

**Minutes**  
Town of Hideout  
Town Council Regular Meeting  
March 11, 2021

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on March 11, 2021 at 6:00 pm electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Regular Meeting

**I. Call to Order and Reading of Mayor Rubin's No Anchor Site Determination Letter**

**1. Mayor Rubin's No Anchor Site Determination Letter**

Mayor Rubin called the meeting to order at 6:02 pm and read the no anchor site letter in its entirety.

**II. Roll Call**

**Present:** Mayor Phil Rubin  
Council Member Chris Baier  
Council Member Jerry Dwinell  
Council Member Carol Haselton  
Council Member Bob Nadelberg  
Council Member Ralph Severini

**Staff Present:** Town Administrator Jan McCosh  
Town Attorney Polly McLean  
Town Planner Thomas Eddington  
Town Engineers Ryan Taylor and Dillon Bliler  
Public Works Director Kent Cuillard  
Town Clerk Alicia Fairbourne

**Others Present:** Hideout Town Planning Commissioner Bruce Woelfle, David Sherwood, Jared Fields and others who may not have used their full or proper name when logging in electronically via Zoom.

**III. Approval of Council Minutes**

- 1. October 13, 2020 Town Council Meeting Minutes DRAFT**
- 2. January 28, 2021 Town Council Meeting Minutes DRAFT**

There were no corrections made to the meeting minutes.

*Motion: Council Member Dwinell made a motion to approve the October 13, 2020 and January 28, 2021 Town Council meeting minutes. Council Member Haselton made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg, and Severini. None opposed. Motion Passed.*

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

At 6:06 pm, Mayor Rubin opened the floor for public input.

David Sherwood, resident of Deer Waters, made a comment regarding the dump truck traffic on Long View and Shoreline Drive between Ross Creek and through Deer Waters. He pointed out few drivers of the dump trucks were following the posted 20 mile per hour speed limit. He stated he asked the Wasatch County Sheriff's Office for additional enforcement; however, he had not seen additional enforcement. His daughter had been run off the road by these dump trucks and noted this was a not only a safety concern, but the road was also in need of repair due to the weight of the trucks causing large potholes in the road. Mayor Rubin addressed Mr. Sherwood's concerns and stated the construction developers had been notified to use the service road for the trucks. He also noted the weight of the trucks were causing the potholes, and therefore, state police had been contacted to bring scales in to weigh the trucks. Electronic speed signs had also been purchased in order to capture speeding offenders.

There being no further public comment, Mayor Rubin closed the public input portion at 6:18 pm.

#### **V. Agenda Items**

##### **1. Discussion and consideration of approval of Ordinance 2021-XX regarding dark skies**

Mayor Rubin presented the Dark Skies Ordinance and thanked the Planning Commission for their efforts and bringing a recommendation to the Town Council. He explained most of the language was incorporated from the Dark Skies Organization which promoted dark sky practices across the Nation. Each section of the Ordinance was reviewed, and Council was given the opportunity to submit any questions or comments. Council Member Jerry Dwinell inquired if any lighting in the Town was non-compliant and how that would be addressed. Town Planner Thomas Eddington noted a three-year sunset clause on existing non-compliant lighting. Hideout Town Planning Commissioner Bruce Woelfle stated once the Ordinance passed, the Town would apply for a Dark Skies Certificate from the Organization. Town Administrator Jan McCosh noted the MIDA (Military Installation Development Authority) development should be included in the coordination due to the significant amount of light pollution anticipated from the MIDA ski resort. It was agreed all surrounding areas should be encouraged to adopt a Dark Skies Ordinance and be included in the coordination.

Enforcement of the lighting was discussed. Council Member Chris Baier noted special light-reading equipment would need to be purchased for a Code Enforcement Officer to use.

- Section 10.16.02: Council Member Baier noted the Town's General Plan was focused on the natural beauty of the land and suggested adding the purpose of the Dark Skies be included, which would be to protect the ecology of flora and fauna by minimizing disruption to wildlife habitat through overly lit areas.
- Section 10.16.02(4): Council Member Dwinell suggested adding language to explain the reason for the bi-yearly educational events needed to be held for the Dark Skies Certification.

- Section 10.16.04: Council Member Baier noted there was no definition of “unshielded” and asked for the definition be added.
- 10.16.06: Light trespass from interior lighting which negatively impacted adjacent properties was discussed. Town Attorney Polly McLean explained interior lighting was not typically regulated; however, if the interior lighting trespassed onto adjacent properties or became a nuisance, a citation may be issued.

Council agreed notice of the Ordinance should be presented to the community prior to passing the Ordinance to allow for questions and input. It was suggested a representative of the Dark Skies Organization be contacted and invited to a future council meeting in order to answer questions regarding the specifics of the Ordinance.

Council Member Baier recommended adding a section for standards of internally illuminated signs as well as addressing commercial lighting in anticipation of retail vendors within the Town. Council Member Baier, Mr. Eddington, and Commissioner Woelfle agreed to work together to add the suggested language and present a final draft to the Council at a future meeting. Mayor Rubin agreed to publicize the Ordinance to residents and seek public input.

**2. Consideration of adopting Resolution 2021-XX amending the fee schedule to increase the charge for the installation of a single water meter to cover the cost of insulation and add a one-time retrofit charge to insulate the meters installed without insulation**

Mayor Rubin presented a draft of the Resolution to amend the Fee and Rate Schedule. He explained several water meters had frozen and broke over the winter months due to the lack of insulation surrounding the meter. He explained single water meters which were not being used across multiple properties were more susceptible to freezing than the shared meters. He proposed an amendment to the Fee and Rate Schedule to add a \$35 (thirty-five dollar) charge for all new meters which were subject to freezing in order to add insulation, and add a one-time retrofit charge to the water bills for the units which were already installed.

Ms. McLean added the Resolution also included language which adopted the previously approved Impact Fees. Mayor Rubin asked for a motion to adopt the revised fee schedule.

*Motion: Council Member Nadelberg moved to adopt the revised Town of Hideout Fee and Rate Schedule. Council Member Haselton made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg, and Severini. None opposed. Motion carried.*

**3. Discussion and update regarding Deer Springs**

Mayor Rubin provided an update on the Deer Springs phasing. It was decided by the developer to build the road through the Jordanelle Parkway versus building two dead-end roads and filling in the middle. The park, which was scheduled to be built during Phase 2, would need to be completed in the timeframe as previously approved. The MDA (Master Development Agreement) would be modified and brought forth to Council in a future meeting.

**4. Discussion and update regarding Deer Waters**

Mayor Rubin provided an update regarding Deer Waters and explained there were some adjustments to the through road which would be brought to Council. They were also renaming

some of the Phases from Phase 2 and 2A, to Phase 3 and 4. Mayor Rubin also brought to Council's attention the original approval was approved over three years prior and would need to be reapproved through Council per Town Code. Council Member Dwinell recalled the Planning Commission had changed some units and building styles in the subdivision to provide a mix of some larger and some smaller properties. Mr. Eddington noted a density reduction was required as well.

Council Member Dwinell inquired if Shoreline Phase 3 was subject to a reapproval as well. It was noted Shoreline did not receive a final approval, whereas Deer Waters received an approval of the final subdivision. Ms. McLean noted each subdivision was subject to their own MDA, and therefore, each should be reviewed individually.

**VI. 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 close the public portion of the meeting in order to hold a closed Executive Session.

*Motion: Council Member Dwinell moved to close the public meeting and proceed in a Closed Executive Session to discuss pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed. Council Member Nadelberg made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg, and Severini. None opposed.*

At 7:48 pm, the public session was adjourned.

After a short recess, the closed Executive Session convened at 7:59 pm.

**Present:** Mayor Phil Rubin  
Council Member Chris Baier  
Council Member Jerry Dwinell  
Council Member Carol Haselton  
Council Member Bob Nadelberg  
Council Member Ralph Severini

**Staff Present:** Town Attorney Polly McLean  
Summit County Litigation Attorney Rob Mansfield

**VII. Meeting Adjournment**

At 8:22 pm, Mayor Rubin asked for a motion to move into public session and adjourn the meeting.

*Motion: Council Member Severini moved to adjourn the meeting. Council Member Haselton made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg, and Severini. None opposed.*

The meeting adjourned at 8:22 pm.



*Alicia Fairbourne*  
Alicia Fairbourne, Town Clerk