the Town's approach but then disagreed on second review, which they accepted. Mayor Rubin reiterated Staff would move forward with permits once the judge ruled on storm drains.

Ray DeJaco – was a new resident who lived at the end of Sightline Circle. He expressed a concern about a two-acre lot located at the end of Sightline Circle in the Rustler community. The lot was supposed to be a park but currently contained construction debris such as large pipes, broken cement slabs, and rocks. Mr. DeJaco wanted to know how to get the lot cleaned up and noted the debris had been there for years.

Mayor Rubin initially mentioned that the property was owned by the HOA. However, Mr. DeJaco indicated that he had received different information when he contacted the city. Mr. Dixon offered to investigate the ownership and look at the plat and records to determine the correct owner of the property.

Mayor Rubin suggested that if the situation violated the Town's nuisance code, a lien on the property could be issued to address the nuisance. Mr. DeJaco thanked Mayor Rubin and Mr. Dixon for their assistance and expressed his gratitude for the opportunity to bring this matter to their attention during the meeting.

There being no further questions, Mayor Rubin closed public input at 7:24 p.m.

VII. Agenda Items

1. Discussion and possible approval of Resolution 2023-R-XX to adopt the Town of Hideout Tentative Budget for Fiscal Year 2023-2024 and setting a Public Hearing for the Final Budget to be held on June 8, 2023

Financial Advisor Katie Shepley presented an updated FY23 budget to align with actual revenues and expenses to date. The Town would need to utilize \$266,000 from Capital Funds to cover a projected budget shortfall.

For the FY24 tentative budget, assumptions included hiring two additional engineering staff, moving a part-time employee to full-time, 5% Cost of Living Adjustment (COLA) increases, the addition of enhanced family/spousal benefits to attract and retain employees, and a 27% increase in building permits (not including any Golden Eagle permits).

There was a 12.5% increase in residences projected, with an increase of 33.1% within the Military Installation Development Area (MIDA), but only 6.7% were non-MIDA residences. Ms. Shepley explained MIDA property taxes go to separate funds that had restrictions, and those funds couldn't be used broadly to cover General Fund shortfalls. Mayor Rubin noted funds received from MIDA were designated for specific items such as parks and trails.

Ms. Shepley pointed out that significant investments were planned for sewer, stormwater, streets, and other infrastructure repairs and upgrades, however these costs would be spread out over several years.

Ms. Shepley then presented an overview of the FY24 Budget.

The FY24 Budget showed a minimal increase compared to the previous year, with a rise from approximately \$1,619,000 to \$1,620,000. However, this modest increase was due to the utilization of Capital Funds, amounting to \$266,000.

Ms. Shepley noted a projected shortfall of \$359,000. In order to cover it, she suggested the need for increased property taxes and town fees, along with careful control of expenses and the utilization of the prior year's Capital Funds. These actions were necessary to prevent further depletion of Capital Funds. Council Member Severini highlighted the potential impact on residents if the shortfall couldn't be covered through other means, which could lead to a significant increase in property taxes.

Council Member Severini emphasized the importance of finding additional revenue sources, including development activities near the State Park, annexation opportunities, and revenue-generating mechanisms. It was noted that these efforts might not yield immediate results in the upcoming year but could be beneficial in the years following. The potential use of State Park funds, Transient Room Tax (TRT) from short-term rentals, and the consideration of moving MIDA funds to the General Fund were mentioned as possible strategies to address the budget shortfall.

Ms. Shepley provided a high-level overview of forecasted revenue and expenses for FY24, with a focus on areas where expenses were expected to increase. The need for responsible financial management and tracking of expenses was emphasized. Mayor Rubin also discussed the possibility of reducing certain expenses, such as legal fees, and the potential impact of costs related to the weather.

Investments in areas like streets and parks were discussed, as well as the utilization of Class C Road Funds from the State to help with street expenses.

Ms. Shepley shifted the focus to the Enterprise Fund, highlighting their financial performance. She explained that there was no need to balance the Enterprise Fund, as was required for the General Fund. The financial situation of the Enterprise Fund was then discussed, revealing a loss of around \$200,000 in the previous fiscal year and a profit of approximately \$455,000 in the current fiscal year.

The increase in revenue for the current year was attributed to several contributing factors. This included a rise in building standby fees that hadn't been billed in the preceding year. Additionally, there was a boost in meter connection fees due to the increased cost of smart meters.

Looking ahead to the upcoming fiscal year, it was expected that the revenue increase would be more moderate since there wouldn't be a doubling of standby fees. However, some additional revenue was anticipated from water fees, and it was mentioned that an 8% increase in water bills would be implemented starting in January.

On the expenditure side, the Enterprise Fund incurred higher costs due to an increase in employee expenses. This was a result of some employees transitioning from part-time to full-time roles, the introduction of a COLA, and the inclusion of spouse and family benefits for employees.

A significant portion of the expenses was allocated to one-time costs. These included investments in sewer and stormwater, water line repairs, storm sewer and water maintenance, upgrading to smart water meters, ditch maintenance, snow removal, and hydroseeding.

Mayor Rubin and Council Member Severini raised concerns about the projected deficit of \$106,000 in the enterprise funds. They discussed potential strategies to close this gap, including

deferring certain expenses or adjusting the timing of projects. Ms. Shepley assured them that they would continue to refine the budget and work on finding ways to bring it closer to revenue parity. They also discussed the possibility of reduced demand for family and spousal benefits, which could impact the budget positively.

Following the Enterprise Fund discussion, the MIDA Funds were discussed, which would see an increase in property taxes. There was also a mention of additional Class C Road Funds coming in as a result of the Town accepting roads from developers.

Lastly, Ms. Shepley provided a detailed breakdown of revenues and expenditures for FY23, emphasizing that the figures were only for ten months, with two months still needing to be forecasted. She presented a detailed slide which showed property taxes, fee-in-lieu, sales taxes, licenses, permits, intergovernmental revenue, charges, fines, interest, miscellaneous contributions, and total revenue. The presentation also covered various expenditure categories, including administrative, professional services, public safety, streets, parks, capital projects, miscellaneous, and debt services, providing a comprehensive view of the financial details that the Town manages on a monthly basis and that was audited by the IRS.

There being no further questions from Council, Mayor Rubin called for a motion to vote on the tentative FY24 Budget.

Motion: Council Member Nadelberg moved to adopt Resolution 2023-R-06 adopting the tentative Budget for the Town of Hideout, Utah, for the Fiscal Year 2024 beginning July 1, 2023 and ending June 30, 2024 and to set a time and place for a public hearing electronically via Zoom, concerning the Fiscal Year 2024 Budget on June 8, 2023 at 6:00 p.m.. Council Member Severini made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. None opposed. The motion carried.

VIII. Committee Updates

1. Planning Commission – Planning Commissioner Peter Ginsberg

Planning Commissioner Peter Ginsberg provided a summary of discussions and topics covered in the April 17th Planning Commission meeting. The Planning Commission heard from the developers of the Bloom in Hideout project. This project included mixed-use commercial space that could house businesses like a market, cafe, restaurant, and retail shops. Additionally, the developers proposed cottages that could potentially serve as luxury corporate event spaces, accommodating up to 150 guests.

Another topic discussed during the meeting was the Deer Springs Cottages subdivision, which had requested approval for a short-term overlay zone to allow nightly rentals within the subdivision.

Commissioner Ginsberg also mentioned the potential development of a Town Center, which would involve rezoning and relocating the Public Works building to accommodate this new development. The specific details of this proposal were not deeply discussed during the meeting.

Looking ahead to the next meeting, Commissioner Ginsberg mentioned that they would be discussing the rezone of the Bloom in Hideout; Benloch Ranch annexation with an updated concept plan; and hear a concept plan from Ty Frisbee regarding Hideout Point, a development located near the proposed Town Center.

Mayor Rubin thanked Peter for the Planning Commission's valuable work and expressed appreciation for their efforts in helping the Town explore various development opportunities. Commissioner Ginsberg expressed his gratitude and commitment to assisting the Town in this process.

2. Community Engagement Committee - Council Member Jacobs

Council Member Jacobs provided an update on the recent Community Engagement Committee meeting. The Committee discussed and fine-tuned plans for upcoming events during the summer. They had scheduled their first concert for July 28, with another concert set for August 11. Additionally, there were a couple of other potential events in the works, but the venue was still being decided. They planned to conduct site inspections now that the snow had melted, with the State Park currently being the preferred location. Further details about additional events were expected to be discussed during the next meeting. Council Member Jacobs expressed optimism about having an enjoyable summer with these activities.

3. Design Review Committee (DRC) - Thomas Eddington

Thomas Eddington provided an update on the Design Review Committee. There hadn't been a meeting in the past month, but they had been working on finalizing design review submittals with Lakeview and Deer Springs. Their goal was to complete this process in the next few days, so that final approval level letters could be issued. This was important as the projects were likely to begin pulling permits in the coming weeks. They had been engaged in back-and-forth discussions and hoped to finalize the approvals by the end of the week or early next week.

4. Parks, Open Space and Trails (POST) Committee - Council Member Baier

This was not discussed because Council Member Baier was excused from the meeting.

5. Transportation Committee - Council Member Haselton

Council Member Haselton provided an update on the Town's transportation services. She mentioned that High Valley Transit would continue to run bus services from Richardson Flat. These were smaller buses that operated from 6:45 a.m. to 7:45 p.m. She also shared her experience using the bus to attend an event but noted that the service ended relatively early in the evening. Mayor Rubin expressed a desire to have bus services available for summer concert series to reduce the number of cars coming into Hideout for such events. However, Council Member Haselton pointed out that budget constraints had led to cutbacks in services, and the focus was on serving those who work in the Town rather than recreational users. She explained that they spent a significant amount during the winter season. The discussion highlighted the challenges of balancing transportation services with available resources.

Council Member Haselton provided an update on the upcoming cleanup day scheduled for June 10. She mentioned that in the past, she and Council Member Baier had been the primary participants. They picked up trash around the Town, particularly in residential areas. They collected bags of trash and took them to the Public Works building. Afterward, lunch was provided, and for the upcoming cleanup day, the lunch gathering would be held at the Retreat Townhomes. Council Member Jacobs mentioned that Black Rock hotel may be sponsoring the luncheon. Council Member Haselton expressed the desire to work with Council Member Jacobs to make this event a Community Engagement activity, involving more people. Mayor Rubin suggested

involving the Public Works department and offering help with trash collection. Mr. Dixon agreed to support the event and provide a trash container at the Public Works Building and Staff for bag pickup at designated locations. Mayor Rubin also mentioned Mr. Dixon should encourage the builder community to maintain cleanliness in their construction areas. Overall, the goal was to engage more people in the cleanup day and make it a fun community event.

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

There being no further public business, Mayor Rubin asked for a motion to move into closed Executive Session.

Motion: Council Member Haselton moved to adjourn the public meeting and move into Closed Executive Session. Council Member Jacobs made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

The public meeting adjourned at 8:23 p.m. and the Closed Executive Session convened at 8:30 p.m.

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

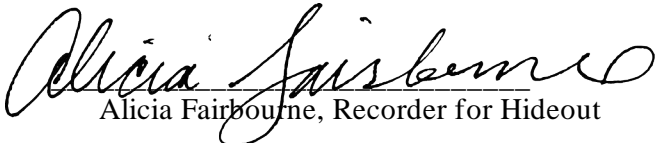
Staff Present: Town Attorney Polly McLean

X. Meeting Adjournment

Upon conclusion of the Executive Session, Mayor Rubin asked for a motion to adjourn.

Motion: Council Member Severini moved to adjourn. Council Member Nadelberg made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

The meeting adjourned at 8:48 p.m.


Alicia Fairbourne, Recorder for Hideout

