

**Minutes
Town of Hideout
Town Council Regular Meeting
October 08, 2020**

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on October 8, 2020 at 6:00 PM via electronic virtual meeting due to the ongoing COVID-19 pandemic.

Regular Meeting

I. Call to Order and Reading of the No Anchor Site Determination Letter

1. No Anchor Site Determination Letter

Mayor Phil Rubin called the meeting to order at 6:04 pm and read the No Anchor Site Determination 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 (excused at approximately 7:30 p.m.)
Council Member Ralph Severini (appointed and sworn in during meeting)

Staff Present: Town Attorney Polly McLean
Town Administrator Jan McCosh
Town Clerk Alicia Fairbourne
Town Planner Thomas Eddington
Town Treasurer Wes Bingham

III. Approval of Council Minutes

1. August 12, 2020 Town Council Minutes DRAFT

There were no changes to the draft minutes.

Motion: Council Member Dwinell moved to approve the August 12, 2020 minutes. Council Member Baier made the second. Voting Yea: Council Members Baier, Dwinell, Haselton and Nadelberg. None opposed. Motion passed.

IV. Public Input - Floor open for any attendee to speak on items not listed on the agenda and not related to the annexation which will have a Public Hearing on Monday October 12, 2020. Written comment on the annexation is also welcome and can be emailed to hideout@hideoututah.gov.

Mayor Rubin explained to those in attendance the reason the annexation would not be discussed in the meeting. There were no comments made by the public.

V. Agenda Items

1. Discussion and Possible Action Regarding Filling the Council Vacancy

Mayor Rubin introduced the sole applicant for the vacant Town Council seat, Ralph Severini. Mr. Severini provided background information as to why he should be considered as a Council Member. Council Member Jerry Dwinell provided his endorsement for Mr. Severini. Council Member Chris Baier thanked Mr. Severini for being willing to serve his community. Council Member Carol Haselton added Mr. Severini would be a welcome addition to the Council. Town Attorney Polly McLean verified Utah State Code 20A-1-510. Discussion regarding the fulfillment of the term continued. It was determined Mr. Severini's term would end in January, 2022.

Motion: Council Member Nadelberg moved to appoint Ralph Severini to fulfill the Town Council vacancy left by former Council Member Kurt Shadle. Council Member Haselton made the second. Voting Yea: Council Members Baier, Dwinell, Haselton and Nadelberg. None opposed. Motion passed.

Town Clerk Alicia Fairbourne swore Mr. Severini in as a member of the Hideout Town Council.

2. Discussion and possible consent of the Council to changes in leadership and appoint new members to the Planning Commission

Mayor Rubin asked for Council's support to appoint Anthony Matyszczyk as Chair Person of the Planning Commission. Mayor Rubin also asked for Council's support in appointing Donna Turner, who was an alternate Planning Commission Member to fulfill the vacancy left by Sara Goldkind's seat, as well as appoint Ryan Sapp as a new Planning Commission member. Mr. Sapp introduced himself to Council and provided his background. Mayor Rubin provided background information regarding work he had done with Mr. Sapp in the Soaring Hawk subdivision. It was discussed and determined there were still three vacancies on the Planning Commission Board, and commission members were able to be appointed although they did not reside in Hideout. Mayor Rubin discussed there were two persons interested in becoming commission members who he would contact to potentially fulfill the vacancies. The Council agreed on the changes and appointment of the Planning Commission Members.

3. Consideration and Possible Action to ratify authorization to Mayor to rescind the July 14, 2020 Pre-Annexation, Development, and Reimbursement Agreement which was authorized by the Town Council on July 9, 2020

Mayor Rubin explained the Agreement which was passed on July 9, 2020 was passed with a Council of five members but rescinded with a Council of four members. Utah State Code specified it could not be approved in a special meeting with a Council with less members than what was originally passed.

Motion: Council Member Nadelberg made a motion to approve Mayor Rubin to sign the document rescinding the July 14, 2020 Pre-Annexation, Development, and Reimbursement Agreement. Council Member Haselton made the second. Voting yea: Council Members Baier, Dwinell, Haselton, Nadelberg and Severini. None opposed. Motion passed.

4. Discussion and Possible Approval of the Final Plat for the Lakeview Estates Subdivision

Town Planner Thomas Eddington recapped design requests regarding the Lakeview Estates Subdivision that Council had previously requested. Council asked for larger lots, more connectivity with the open space, and connectivity to the two neighborhoods on each side on the north and south. The applicant had taken those requests into consideration and presented them to the Planning Commission during the September 17, 2020 meeting. The Planning Commission recommended approval with conditions. Mayor Rubin presented the redesign of Lakeview Estates subdivision. The proposal showed alternating twenty- and twenty-five-foot setbacks from the back of the curb and gutter, which allowed for the reduction of retaining walls while maintaining the staggered component of the streetscape characteristic. Council Member Dwinell clarified although the statute called for setbacks to be twenty-five and thirty feet, it was approved to allow twenty- and twenty-five-foot setbacks in order to reduce the number of necessary retaining walls and sixty-nine homes.

Discussion regarding the details of the finalization of structures and parks and trails continued, including placement of a dog wash, parking lot area, pickleball or basketball court, and connectivity of the trail systems. It was mentioned the trail passes could not be on private property, so a small area may be deeded to the town in order to make public access available. Mr. Eddington was working with the developer and Gateway Engineering to ensure the developments would take place.

Mayor Rubin reiterated any approval would be subject to resolving the conditions listed from Engineering and the Planning Commission. Mr. Eddington reviewed the following conditions:

- Submittal of a Final Landscape Plan
- Submittal of a final design and engineering specifications (and materials) for the retaining walls
- Inclusion of a plat note indicating all open space and park amenities would commence construction at the start of Phase Two
- Submittal of a final design for the park area and dog wash station (and structures)
- Submittal of detailed trail dimensions, materials, associated landscaping, etc.
- A dedication of land to the Town where the trail in the Jordanelle State Park could connect to Lakeview in the future (public ownership of this land would likely be necessary for a possible connection) – this dedicated area should be approximately ten foot by ten foot
- Possible parking to be located on Parcels B and G; layout must be approved by the Town Planner and Engineer

Items presented by Ryan Taylor and Dillon Bliler with TO Engineers during the September 17, 2020 Planning Commission Meeting were reviewed in further detail. There was discussion regarding the drainage in Shoreline Phase Two due to a trail in the State Park that was ruined and had to be rebuilt by volunteers. Mayor Rubin stated the materials needed to rebuild the trail would be compensated for. He stated Engineering had formulated a plan to mitigate the drainage issue created by improper piping.

Mayor Rubin addressed item number four (wastewater collection needs). He explained a new sewer model was completed by TO Engineers and had been reviewed by Jordanelle Special Service District in order to upgrade the lift station in Shoreline instead of remove the lift station in Deer Waters. The model would be more cost effective and would be a more maintainable solution. Council Member Baier inquired if these improvements were considered project improvements. It was confirmed by Mr. Taylor (via text message to Mr. Eddington) they were considered project improvements.

Council Member Baier discussed the Park entrance and addressed the potential for a fee in order to use the Park. She explained any State Park has fees users are expected to pay in order to use the park. She addressed the fee would be determined at a later time.

Nate Brockbank commented lots 224 and 225 below Deer Waters needed to be restricted to single level homes in order not to block the views of the upper lots. Council agreed. Council Member Dwinell inquired if the roads were designed with the new standard of twenty-six feet wide. Mr. Brockbank and Mr. Eddington confirmed they were. Mr. Brockbank also stated extra parking would be constructed in lots B and G, although it was not shown on the design being presented. There were no further questions.

Motion: Council Member Dwinell moved to approve the Lakeview subdivision with the requirement that the conditions cited by both engineering and planning be resolved. Council Member Severini made the second. Voting yea: Council Members Baier, Dwinell, Haselton, Nadelberg and Severini. None opposed. Motion passed.

5. Approval to Engage JSSD for Sewer Cleaning in Hideout

Mayor Rubin reminded Council of discussions with Jordanelle Special Service District (JSSD) to provide sewer cleanout for Hideout. Because of the potential for annexation into Summit County, JSSD requested any long-term contracts with them be deferred until the annexation was decided on. Mayor Rubin provided information of the need for the sewer system to be scoped and flushed and asked Council to approve approximately \$20,000 from the General Fund to hire the service. He provided bids from two companies, one being JSSD. He expressed reasons why the Town should hire JSSD provide the service, even though the cost was slightly higher than the other bid. He reiterated the General Fund had money to cover the service and the cost was less than what was originally budgeted for. Council Member Baier asked for the cost per foot from the two companies. Mayor Rubin showed the bid at \$1.48 per foot versus \$1.57 per foot. Discussion continued regarding the long-term maintenance plan for flushing the sewer system.

Council Member Dwinell moved to authorize the mayor to allocate the funds for cleaning thirteen thousand, two hundred feet of sewer line. Council Member Baier made the second. Voting yea: Council Members Baier, Dwinell, Haselton and Severini. Abstained by Council Member Nadelberg. Motion passed.

6. Consideration of a Resolution for the Acquisition of Snow-Removal Equipment and Debt Allocation

Mayor Rubin provided information regarding the three-year and five-year terms of a purchase agreement to acquire a skid steer to be used primarily for snow removal. The Town had been leasing a skid steer in previous years and found it more cost effective to purchase. Council Member Dwinell inquired how much the Town was paying to lease the equipment. Mayor Rubin stated the Town had been paying approximately \$6,000 per month during the months the equipment was leased. The cost to purchase the equipment was \$9,000 per year. Mayor Rubin informed Council one of the Town trucks had been paid off so there were excess funds that could be allocated for the skid steer.

Council Member Dwinell asked what the expected life span of the skid steer was. Mayor Rubin stated a typical life span would be approximately ten years before high-maintenance costs started to cycle. Mayor Rubin informed Council the skid steer had attachments which could be purchased in order to perform other tasks needed throughout the year.

Council Member Dwinell asked if the Town had the budget for the three-year purchase. Town Administrator Jan McCosh confirmed funds were available. The terms of the interest rates and fees were discussed. Council Member Dwinell was interested in entering into the three-year lease.

Mayor Rubin read Resolution 2020-10 in its entirety. Council Member Dwinell asked if funds were budgeted to perform regular maintenance on the skid steer. Ms. McCosh confirmed the funds had been taken into consideration and were allocated.

Motion: Council Member Haselton moved to approve Resolution 2020-10 approving the form of a lease/purchase agreement with Zions Bancorporation, N.A., Salt Lake City, Utah and authorizing the execution and delivery thereof. Council Member Dwinell made the second. Voting yea: Council Members Baier, Dwinell, Haselton and Severini. Motion passed. (Clerk's note: Council Member Nadelberg was excused prior to the motion.)

7. Discussion Regarding the On-Street Parking Ordinance

Mayor Rubin stated this was only a discussion item during the meeting. If Council agreed to pass the ordinance, he would want to allow for a public hearing session and to provide notice to the residents prior to enforcement. Council Member Dwinell stated he was on the Planning Commission when this was passed for recommendation to the Council. He provided input on why on-street parking was a public safety hazard. Some subdivisions had been approved prior to a recently passed ordinance mandating a minimum of twenty-six-foot wide streets. The subdivisions would have a narrow street which would prevent fire truck and emergency personnel access. Mayor Rubin agreed. He stated the Council should start discussions to put a plan into effect for the future and for the safety of the Town.

Mayor Rubin presented a draft version of the On-Street Parking Ordinance and read through the changes recommended by the Planning Commission. Council Member Dwinell provided input on the changes. Discussion regarding where residents could park ensued. Mayor Rubin reiterated the community would need to be well-informed before the ordinance would take effect. Council Member Baier expressed her concern regarding the lack of parking within the Town. Mayor Rubin offered a suggestion to allow parking on one side of the street only. Council Member Dwinell stated the Planning Commission was not unanimous on the recommendations. Council Member Severini asked Council to present three or four creative solutions. Mayor Rubin offered to work with Mr. Taylor to provide some solutions for Council to discuss in a future meeting. He emphasized Council should also think about some potential solutions for discussion.

8. Discussion Regarding Possible Adoption of an Ordinance Requiring the Use of Recycling Bins

Mayor Rubin provided information regarding the recycling services in Hideout. Approximately fifty homes pay for the service. He stated the recycling was put in a bag and deposited on the street for pickup from Recyclops. The bags are susceptible to animals ripping through them and spreading the recyclables on the roads. Public Works was also concerned of the bags on the street being hit and recyclables spread when the snowplows would plow roadways. Mayor Rubin expressed concern the bags were not a sustainable solution for the Town. The recycling company, Recyclops, offered collection bins which could be leased for a refundable twenty dollar fee, or could be purchased for sixty five dollars. He asked for Council's input regarding an ordinance requiring the use of recycling bins.

Council Member Dwinell felt it was reasonable to require bins if the resident opted into the service. Council Member Baier asked if the Town's concerns were communicated to leadership at Recyclops to remind subscribers to rinse the recyclables prior to depositing the bag at the curb. Mayor Rubin stated it had been communicated. Council Member Baier stated she was a subscriber and had not received any communication from Recyclops regarding the issue. She would like for the Town to make an attempt to mitigate issues prior to requiring subscribers to lease or purchase a bin. Council Member Severini agreed. Discussion continued. It was decided to require the use of bins. Town Attorney Polly McLean stated no formal ordinance was needed for implementation. Recyclops would need to communicate to subscribers that bins were necessary in order to continue the service. It was discussed the bins should be implemented prior to December 1, 2020.

9. Approval of Bills to be Paid.

Mayor Rubin displayed documentation for the bills to be paid for September. Ms. McCosh explained there were no extraordinary bills for the month, however TO Engineers had not billed the Town as of the date of the meeting. Salt was being purchased from a new company, Salt Works, rather than Francis City. Council Member Dwinell inquired about former Town Attorney Dan Dansie's bill and if we would anticipate additional billing. Mayor Rubin and Ms. McCosh confirmed there would be additional billing from Mr. Dansie as he continued to finish work for Hideout.

Motion: Council Member Dwinell made the motion to approve the bills to be paid. Council Member Haselton made the second. Voting yea: Council Members Baier, Dwinell, Haselton and Severini. None opposed. Motion passed.

10. Update Regarding Budget

Town Treasurer Wes Bingham provided the financials to Council for July and August. Discussions with Ms. McCosh resulted in the decision to provide financials to Council the first week of each month. The financials provided to Council for July and August would be discussed at the next council meeting. Ms. McCosh stated a contract would need to be decided on with Wasatch County Police Department and Fire Department. She stated the budget was cut back significantly due to the uncertainty of how the COVID-19 pandemic would impact the Town's revenues. Mr. Bingham and Ms. McCosh reviewed the data from the previous quarter and determined there was enough money to afford the contract with the Wasatch County Sheriff's Office and Fire Department.

Council Member Dwinell inquired if the budget committee was still established. Ms. McCosh stated several members of the committee had resigned and therefore the committee was dissolved. Mayor Rubin stated the budget committee should be reestablished.

Mr. Bingham reviewed the financial statements regarding COVID funds. He stated the Town should set up a separate fund and budget and tracking system.

Mayor Rubin inquired about the impact fee funds. Mr. Bingham stated he had set up a line item for the collection of impact fees and stated the funds should be tracked separately due to them being restricted for use. Discussion regarding the use and tracking of the impact fee funds continued.

11. Discussion Regarding Fire Concerns

Mayor Rubin stated it had been very dry during the summer, but there were areas of Town which has growth above what the town code allows. He would like for Council to come up with how to manage the growth of weeds in the Town and to be proactive about it in the coming year.

12. Update Regarding Noxious Weeds

Ms. McCosh provided an update on the noxious weed reports from developments being unsatisfactory. She would like to create a district to set up a more functional operation in order to get the needed results. Several ideas were presented by Council in order to create fairness and equity in billing the homeowners or developers to mitigate the noxious weeds.

13. Update Regarding Todd Hollow Eviction Notices

Ms. McCosh stated she was successful in finding appropriate Coronavirus Aid, Relief, and Economic Security Act (CARES) information regarding tenants being evicted due to lost wages during the COVID pandemic. She stated there were no evictions scheduled for October. The manager, Candace, at the Todd Hollow Apartments would notify Ms. McCosh if there were any threatened evictions.

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 agenda items, Mayor Rubin closed the public meeting at 9:12 pm and asked for a motion to enter into closed executive session.

Motion: Council Member Dwinell moved to enter into closed executive session to discuss pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed. Council Member Haselton made the second. Voting yea: Council Members Baier, Dwinell, Haselton and Severini. None opposed. Motion passed.

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

Staff Present: Town Attorney Polly McLean

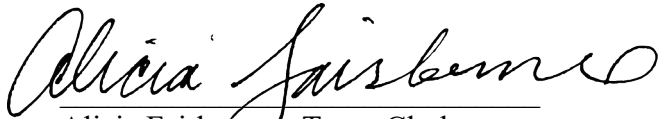
At 9:20 pm, the closed executive session convened.

At 9:52 pm, the executive session adjourned to open meeting.

VII. Meeting Adjournment

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

The meeting was adjourned at 9:52 pm.


Alicia Fairbourne, Town Clerk



APPROVED