

Minutes
Town of Hideout
Town Council Regular Meeting
October 13, 2022

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on October 13, 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 6:05 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 Carol Haselton
Council Member Sheri Jacobs
Council Member Bob Nadelberg
Council Member Ralph Severini

Staff Present: Town Attorney Polly McLean
Town Administrator Jan McCosh
Town Planner Thomas Eddington
Director of Engineering and Public Works Timm Dixon
Director of Public Works Daniel Allen
Town Engineer Dillon Bliler
Recorder for Hideout Alicia Fairbourne

Others Present: Keith Marmer, Joel Johnson, Heather McIntire, Katie Shepley, Danielle Mattiussi, Planning Commissioner Ryan Sapp, Nate Thompson, Planning Commissioner Jonathan Gunn, Bret Rutter, Kevin Jones and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. March 29, 2022 Town Council Special Meeting Minutes DRAFT

Council Member Haselton noted a correction on page three (3) line thirteen (13), stating the word “idea” should have been “ideas”. No other corrections were made.

Motion: Council Member Baier moved to approve the March 29, 2022 Town Council Special Meeting Minutes with the aforementioned correction. 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.

IV. Follow Up Items from Council Minutes

There were no follow up items relating to the March 29, 2022 minutes.

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

Council Member Haselton expressed concern of the traffic on SR-248, particularly at the Ross Creek turnoff. She noted there was no deceleration lane and wondered if there was a timeframe for one to be added. Mayor Rubin stated a design was submitted to the Utah Department of Transportation (UDOT), however, the design was rescinded and the meeting which was scheduled with Hideout was cancelled. Director of Public Works and Engineering Timm Dixon was discussing a redesign with UDOT.

Golden Eagle Lot Owner Greg McIntire – Mr. McIntire thanked the Town Council for communicating the progress of the Golden Eagle Subdivision with the property owners. He asked Council to have a standing item on the monthly agenda to discuss the progress of the Subdivision. He noted he and his wife currently live in Philadelphia and were not able to be present each week to see the progress. Mayor Rubin supported Mr. McIntire's comments and asked Mr. Dixon to provide the latest update. Mr. Dixon stated crews were working on the roads and were placing dirt and rock on the shoulders. There was a leak found in the pump of the water tank, although it was filled and concrete was poured for the roof. Permanent power would need to be obtained to the pump and the leak would need to be repaired. Mr. Dixon also noted crews continued to work on the sewer lines and were working to connect the lines to the Soaring Hawk Subdivision.

Mayor Rubin asked Recorder Alicia Fairbourne to include a monthly update for the Golden Eagle Subdivision on the Council agenda and for Mr. Dixon to be prepared to provide the update each month until the building permits could be issued.

Council Member Chris Baier – Council Member Baier stated she had received complaints from residents stating their tires were punctured from excess nails in the road in the subdivisions under construction, and wondered if any action could be taken with the Town Staff. Mr. Dixon stated the developers had been asked to sweep the roads as much as possible. Mayor Rubin asked for the developers to patrol and document that the streets had been swept each night and the report be provided to Mr. Dixon. Mr. Dixon would follow up with the developers. Council Member Baier asked if a magnetic sweeper could be purchased to be towed from the Public Works vehicles. Mr. Dixon agreed and would investigate the cost of acquiring the magnetic sweeper.

Council Member Bob Nadelberg – Council Member Nadelberg asked about the amount of dirt being moved around the Dead Man's Gulch Lift Station and wondered if the original landscape had been altered beyond what current Code allowed. Mayor Rubin explained the developer was grandfathered to the previous code when the new lift station was approved. Council Member Nadelberg noted the multi-use trail at the bottom of the gulch was cut off and stated it would need to be reattached once the construction was complete. Mayor Rubin stated it was known the trail would be cut off during construction. He reminded residents it was an active construction site and to use caution if they were using the trail.

Jonathan Gunn – Mr. Gunn inquired about the new Shoreline Lift Station and asked if Mayor Rubin could provide insight on the anticipated timing and what was involved with the project. He understood there was to be additional sewer lines which would run toward the emergency egress road and eventually, farther north. Mayor Rubin explained the current lift station was not sufficient to handle the demand from the various subdivisions. Additionally, the lift station was not equipped with current technology which made lift stations more maintainable. He explained the initial plan was to have several smaller lift stations, however, it was decided to consolidate the lift stations and build one large lift station which would be properly designed and outfitted with newer technology. Mr. Dixon commented that the hope was to have the project completed by mid-2023.

Mr. Gunn asked if the project involved running additional lines from Shoreline to Deer Springs and if those were to be completed within the project timeline. Mayor Rubin stated a larger, pressurized line would be added to the current line. He noted the existing line would be left in place for backup purposes in the event the primary line needed maintenance.

Mr. Gunn inquired if the current green lift station would be demolished. Mayor Rubin confirmed and noted it would be replaced with the construction of the new lift station.

There being no further comments by the public, Mayor Rubin closed public input at 6:34 p.m.

VI. Agenda Items

1. Discussion and possible approval of an extension beyond the six-month timeline to record Hideout Canyon Lot 37 Driveway Amendment (parcel 00-0020-7851)

Mayor Rubin presented the agenda item and reminded Council the driveway amendment was approved; however, it had not been recorded within the six (6)-month timeline although it was only lacking one signature on the mylar which was needed for recordation.

Town Planner reiterated Mayor Rubin's comments and noted it may be recorded the following day, although Staff wanted to give some extra time in the event there were any setbacks. He stated there were no changes or updates to the agreement, however, a formal Resolution was not made when the driveway amendment was initially approved. He presented Resolution 2022-R-14, which outlined the conditions of approval. Mayor Rubin clarified that, by approving the Resolution, the six (6)-month extension would be granted. Mr. Eddington confirmed.

There were no questions from Council and therefore, Mayor Rubin asked for a motion to approve the Resolution and grant the extension.

Motion: Council Member Baier moved to approve Resolution 2022-R-14 granting a one-time six (6)-month extension to record a subdivision amendment for Hideout Canyon, Phase 1 (amended Pod 9), Lot 37 Amendment to Residential Subdivision located in Hideout, Utah. 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.

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

Mr. Eddington presented the Staff Report for the Dark Skies Lighting Ordinance and explained no changes were made to the Ordinance that was included in the Staff Report since it was last discussed. However, after public input was received regarding string lighting and other items, the final Ordinance had been updated to address the various concerns. He noted the string lighting (otherwise known as bistro or café lights) had been incorporated into Section 10.16.06 Applicability and Exemptions. He noted there were discussions over the previous month regarding lighting of house numbers, which may have a back light or halo-type of glow. He stated the backlit lighting was in compliance with the Dark Skies Ordinance because the light source itself was behind the face of the number.

Mr. Eddington presented maps which showed various light meter readings within the Town and explained the lower the number, the brighter the light. He stated Dark Skies International recommended readings between sixteen (16) and twenty-one (21) and noted most of the lighting within the Town fell between those numbers. He further noted, as requested by Council, the draft Ordinance was posted on the Town's website and additional contact was made with the Homeowner's Associations (HOA's) to gather any additional input or questions, to which there were none.

Council Member Baier asked about the readings which showed a lower number. Public Works Director Daniel Allen stated the readings were taken from the end of the property owner's driveway and because the light did not spill from the property, it was considered compliant with the Ordinance. Council Member Baier inquired if the specific meter reading numbers were included in the Ordinance, to which Mr. Eddington explained a notation was made in the Ordinance which recommended following Dark Skies International meter reading numbers. Discussion ensued. It was determined a range of acceptable meter readings would be specified in the Ordinance and added.

Mayor Rubin asked Mr. Allen at what height the meter was held when the readings were taken. Mr. Allen stated he held the meter approximately four (4) feet off the ground when he took the majority of the meter readings; however, some were taken at approximately seven (7) feet from the ground. Discussion regarding the height of where the meter should be held ensued. It was agreed the readings should be taken using a consistent height. It was determined a height of six (6) feet from the ground should be specified and added to the Ordinance.

Council Member Haselton mentioned she was concerned about the lighting in the Deer Waters Subdivision and noted there were no readings taken or shown on the maps, although the existing lighting seemed bright. She recommended readings be taken in the Deer Waters area. She stated for the record she was in favor of the Dark Skies Ordinance. Mayor Rubin explained the reason for the brighter light in the Deer Waters Subdivision was possibly due to the bulb hanging below the light shade. The remedy was to use shorter bulbs.

Council Member Baier addressed comments which were received opposing the Ordinance. She recognized residents' concerns and explained the neighboring State Park was a Dark Skies Park, and felt this was not an overly burdensome request to ask residents and the HOA's to modify lighting to ensure the light pollution was minimal as development increased. She expressed her thoughts that if Hideout were to pass the Ordinance, it might encourage surrounding communities to adopt their own dark sky requirements. Mayor Rubin concurred.

Council Member Severini stated he was in favor of the Ordinance. He referenced a letter sent by resident Brian Amerige which gave insight into broader considerations, such as what the cost impact to the Town would be if the Ordinance was adopted. Council Member Severini felt it may lead to additional Ordinances being adopted which would take extra effort and time from Staff. Although he was in favor of the Ordinance, he expressed that he would have recommended a survey be taken and a cost analysis be conducted. He suggested in the future, the Poly Platform Application (App) could be utilized to conduct a survey. Discussion regarding the use of the App ensued.

There being no further discussion from Council, Mayor Rubin asked for a motion to approve and enact the Dark Skies Ordinance with the amendments mentioned.

Motion: Council Member Haselton moved to adopt Ordinance 2022-O-06 enacting Title 10, Chapter 16 “Dark Skies Lighting” with the amended language to add the specific Magnitudes per Square Arc Second (mpsas) – the international standard for light measurement – at 16 – 21 as an acceptable reading range for Hideout. Light measurements shall be measured by Town Staff at the front property line at a six-foot height, and readings must be greater than 16 mpsas. 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.

Mayor Rubin stated he would work with Staff to ensure communication was sent to residents, homeowners, developers, HOA’s and others who might have lighting deficiencies under the new Ordinance that would need to be addressed within the following five (5) years.

3. Discussion regarding Section 403.6 of the Wildland Urban Interface Code regarding Address Markers

Mayor Rubin explained as a result of the recent adoption of the Wildland Urban Interface (WUI) Code, the house number was required to be visible from the end of the resident’s driveways. He noted there were residences within the Town in which the house numbers were not visible and asked Council to consider how much time should be allowed for residents to modify the address markers, and at what point the Code should be enforced. Council Member Baier was concerned the Design Review Committee (DRC) may have conflicts as to what type of lighting or numbering would be permitted, especially for those residents who have a long driveway. However, she felt the Council should accelerate the enforcement as soon as possible to ensure safety and emergency personnel could access the correct residence in the event of an emergency.

Council Member Haselton suggested adding a painted house number in the gutter of the driveway. Council Member Baier stated the same suggestion had been previously discussed, and it was decided since there was typically snow on the ground for several months, it may not be a viable solution. Mayor Rubin suggested encouraging residents to implement their own solutions which would resolve the issue.

Council Member Severini asked for the approximate number of residents which would be affected. Mayor Rubin thought it was approximately five percent (5%). Council Member Severini asked how this could be communicated to residents. Mayor Rubin suggested Staff could identify the homes in which the addresses were not visible from the street and hang a pre-made tag on the door. If the homeowner was not a full-time resident, an email could be sent. He also suggested

adding an article in the Town Newsletter and following up with a mailing to specific homeowners which Staff had identified as potential violations.

Mayor Rubin stated the goal of the discussion was to give the homeowners enough time to find a solution to modify the address markers in order to assist emergency services in responding in a quick and efficient manner.

Council Member Baier stated because it was a health and safety issue, she proposed advertising it as soon as possible but allow through 2023 to come into compliance. Council Member Jacobs suggested enforcement should start prior to fire season, and recommended July 1, 2023. Council agreed.

Council Member Severini reiterated the importance of communicating the expectations to residents.

4. Consideration of adopting Ordinance 2022-O-XX amending Title 8, Chapter 4 "Obstructions of Public Streets and Property"

Mayor Rubin explained several residents had placed gutter ramps in front of their driveways in an effort to smooth out the dip in the gutter from the driveway to the road. The ramps presented a blockage for the snowplows. Mr. Dixon drafted an Ordinance which would prohibit ramps and other materials in the gutters.

Mr. Dixon discussed how problematic the ramps were when snow was present and how it could potentially damage the blade of the snowplow and/or the ramp. He stated they were problematic during rainstorms as well because the water was diverted into the street and bypassing some of the storm drains, which were designed to catch the water runoff and disperse it to the intended catch basin.

Council Member Baier discussed the various types of vehicles which may need ramps in order to exit the driveway without scraping the curb. She understood the ramps would most likely be used during the summer months but should be removed during the winter months in order to prevent damage to the snowplows and ramps. She suggested Mr. Dixon compile and present data or information supporting the facts stating it was detrimental to the storm drain system. Council Member Severini agreed, stating for the low-profile vehicles, the ramps were needed due to the steep driveways. He suggested exploring other possibilities and conducting a thorough analysis before adopting an Ordinance which prohibited gutter ramps. Mayor Rubin stated he would support moving it to a seasonal Resolution but encouraged Council to consider adopting the Ordinance or Resolution prior to the first snow fall.

Council Member Severini suggested imposing a fine and damage cost to homeowners who had the ramps installed when snow was present. Mayor Rubin stated the Legal Staff would have to advise on if such an Ordinance could be enforced.

Discussion regarding the various types of gutter obstructions ensued. It was determined the gutter ramps would be a separate discussion and Ordinance than other potential gutter obstructions, and the ramps would be discussed at the next Council Meeting in November.

5. Consideration and possible adoption of Ordinance 2022-O-XX regarding the burial of utility lines

Mayor Rubin stated the Ordinance was not ready to be discussed during this meeting, and therefore, the item would be deferred.

6. Update regarding the Poly Platform App for Hideout

Mayor Rubin stated additional beta testing was completed on the Poly Platform Application and asked Council if they had received the notifications and felt comfortable with marketing the App to residents. Council Member Baier stated focused testing was performed with Town Recorder Alicia Fairbourne, and she felt comfortable with allowing the App to be published for residents to use. Ms. Fairbourne noted additional adjustments could be made as determined by Staff and Council although the App was in live production. She was working with the App developers to make some minor adjustments regarding notifications. Mayor Rubin added the adjustments were suggestions which would benefit all entities who used the administrative functions of the App and were not specific to Hideout's interface.

Council Member Baier asked if a Communication Policy would be implemented regarding when and what postings would be made and by whom. She wondered if an approval process would be applied prior to publishing postings. Town Attorney Polly McLean stated a Communication Policy was standard practice and she would work with Assistant Town Attorney Cameron Platt to create such a Policy for Hideout. She noted Mayor Rubin had the choice to either approve the Policy or get input from Council. Council Member Baier asked to see the Policy prior to publishing the App.

Council Member Severini asked what the cost of the App was, to which Mayor Rubin replied it was approximately three-thousand dollars (\$3,000) with a portion being appropriated to start-up costs. To Mayor Rubin's recollection, the annual fee was approximately fifteen hundred (\$1500) to two thousand dollars (\$2000).

VII. Committee Updates

1. Parks, Open Space and Trails (POST) Committee - Chris

Council Member Baier stated the POST Committee met on September 27 with the Jordanelle State Park Manager Jason Whittaker and discussed some initiatives the Park was working on, which included:

- Updating Crandall Point (located on the Skyridge side of Jordanelle)
- Determining whether to use grant money granted in 2018 to construct a day-use area in the Ross Creek portion or another portion of the Park
- Potentially grooming the perimeter trail for cross-country skiing during the winter months
- Forming a nonprofit organization which could assist with projects and obtaining additional funding
- A discussion of potentially connecting the Deer Springs, Shoreline, and Lakeview Subdivisions to the State Park
- A discussion regarding an annual pass specifically to the Jordanelle State Park

- Discussion of the permanent placement of the historical signs depicting Keetley Farms
- Organizing volunteer days in the Park for clean-up and maintenance

A discussion regarding hunting being permitted in the State Park was also had with Mr. Whittaker. Council Member Baier asked Planning Commissioner Jonathan Gunn to comment on what was discussed.

Planning Commissioner Gunn noted the Division of Natural Resources (DNR) website stated, *“All hunting within State Parks must comply with Utah law, Federal law, Division of Wildlife Resources (DWR) rules and all county and city ordinances.”* He inquired if, since Hideout was considered a city, the State Park should comply with Hideout Ordinances which prohibit hunting within city limits. Council Member Baier added the Committee was not trying to eliminate hunting within the State Park, but rather, to prohibit it specifically in the Ross Creek area and within close range to the homes there. Ms. McLean believed there was a Statute stating if public land fell within the City’s boundaries, hunting would be permitted on the public land. She stated it would be difficult to pursue due to supremacy clauses which superseded Hideout Municipal Code. She stated the Legal Team would investigate if there were other avenues the Town could pursue and follow up with the POST Committee. She added the laws governing the distance a firearm could be discharged from a home would still apply.

Council Member Severini suggested posting information on the Town’s website once a determination had been made. Council Member Baier suggested adding links on the Town’s website to the DWR website as well. She thought it would be helpful to add an article regarding safety considerations while recreating in the State Park.

2. Planning Commission - Ryan Sapp

Planning Commissioner Ryan Sapp discussed four items which Planning Commission would discuss during the October Regular Planning Commission Meeting.

1. Approval and recommendation to Town Council of the final plat application for Lakeview Phases 2 and 3
2. Approval and recommendation to Town Council of the final plat application for Deer Springs Phase 3
3. A concept plan for the Venturi Property which consisted of two point five (2.5) acres split into four (4) lots ranging from point five (.5) acres to approximately point eight (.8) acres
4. A concept plan for the Deer Springs Cottages, which was originally presented to Planning Commission several months ago with approximately one-hundred thirty (130) apartment units. Planning Commission gave some push back on the idea, and therefore, the developer would present a concept of smaller, casita-type homes with potential for a small commercial development.

Council Member Baier thanked Planning Commissioner Sapp for presenting the upcoming items and stated she appreciated the update.

3. Community Engagement Committee - Sheri

Council Member Jacobs discussed the event held in September, which was the Town barbeque, and noted it was catered by Meier’s BBQ and Catering in Salt Lake City. Approximately one

hundred forty (140) residents attended, and a local musician, Victoria Sorensen, provided the entertainment.

The Committee would meet at the end of the month to discuss winter events. She stated the Committee wanted to host more concerts and noted it was a lot of work so they were looking for volunteers to help.

Council Member Baier thanked the Committee for their work on the summer events.

4. Economic Development Committee (EDC) - Ralph

Council Member Severini stated one of the Committee Members was out of the country and therefore, the meetings had been postponed until all Committee Members could attend. He noted progression was being made behind the scenes and was not ready to be discussed publicly at this time.

5. Transportation Committee - Carol

Council Member Haselton was excited to announce Park City Transit would run buses during the ski season to the Richardson Flat parking area. She stated residents who worked in Park City during the ski season could take a bus into Park City. The bus had four (4) stops: one at each of the two resorts, one at the hospital, and one at the high school. The schedule had not been finalized. She noted it would be a trial period, and Park City agreed to pay for the public transportation although they would like to receive a monetary donation from Hideout.

Council Member Haselton would provide Staff with the schedule to include in the Town Newsletter once it was finalized.

6. Hideout Design Review Committee (DRC) - Thomas

Mr. Eddington stated there were no new applications submitted. The Committee was working through revisions for project submittals primarily in Deer Springs.

He provided an update regarding the KLAIM Phases 3 and 4 Subdivision variance application. He reminded Council a discussion regarding height and colors was had, which Council agreed to drop the height variance requirement. A public hearing was held with the Administrative Law Judge (ALJ) who awarded the variance from the monotony clause for the exterior colors of units in Phases 3 and 4 to be consistent with Phases 1 and 2.

7. Infrastructure Committee - Timm

Mr. Dixon was reviewing the Storm Drain Master Plan as well as the overall water usage from residents.

Council Member Baier asked if the Storm Drain Master Plan would be presented to Council during the November Meeting. Mayor Rubin stated the Committee was reviewing the details of the Plan and that it would take some time. A summary of the key points would be presented to Council within the upcoming months.

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

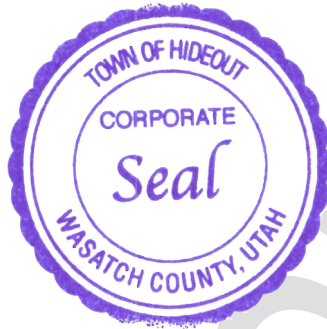
There was no need for an Executive Session.

IX. 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 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.

The meeting adjourned at 8:29 p.m.



Alicia Fairbourne
Alicia Fairbourne, Recorder for Hideout

APPROVED