

**Town of Hideout
Town Council Regular Meeting
July 23, 2020
6:00 p.m.**

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on July 23, 2020 at 6:00 p.m. The meeting was held virtually due to the ongoing COVID-19 pandemic.

Regular Meeting

I. Call to Order and Pledge of Allegiance

Mayor Phil Rubin called the meeting to order at 6:12 pm. The Pledge of Allegiance was omitted due to the meeting being held electronically.

II. Roll Call

Present: Mayor Philip Rubin
Council Member Chris Baier
Council Member Jerry Dwinell
Council Carol Haselton
Council Member Bob Nadelberg
Council Member Kurt Shadle

Staff Present: Jan McCosh, Town Administrator
Dan Dansie, Town Attorney
Alicia Fairbourne, Town Clerk
Kent Culliard, Public Works

Others Present: Elizabeth Hamilton, Richard Goldberg, Mary Freeman, Thomas Eddington, Gwen Wetzel, Mary Rubin, Bruce Woelfle and others who may not have signed in virtually using their names.

III. Approval of Council Minutes

Members of the council determined the minutes had not been read through thoroughly. The minutes were continued to the next meeting.

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

Mayor Rubin opened the floor for public comment. He reminded the public there would be no discussion of the pending annexation during the meeting.

Gwen Wetzel asked for an update on the pond. Mayor Rubin provided an update and stated there had been significant evaporation of the water due to the dry weather. Council continued to investigate the matter. Council Member Shadle stated all Council Members were diligently working on resolving the matter.

There were no other public comments.

V. Agenda Items

1. Discussion and possible appointment of Alicia Fairbourne to the Town Clerk/Recorder position

Mayor Rubin introduced Alicia Fairbourne and asked for Council support to appoint her to Town Clerk.

Motion: Council Member Shadle moved to appoint Alicia Fairbourne as Town Clerk. Council Member Baier made the second. Voting aye: Council Members Baier, Dwinell, Haselton and Nadelberg. None opposed. Motion passed.

Council Member Dwinell inquired about needing a resolution for the newly hired Deputy Clerk. Town Attorney Dan Dansie stated since it was an administrative hire, a resolution was not required.

2. Continued public hearing - continued discussion and possible adoption of an Ordinance regarding an Impact Fee Facilities Plan

Mayor Rubin stated the topic was not ready for discussion. He asked to continue the item until the next meeting.

Motion: Council Member Dwinell moved to continue the item to the next meeting. Council Member Haselton made the second. Voting aye: Council Members Baier, Dwinell, Haselton and Nadelberg. None opposed. Motion passed.

3. Public hearing - discuss and possibly adopt an ordinance repealing and replacing Titles 3, 10, 11 and 12 of the Town Code

Council Member Dwinell provided a summary of the agenda item. He stated the Planning Commission had been working on the ordinances for over a year. Town Council had reviewed and provided feedback to the Planning Commission.

Council Member Dwinell presented Title 3 and provided a summary of what had changed. He stated it needed to be reviewed by the Town Clerk. The Mayor opened the floor for public comment on Title 3. There were no comments.

Council Member Dwinell presented Title 10 and provided a summary of what had changed. He discussed restricting work on Sundays. Council Member Shadle inquired if the Town could override the rules of the HOA (Home Owners Association) or if the change would only apply to parcels outside of the HOA. Council Member Dwinell stated it would apply to all homes built if it was more restrictive than the Master HOA. Council Member Baier stated she recalled Sunday construction was permitted by permission only. She stated she was not comfortable slowing down construction for new build houses. Council Member Dwinell stated the issue was brought forth to the Planning Commission and he would take it to Council. Council Member Shadle recalled a complaint from a resident regarding the construction disturbing her peace. Mayor Rubin stated the current ordinance stated construction may not start until 8:00 am and the proposed ordinance would amend it to 9:00 am. Council Member Nadelberg and Council Member Haselton agreed with the proposed change to 9:00 am. Council Member Baier had not received complaints from residents since the ordinance was changed to 8:00 am. Council Member Shadle reiterated he would like for Sundays to be prohibited.

Council Member Dwinell presented information on the changes regarding a monotony clause. The clause addressed homes built with the same façade and stated homes should have different elevations. Council agreed with the concept. Council suggested to change the language a front and rear elevation. Council Member Baier asked for clarification regarding building materials. Thomas Eddington addressed the type of exterior should be defined as stone, type of siding, trim board, wainscoting, et cetera.

Council Member Dwinell presented Ordinance 10.08.08.11 regarding garage doors. He stated the Planning Commission agreed to allow 33 percent glass coverage in garage doors was reasonable coverage.

Information regarding Ordinance 10.08.14.1 was presented. Council Member Dwinell stated Mr. Dansie added language to include Ordinance 10.08.14.3 regarding general road design standards. Road width should be 26 feet to be compliant with the Wasatch County Fire Department minimum standard. Council agreed.

Council Member Dwinell proceeded to the next Ordinance regarding on street parking. He presented the clarification of the code to state on street parking was allowed on roads where asphalt exceeded 32 feet. Council Member Shadle asked for more publication regarding this ordinance to HOA's and developers.

Mayor Rubin opened the floor to public comment regarding changes to Title 10. There was no public input.

Council Member Baier inquired about 10.04.26 (*Clerk's note: subsection 8*) regarding the removal of construction fencing upon completion. She reiterated the Title states the fence must be removed and the area landscaped within 30 days of completion. She inquired if the code contemplated construction completed during winter or harsh weather. Mr. Eddington stated the best practice would allow the developer to wait until the Spring, but the deposit would be held until landscaping was completed. Council Member Dwinell suggested there was discretionary language in subsection 9 that allowed the Town to enforce the ordinance when it was reasonable to do so. Discussion followed.

Council Member Dwinell presented amendments to Title 11. Most changes were minor word corrections. The biggest change was section 11.06.16 regarding Fire District Review. Mr. Dansie explained this section had been passed previously but had been excluded when the initial transfer of code was done. No objections from the council were made.

Council Member Dwinell presented section 11.06.26.5 regarding the Final Evacuation Plan that was not defined in prior plans.

Mayor Rubin opened the floor for public comment regarding the changes made to Title 11. No comments were made.

Council Member Dwinell presented the amendments made to Title 12 which included moving two sections to more suitable areas of the code. Sections 12.30.02 and 12.30.04 was amended to include reference to the current town code.

Council Member Baier asked to review each of the land uses by zone beginning with 12.08.04. She stated six zones permitted a church or worship center. She preferred those to be conditional and to take into consideration other aspects when those types of buildings were allowed. She reiterated her concerns were not to prevent those types of services. Council Member Dwinell agreed and stated there may be parking and traffic issues et cetera that validate the conditions. Council Member Baier stated it wasn't just for places of worship and could include amphitheaters and other structures of that nature. Mr. Eddington stated all buildings have to be reviewed.

Mayor Rubin opened the floor for public comment regarding the changes made to Title 12. No comments were made.

Council Member Dwinell presented the Ordinance to amend the Titles and paused for Council review. Mayor Rubin stated there needed to be consistency in the ending of the Ordinances to include a date of when it was signed. The Ordinance also needed to be amended to include the new Town Clerk. Discussion regarding the finalization of the Ordinance continued. It was determined the two sections to be moved in Title 12 and amended to be referenced in the Ordinance were as follows:

- Section 12.20 - General Plan Administration should be recodified within Title 1
- Section 12.22 - Sign Regulations should be recodified within Title 8

Motion: Council Member Dwinell moved to approve Ordinance 2020-06 amending Title 3; Title 10; Title 11; and Title 12 of the Hideout Town Code. Council Member Shadle made the second. Voting aye: Council Members Baier, Dwinell, Haselton, Nadelberg and Shadle. None opposed. Motion passed.

4. Public hearing - discuss and possibly adopt an ordinance restricting on-street parking

It was discussed to continue the item to a later date. Council Member Shadle voiced concern regarding providing enough notice to residents due to the nature of the ordinance. Council Member Dwinell suggested a copy of the ordinance language should be provided in the town newsletter. Mr. Dansie clarified it was published as a land use regulation which provided a more thorough information than a regular notice. Council Member Dwinell provided the stipulation this was not unanimous with the Planning Commission members. Mr. Dansie clarified the ordinance addressed where and when on street parking should occur. Discussion regarding noticing continued. Council Member Baier suggested to continue to the August 27 Regular Town Council Meeting.

Motion: Council Member Haselton moved to continue the discussion and possible adoption of an ordinance regarding on-street parking to August 27, 2020. Council Member Shadle made the second. Voting aye: Council Members Baier, Dwinell, Haselton, Nadelberg and Shadle. None opposed. Motion passed.

5. Discussion and possible extension of the terms for Planning Commissioners whose terms expire on July 31, 2020

Mayor Rubin stated three Commissioners on the Planning Commission whose terms expire on July 31, 2020 have expressed desire to remain on the board. He asked for Council's consent to extend each of the terms for four years. Council Member Shadle asked if the members were appointed with consent of the Council and if the Commissioners could be removed by the mayor if needed. Mr. Dansie addressed Council Member Shadle and stated they may be removed upon written notice.

Motion: Council Member Shadle moved to extend the terms of Planning Commissioners Jerry Dwinell, Bruce Woelfle and Donna Turner for an additional four years with terms to expire on July 31, 2024. Council Member Baier made the second. Voting aye: Council Members Baier, Haselton, Nadelberg and Shadle. Council Member Dwinell abstained. None opposed. Motion passed.

6. Discussion - annexation timeline

Mayor Rubin reiterated the timeline of the proposed annexation process of Richardson Flats area. August 12 would be a public hearing although no vote would be taken. August 18 would be another public hearing in which a vote would potentially be taken.

Mr. Dansie reviewed the number of places the public hearing was noticed. He stated the statutory requirement for noticing was met although more noticing was not prohibited. Council Member Shadle reiterated neighborhood meetings were held to receive public input. Mr. Dansie clarified those meetings were informal meetings and a quorum of the council was not present. Council Member Dwinell stated a community meeting for Shoreline was scheduled and would be noticed when the timing was appropriate.

7. Discussion and possible approval of Wasatch County police service for Hideout

Mayor Rubin asked Council Member Shadle to provide input regarding the approval of Wasatch County Sheriff's Office to service the town. Council Member Shadle stated a three-month study was preferred. Mayor Rubin stated he would approach Sheriff Rigby to inquire about a 90-day study and would present his findings on a later date.

8. Discussion and possible approval to move forward with a maintenance and operations agreement with JSSD for sewer and water services

A final version of the contract regarding an agreement with JSSD (Jordanelle Special Service District) was not completed prior to the meeting. However, a draft was sent to Council for review and input. Mayor Rubin asked to continue the item to the next meeting. Council agreed.

9. Discussion regarding nuisance weed control within the Town

Council Member Baier presented information regarding noxious and nuisance weeds within the town. The town was making efforts to eradicate the weeds. Building Department Administrative Assistant Carol Kusterle was working with developers, HOA's and homeowners to contain the weeds. Council Member Baier stated the town should be more efficient in mitigating the weeds and needed to define how the weeds should be handled. Mayor Rubin presented an idea to propose a weed bond to developers for the term of three years or more for a professional company to spray weeds. Town Administrator Jan McCosh stated other cities have established a weed control board. Doing this would result in a property tax increase of \$10-15 per household but would allow professional weed removers to do the work instead of Town Administration. Council Member Shadle agreed. Council Member Bair stated a Town Ordinance had been implemented regarding weed control. She provided examples of other Cities' ordinances regarding yellow clover and other noxious and nuisance weeds. Discussion followed regarding weed remediation. Mayor Rubin asked for a review within 90 days or less from the date of the meeting.

10. Discussion regarding Town Code 4.16 and the Town Fee Schedule concerning sexually-oriented businesses

Council Member Shadle asked to continue the discussion regarding the Town Fee Schedule concerning sexually-oriented businesses until the following meeting. Council agreed.

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

Mayor Rubin concluded the public meeting at 8:10 pm.

Motion: Council Member Nadelberg moved to adjourn the public meeting and convene into Executive Session. Council Member Shadle made the second. Voting aye: Council Members Baier, Dwinell, Haselton, Nadelberg and Shadle. None opposed.

Present: Mayor Phil Rubin
Council Member Chris Baier
Council Member Jerry Dwinell
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Kurt Shadle

Staff Present: Dan Dansie, Town Attorney

Motion: Council Member Dwinell moved to adjourn the Executive Meeting. Council Member Haselton made the second. Voting aye: Council Members Baier, Dwinell, Haselton, Nadelberg and Shadle. None opposed.

The Executive Session adjourned at 9:45 pm.

VII. Meeting Adjournment

The Town Council Meeting adjourned at approximately 9:45 pm.



Alicia Fairbourne
Alicia Fairbourne, Town Clerk

APPROVED