

Minutes
Town of Hideout
Town Council Regular Meeting
February 11, 2021

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on February 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 6:01 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
Council Member Ralph Severini

Staff Present: Town Attorney Polly McLean
Town Administrator Jan McCosh
Town Engineers Ryan Taylor, Dillon Bliler
Public Works Director Kent Cuillard
Town Planner Thomas Eddington
Town Clerk Alicia Fairbourne
Deputy Town Clerk Kathleen Hopkins
Town Treasurer Wes Bingham

Others Present: Heather Kruse, Mary Freeman, Ashley Burr, and others who may not have used their full or proper name when logging in electronically via Zoom.

Due to time constraints, Mayor Rubin modified the order of the agenda from its original publishing, putting the agenda items before the Public Input and Approval of Meeting Minutes sections.

III. Agenda Items

1. MIDA Update

Mayor Rubin introduced Heather Kruse, Project Manager for MIDA (Military Installation Development Authority) MRF (Military Recreation Facility Project Area) for Wasatch County.

Ms. Kruse provided an update of projects underway, including:

- Completion of Jordanelle Parkway, which was opened to the public on December 15, 2020, and won an award of excellence from the Associated General Contractors of Utah for Highway/Transportation/Utility Infrastructure Division Projects for Rural Projects of \$15 plus million.
- UDOT (Utah Department of Transportation) Portal Project, which was on hold but scheduled to resume in March, 2021 with completion of the north and south portals within the year.
- Proposed realignment of the frontage road on the west, which would connect the north portal.
- Three additional property owners – Marina West, Sidewinder Enterprises 1, 2 and 3, and Extell joined the project area. It was noted these parcels were already within the existing project area boundary.
- Involvement in the initiative between the State Parks and Wasatch County to update the beach area by the Ross Creek Trailhead, and finishing the perimeter trail work in order to connect all of the trails within the region.
- Involvement in initiatives including working with the FSS (Force Support Squadron) Group from Hill Air Force Base, Veterans Administration, and the National Ability Center to create programming for military veterans and active military families.
- Involvement in creating transit solutions within the project area to create connections between Summit and Wasatch Counties, and a possible connection to the Salt Lake International Airport.
- Transit connections which would be easy to access and environmentally sustainable.

Council Member Chris Baier asked what source the funding came from for the beach area. Ms. Kruse explained a Senate appropriation grant would be applied for in order to obtain funding. Improvements to the beach area were discussed, including lengthening the existing boat ramp and clearing the rocky area in order to allow access for non-motorized watercraft. Discussion ensued regarding existing and future trails, improvements to the beach area, the possibility of requiring park rangers, additional infrastructure, and various zoning opportunities within the project area.

Mayor Rubin thanked Ms. Kruse and her colleague Ashley Burr, who was also in attendance, for providing the information and answering Council's questions.

2. Parking Permit Update

Mayor Rubin reviewed the parking project which was discussed in a previous Council Meeting. A potential on-street parking ordinance was discussed and was determined it would not be feasible for residents. Town Planner Thomas Eddington and Town Engineer Ryan Taylor reviewed the plan and presented an updated design of allowing specific side of the road address range parking, and issuing day-use permits for construction workers. The permits could be applied for and issued online, and valid for a specific period of time.

Council Member Jerry Dwinell voiced his concern with allowing parking opposite of driveways, as this would impede entering or exiting the driveway on the already narrow roads. He also brought up concerns with parking on construction sites, and stated vehicles should park past the edge of the asphalt to get them as far off the road as possible.

A question was raised regarding communicating and educating residents and construction workers on designated parking areas, to which Mayor Rubin brought up the idea of painting curbs and posting signs where parking was or was not permitted. It was noted the Sheriff's Office would not be necessary to issue citations, or revoke or deny a permit. However, for residents who might abuse the parking enforcements, the Sheriff would need to be involved if a vehicle was towed.

Council Member Ralph Severini inquired if the compliance standards could be split between residents and contractors in order to create more cohesive guidelines, to which Council agreed. Mayor Rubin stated it would be reviewed in further detail and brought forth at a future Council Meeting.

3. Shoreline Update

Due to time constraints, Mayor Rubin moved the Shoreline Update to the next topic of discussion.

Town Engineer Ryan Taylor provided an update regarding several issues of concern with the development of Shoreline Phase 1, including:

- Working with homeowners regarding several issues and concerns with building code compliance.
- Working with the developer regarding the retaining wall and concerns of homeowners on sewer backups, to which the developer ran a camera through all 50 (fifty) lateral sewer lines to identify obstructions or encounters.
- Fencing was erected at the top of the slopes in order to prevent a potential fall from residents. Council Member Carol Haselton suggested the installation of fencing on the middle level of the slopes, and Mayor Rubin suggested fencing be installed on the parcels which overlook Silver Sky.
- The bedrock cut slopes' stability was addressed, to which the developer submitted a report which referred to the falling bedrock. The report specifically stated seasonal raveling would occur, particularly during freeze-thaw periods and during heavy precipitation.

Regarding the cut slopes' stability, T-O Engineers' Geo Technical Engineer provided a report addressing the slopes and provided several possible solutions from a safety standpoint, which included:

- Allowing the cut slopes but pushed back between six and ten feet from the roadway with a ditch at the bottom to collect the falling rocks. These rocks would be cleaned out and hauled away every five to ten years depending on need.

- Other barriers could be constructed, such as a short retaining wall or K Rail, et cetera, which would catch the falling rock.
- Erosion control at the top of the slope versus sediment control at the bottom.
- Netting over the top of the rocks, which would take the momentum out of the rocks and prevent them from rolling onto the road or sidewalk.
- Covering the slopes with shotcrete versus leaving them exposed.
- Terracing the slope in order to provide separation from the street.

Mr. Taylor stated these solutions were presented to the developer to which he was awaiting a response.

Mayor Rubin inquired about the progress of the home inspections, to which Mr. Taylor replied resident Brian Cooper was coordinating schedules with other residents in order for building inspectors to re-inspect the homes for compliance concerns.

The cost, maintenance and prevention were further discussed. It was noted the Town's Zoning Ordinance was changed and slopes and walls of this height would no longer be allowed. Furthermore, plans submitted would be required to be more detailed than with the past submissions.

There being no further questions from Council, Mayor Rubin and Council thanked Mr. Taylor for his work and excused him from the meeting.

4. Review of Financials for Period Ended 12/31/2020

Mayor Rubin presented the Financial Report for the period ending on December 31, 2020 and invited Town Treasurer Wes Bingham to review the report.

Mr. Bingham noted the Town's sales tax and building permits were strong, considering it was only six months into the fiscal year. The Class C Road Fund allotment had a zero-dollar report due to Mr. Bingham segregating the fund and moving it to its own fund in order to start an account for cash and a balance sheet for Class C-specific projects.

Mr. Bingham continued to review line items of the budget. He noted highs and lows of projected expenditures and revenue.

Seeing that the expenditures for legal services was exceeding the projected budget, Council Member Dwinell inquired if some of those legal costs were able to be passed through to the developer for costs associated with the Silver Meadows Annexation. Mr. Bingham explained the portion for legal services pertaining to the annexation were segregated into a separate account. Mayor Rubin noted a lot of the legal fees were to address the Impact Fee Ordinance, which was adopted by the Town in September, 2020.

Mr. Bingham explained some of the funds received from the COVID grant were not recognized in the previous fiscal year. Therefore, a payment of those funds was accounted for during the 2020-2021 fiscal year, thus making the grant revenues slightly higher.

Mr. Bingham continued to review the budget and noted there were no accounts that had exceeded budget in the Enterprise Fund.

The Culinary Water Impact Fees and sewer and storm water funds were collected, to which Mayor Rubin noted these funds were not available to the Town and the document presented was for tracking purposes only.

There being no questions from Council, Mayor Rubin and Council thanked Mr. Bingham for a thorough report and excused him from the meeting.

5. Town Priorities Feedback

Mayor Rubin presented the list of priorities ranked by Council submission and explained how the ranking scores were calculated. The purpose for this meeting's review was to assign tasks to each of the committees and prioritize the tasks. Members of the Council volunteered to sit on various committees, including:

- Council Member Chris Baier on the Community Enhancement Committee and a secondary to the Public Safety Committee, specifically to replace the Town's emergency alert system
- Council Member Carol Haselton on the Community Engagement Committee
- Council Member Ralph Severini on the Budget Committee, and as a secondary to Planning
- Council Member Jerry Dwinell on the Community Enhancement Committee
- Council Member Bob Nadelberg as a possible secondary on the POST (Parks, Open Space and Trails) Committee
- Town Planner Thomas Eddington on the Community Enhancement Committee

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

There being no further agenda items, at 7:39 pm Mayor Rubin opened the floor to public input. There were no comments from the public.

V. Approval of Council Minutes

- 1. September 8, 2020 Town Council Meeting Minutes DRAFT**
- 2. September 10, 2020 Town Council Meeting Minutes DRAFT**
- 3. October 6, 2020 Town Council Meeting Minutes DRAFT**
- 4. January 14, 2021 Town Council Meeting Minutes DRAFT**

There was one correction made to the October 6, 2020 minutes.

1 *Motion: Council Member Dwinell made a motion to approve all sets of minutes with one*
2 *correction made to the October 6, 2020 minutes. Council Member Haselton made the second.*
3 *Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg and Severini. None*
4 *opposed. Motion passed.*

5 Council Member Severini inquired about several items mentioned in the minutes which included
6 the check promised from Mustang Development for remittance of the outstanding water fees, the
7 meeting with Mustang Development's legal counsel regarding further outstanding fees and had
8 wondered about any possible issues that had been resolved because of the meetings. Town
9 Attorney Polly McLean stated a meeting had been scheduled with Mustang Development,
10 however it was rescheduled by Mustang and then disregarded. Ms. McLean had been instructed
11 to pursue legal action to collect on the outstanding dues to the extent the Town was legally able
12 to. Ms. McLean noted Mustang was not contesting certain fees but had not remitted payment for
13 those fees which were due over a year ago.

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

16 There being no further public business, at 7:53 pm Mayor Rubin asked for a motion to close the
17 public portion of the meeting in order to hold an Executive Session.

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

23 After a short recess, the closed Executive Session convened at 8:04 pm.

24
25 **Present:** Mayor Phil Rubin
26 Council Member Chris Baier
27 Council Member Jerry Dwinell
28 Council Member Carol Haselton
29 Council Member Ralph Severini

30
31 **Excused:** Council Member Bob Nadelberg

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33 **Staff Present:** Town Attorney Polly McLean
34 Summit County Litigation Attorney Rob Mansfield (Excused at 8:20 pm)
35 Town Planner Thomas Eddington (Admitted at 8:20 pm)
36

37 **VII. Meeting Adjournment**

38 At 8:58 pm, Mayor Rubin asked for a motion to move into public session and adjourn the meeting.

39 *Motion: Council Member Dwinell moved to adjourn the meeting. Council Member Severini*
40 *made the second. Voting Aye: Council Members Baier, Dwinell, Haselton, and Severini.*
41 *None opposed.*

1 The meeting adjourned at 8:59 pm.

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Alicia Fairbourne
Alicia Fairbourne, Town Clerk

APPROVED