

Minutes
Town of Hideout
Town Council Regular Meeting and Public Hearings
June 13, 2024

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting and Public Hearings on June 13, 2024 at 6:00 pm electronically via Zoom and in the City Council Chambers located at 10860 N. Hideout Trail, Hideout, Utah.

Regular Meeting and Public Hearings

I. Call to Order and Pledge of Allegiance

Mayor Rubin called the meeting to order at 6:11 pm and explained the meeting was a hybrid meeting held both in person and electronically via Zoom.

II. Roll Call

Present: Mayor Phil Rubin

Attending Remotely: Council Member Chris Baier
Council Member Jonathan Gunn
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Ralph Severini

Staff Present: Recorder for Hideout Alicia Fairbourne

Staff Attending Remotely: Town Administrator Jan McCosh
Assistant Town Attorney Cameron Platt
Town Planner Thomas Eddington
Financial Consultant Katie Shepley
Administrative Assistant Carol Kusterle

Public Present: None.

Public Attending Remotely: Wasatch Fire District Assistant Chief Clint Neerings, Wasatch Fire District Battalion Chief/Fire Warden Troy Morgan, Damian Taitano, Scott DuBois, Chase Winder, Larry Eisenfeld, and others who may have logged in using a partial name or using only a phone number.

Mayor Rubin reordered the agenda to prioritize guest speakers, allowing them to present at the beginning of the meeting instead of following the originally posted schedule.

I. Agenda Items:

1. Presentation of wildfire outlook report

Wasatch Fire District Battalion Chief/Fire Warden Troy Morgan discussed the wildfire outlook report for 2024, highlighting the impact of recent good winters that have alleviated drought conditions but also increased vegetation growth, raising wildfire risks. He predicted potential for larger fires in late August or early September if monsoonal moisture was insufficient. Assistant Chief Clint Neerings then discussed the need for continued fireworks restrictions within Town limits due to wildfire concerns, particularly in high-risk areas near Jordanelle Reservoir. Council expressed support for maintaining current restrictions and discussed coordinating enforcement efforts with the Wasatch County Sheriff's Office and Hideout Public Works staff. Council Member Baier confirmed previous discussions with the Sheriff about increased patrols during holidays, and Mayor Rubin committed to ensuring law enforcement was present. The Council agreed to move forward with approving the necessary resolution for fireworks restrictions during the July holidays. Council Member Haselton emphasized the need for patrol specifically in the Ross Creek parking lot area to prevent the discharge of fireworks. Chief Neerings acknowledged the support from Council and noted the fireworks resolution was needed if there were costs associated from damage caused by illegal fireworks. Council expressed appreciation for the Fire District's efforts.

2. Discussion and possible adoption of Resolution 2024-R-08 regarding the restriction of fireworks for the 2024 season

Mayor Rubin presented the proposed Resolution 2024-R-08, which aimed to restrict the discharge of Class C fireworks in all areas of Hideout, citing historical hazard conditions over the past five years due to extreme flammability in mountainous, brush-covered, forest-covered, and dry grass-covered areas. Mayor Rubin requested a motion for its adoption.

Motion: Council Member Gunn moved to approve Resolution 2024-R-08 restricting the discharge of Class C fireworks during the 2024 holiday season. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

III. Approval of Council Minutes

1. April 11, 2024 Town Council Meeting Minutes DRAFT

Council Member Haselton noted two typo corrections needed on pages 2 and 10.

Motion: Council Member Severini moved to approve the April 11, 2024 Town Council Meeting Minutes with the two noted corrections. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, and Council Member Severini. Abstaining from Voting: Council Member Nadelberg. There were none opposed. The motion carried.

IV. Follow up of Items from Approved Minutes

Council Member Severini highlighted the need for regular reports from the Town's internet providers, and suggested biannual updates to monitor service reliability.

Mayor Rubin provided updates on speed control measures, including the installation of speed signs on Longview Drive and Shoreline Drive, a new street light at the entrance, and additional warning signs around the roundabout. He also mentioned that solar flashing lights had been added to several "go slow" signs.

Council Member Severini inquired about resident feedback on these measures, with Mayor Rubin noting the lack of new complaints as a positive sign. Council Member Gunn and Council Member Baier shared positive feedback from residents regarding the new speed signs.

Council Member Severini also asked about code enforcement progress, with Mayor Rubin reporting that efforts were ongoing, particularly in the problematic area of Soaring Hawk, and that increased fines were encouraging compliance.

Finally, Council Member Severini asked for an update on the Request for Proposal (RFP) regarding the public relations process, which Mayor Rubin said would be covered in the next year's budget discussion, noting that some funds had been allocated for this purpose in the preliminary budget for Fiscal Year (FY) 2024-2025.

Council Member Haselton raised a concern regarding Comcast's promise to provide a map of planned line and post installations, which was expected at the May meeting but had not been received. Mayor Rubin confirmed that Comcast had not responded or provided the requested information. He mentioned that Town Attorney Polly McLean had attempted to follow up with Comcast, but there had been no reply, suggesting that Comcast might have either abandoned the project or not yet addressed it.

Mayor Rubin also mentioned that Rocky Mountain Power would be conducting pole upgrades and burying some lines as part of their fire control plans. He noted that this work was permitted and would improve the visual impact in certain areas.

V. Public Hearing Items:

1. Discussion and possible approval of the amendments to the Town Budget for the Fiscal Year 2023-2024

Mayor Rubin initiated the discussion on the amendments to the Town Budget for the Fiscal Year 2023-2024, emphasizing the necessity of revising the budget to align it more accurately with the actual financial performance of the year. Financial Consultant Katie Shepley provided a detailed overview of the budget adjustments. She highlighted that the initial projected loss of \$389,000 was revised to a loss of \$118,000, with a favorable variance of \$270,000 expected. She noted that while total taxes were favorable, there was a significant shortfall in license and permits revenue due to fewer building permits and subdivision activities than anticipated. However, this was offset by reduced expenditures in professional services, mainly legal fees and engineering costs.

Ms. Shepley further explained the favorable variances in salaries due to delayed hiring and reallocation of public works personnel expenses. She addressed the Enterprise Fund, noting a \$79,000 favorable variance primarily due to higher standby water fees and lower sewer and water repair expenses.

Council Member Severini expressed concerns about the Transient Room Tax and suggested improving collection methods, possibly by studying how other municipalities manage it. Ms. Shepley acknowledged that there may be discrepancies in the collection of Transient Room Taxes

and mentioned efforts should be taken to enhance tracking and collection. Ms. McCosh offered to seek methods used by Park City and report back to Council.

Council Member Severini also inquired about the projected economic upturn and building permit revenues, which Ms. Shepley addressed by noting current building permit numbers and the potential impact of interest rates on future permits. Additionally, Council Member Severini asked about a significant increase in IT expenses. Ms. Shepley and Mayor Rubin explained that these expenses were related to a new software program for the Public Works staff and enhanced security measures to protect against cyber threats.

There being no further questions from Council, Mayor Rubin opened the floor for public input at 7:01 pm.

Damian Taitano inquired about the hiring of a new Town Engineer and the responsibilities of the position, expressing concern about communication and availability for discussions of building permits. Mayor Rubin confirmed that the job description was posted publicly and assured Mr. Taitano that the new Engineer would handle permitting for subdivisions and individual homes, thus improving communication. Mr. Taitano appreciated the clarification and the assurance that the role would be filled soon.

There being no further questions, Mayor Rubin closed the floor at 7:04 pm and asked for a motion to adopt the resolution.

Motion: Council Member Severini moved to adopt Resolution 2024-R-06 amending the Fiscal Year 2023-2024 Hideout Budget. Council Member Nadelberg made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

2. Discussion and possible approval of an amendment to lot R-3 of Hideout Canyon Phase 8 (parcel number 00-0020-8717) to relocate the twenty foot (20') wide limited common area for the driveway

Town Planner Thomas Eddington presented an overview of an amendment to lot R-3 of Hideout Canyon Phase 8, which involved relocating the 20-foot-wide limited common area for the driveway. He noted the project originally came before the Planning Commission in November 2021 but was reheard and approved more recently in May 2024. He explained that the intersection near Reflection Lane was built over a lot instead of within the public right-of-way, leading to the need for this amendment. The amendment's goal was to move the driveway to a more typical side location rather than the center of the lot.

Mr. Eddington highlighted several conditions for the amendment, which included review and approval by the Homeowners Association (HOA) Design Review Committee, ensuring the slope did not exceed 10% unless approved by the Town Engineer, and confirming no utilities were impacted. Additionally, conditions requested by the Community Preservation Association were incorporated into the resolution.

Council Member Severini clarified that HOA approval would still be required post-Council approval. Mayor Rubin confirmed that the HOA had been contacted and was aware of the proposal.

Chase Winder, the applicant, explained the amendment was intended to improve safety for his children by keeping the driveway further from the intersection of the adjacent lot. Being a current

Hideout Planning Commission member, he noted he had recused himself from the Planning Commission's decision on this matter but requested the Council's support for the amendment.

There were no questions or comments from Council. Mayor Rubin opened the floor for public input at 7:13 pm, but no comments were made. The public input was then closed at 7:14 pm, and a motion was requested to approve the resolution for the subdivision amendment as described.

Motion: Council Member Haselton moved to approve Resolution 2024-R-07, amending Lot R-3 in the Hideout Canyon Subdivision Phase 8 to relocate the twenty-foot-wide driveway. Council Member Gunn made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

Following the approval of the amendment to relocate the driveway in Hideout Canyon Phase 8, Council Member Baier sought clarification regarding the status of Reflection Lane, which had not been built according to the approved plat. Reflection Lane was built directly across from lot R-3 and now bisected lot 6, deviating from the platted right-of-way.

Mayor Rubin explained that the roadway was constructed using lot 6 as a tie point and mentioned that several changes, including the conversion of a hammerhead to a circle and vice versa, needed to be reflected in revised drawings. The development team was expected to submit the corrected plats. Mr. Eddington added that a recorded easement currently allowed access through lot 6, but final corrections were pending.

Council Member Baier expressed concern about the potential impact on homeowners due to the misalignment of Reflection Lane. Mayor Rubin assured that only properties adjacent to lot 6 were affected, and those not connecting to lot 6 could proceed with approval.

Scott DuBois, legal counsel representing Mustang Development, interjected, emphasizing the need to focus on the agenda item of the driveway relocation. He noted that Reflection Lane's construction details were not directly relevant to the current discussion. Mr. DuBois clarified that Mustang Development did not own lot 6 and highlighted the existence of a recorded easement.

Council Member Baier acknowledged Mr. DuBois' points but stressed the importance of addressing broader planning concerns presented in the staff report. Hideout Assistant Attorney Cameron Platt supported Council Member Baier's stance, asserting the Council's right to discuss any pertinent issues during the meeting. Mr. DuBois explained it was not his intent to guide the Council on what they could or could not discuss and concluded by expressing appreciation for the opportunity to comment.

3. Discussion and possible approval for amendments to Hideout Municipal Code Chapter 10.08, including, but not limited to, placement of hot tubs as in 10.08.08.15

Mr. Eddington outlined the proposed revisions to clarify the zoning ordinance adopted in February 2024. The amendments aimed to address the issue of hot tubs being located in front yards, particularly on decks, which the current language did not adequately cover.

Mr. Eddington proposed that hot tubs should be allowed on upper-story decks or balconies integral to the building's architecture, provided they meet structural standards. He also suggested a minimum five-foot setback from all side and rear yards for hot tubs, swim spas, and pools, allowing for more flexibility due to the small size of some rear yards in the community.

Mayor Rubin inquired if the ordinance should explicitly state that decks must be designed to support the load of hot tubs, to which Mr. Eddington replied that such requirements were already covered by International Building Code (IBC) standards. However, to ensure clarity, it was agreed that the ordinance would include explicit language about structural standards for decks supporting hot tubs.

Council Member Severini suggested modifying the setback language to reflect a percentage of the required setback, proposing that hot tubs should not exceed more than 50% of the side or rear yard setback. Mr. Eddington agreed to incorporate this suggestion, ensuring a minimum of five feet or 50% of the setback, whichever was greater.

Council Member Gunn emphasized the importance of allowing hot tubs on second-story balconies, noting several existing examples in the Deer Springs community and the potential for future installations. The Council agreed that reasonable regulation should not limit homeowners' enjoyment of their properties.

Discussion ensued, and the revised ordinance language was agreed upon, including the new setback guidelines and structural requirements for decks. Mayor Rubin confirmed that Mr. Eddington would finalize the notes and submit the revised language to the City Recorder.

Mayor Rubin then opened the floor for public comment at 7:34 pm.

Damian Taitano proposed that the Council consider requiring a permit for placing a spa on second-floor decks. He highlighted the significant weight of water in spas and the potential risk if decks were not properly engineered to support them. Mayor Rubin asked Mr. Platt for input on whether other jurisdictions have similar permit requirements. Mr. Platt acknowledged that while he had not encountered this specific issue before, Mr. Taitano's point was valid, and procedural verification would only occur after installation or failure.

Mr. Eddington agreed to research this further, noting that some neighboring communities might require such permits due to the structural implications. Mayor Rubin suggested that Mr. Eddington take this up with the Planning Commission and return with recommendations. Mayor Rubin concluded that this potential permit requirement should not delay adopting the current ordinance amendments, which could be modified later if necessary. The Council agreed to proceed with the adoption and revisit the permit issue based on Mr. Eddington's findings.

Larry Eisenfeld raised a concern about setbacks for properties where the lot line ended at the back of the home, particularly for duplexes or townhouses with common areas. Mayor Rubin and Mr. Eddington agreed that placing a hot tub in a common area would require HOA approval. Mr. Eisenfeld pointed out that in his case, the common area included the setback, which complicated adherence to the five-foot setback rule from his lot line. Mayor Rubin acknowledged the complexity and suggested not rushing to amend the language.

Mr. Eddington agreed that more time was needed to research and propose appropriate language. Mayor Rubin recommended deferring the discussion and approval of the amendments to a later date, specifically to the next month's meeting, to ensure the ordinance would adequately address the varying property types and their setbacks. The Council agreed to defer the decision and revisit it with a more thorough understanding of the specific lot lines and setbacks.

There being no further public comments, Mayor Rubin closed public input at 7:43 pm and asked for a motion to continue the item.

Motion: Council Member Nadelberg moved to continue the discussion and public hearing to a date certain of July 11, 2024 at 6:00 pm. Council Member Gunn made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

Council Member Haselton raised a question about existing hot tubs that were right up to the lot line. Mayor Rubin and Mr. Eddington confirmed that the current code would grandfather in existing hot tubs that met the previous regulations, even if they did not meet the new proposed setbacks. Mr. Eddington mentioned the possibility of adding a sunset clause if the Council wanted to limit how long existing non-compliant hot tubs could remain.

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

At 7:45 pm, Mayor Rubin opened the floor for any members of the public wishing to speak on items not listed on the agenda.

Council Member Chris Baier raised a concern about an increasing marmot problem, mentioning the personal expense of trapping them. Council Member Baier highlighted the difficulty in dealing with marmots burrowing in rock walls near homes and questioned the municipality's role in managing this nuisance. Mr. Platt responded that while the municipality typically handled issues related to deer, regulating marmots would be more complex and usually the responsibility fell between property owners. Mayor Rubin agreed to investigate if neighboring areas or the county had measures for such issues and acknowledged the broader challenges of living on the wildland-urban interface. Council Member Baier noted dealing with other pests but emphasized the pressing nature of the marmot issue. Mayor Rubin asked Mr. Platt to explore potential solutions, acknowledging the validity of the concern.

There being no further comments, Mayor Rubin closed public input at 7:53 pm. and continued back to the regularly scheduled agenda.

Agenda Items cont.

3. Announcement of the Hideout Summer Concert and Silent Auction to benefit Station 56

Mayor Rubin announced the Hideout Summer Concert and Silent Auction to benefit the temporary Hideout Fire Station 56. Town Administrator Jan McCosh detailed the event, set for June 21, with food trucks and a silent auction organized by the Community Engagement Committee. The concert was expected to accommodate around 300 people, though only 40 tickets had been sold so far. Mayor Rubin encouraged more ticket sales and emphasized the importance of community support.

Council Member Gunn mentioned that Engine 56 and its crew were planning to attend, offering tours of the fire engine. Administrative Assistant Carol Kusterle updated that a second email blast was sent to property owners and efforts were underway to inform surrounding HOAs. She asked Council Member Haselton for contacts in the Park City newcomers' group to help disseminate information. Council Member Haselton agreed to provide these contacts.

Council Member Baier inquired about details of the silent auction. Council Member Gunn explained that Community Engagement Committee members Valeree Quebedeaux and Sheri Jacobs were organizing it, with more information expected after a meeting on Monday. Council Member Baier highlighted the importance of promoting the auction to encourage participation

and fundraising. Mayor Rubin acknowledged the importance of having attractive auction items and ensuring community engagement.

4. Discussion and possible approval of Ordinance # 2024-O-06 regarding executive municipal officer salary increases

Mayor Rubin introduced the discussion and possible approval of Ordinance #2024-O-06 regarding executive municipal officer salary increases, which was discussed during a separate public hearing prior to this meeting. The ordinance proposed a four percent (4%) cost of living increase for the City Administrator and the Director of Public Works. Mayor Rubin reiterated that this topic had been previously discussed and that the proposed increase was already accounted for in the budget. Mayor Rubin then sought a motion to approve the ordinance.

Motion: Council Member Nadelberg moved to approve Ordinance 2024-O-06 setting the compensation of statutory officers. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

5. Discussion and consideration of adopting Ordinance 2024-O-XX amending sections of the Hideout code updating sections in Chapter 1.16 Purchasing

Mayor Rubin introduced the proposal of the changes to Hideout Municipal Code Chapter 1.16 Purchasing. He noted the ordinance had been tabled in previous meetings and asked Mr. Platt to provide an overview.

Mr. Platt explained that the proposed ordinance sought to update purchasing thresholds due to inflation and the lapse of time since the last update. The changes included increasing the amounts that required different levels of approval, estimates, or closed bids. Recommendations were included in the staff report, and the Council's input was sought to finalize the amounts.

Mayor Rubin highlighted specific proposed changes, such as raising the Town Clerk/Recorder's purchasing limit to \$5,000, increasing the Town Engineer's limit to \$25,000, the Mayor's to \$50,000, and requiring Town Council approval for anything above \$50,000. These adjustments aimed to streamline operations and reduce the need for frequent approvals for routine expenses.

Council Member Baier expressed concerns about the high limits, suggesting that \$50,000 seemed excessive for a small municipality. She advocated for possibly lowering the threshold to \$25,000, arguing that special meetings could be convened for urgent, high-cost purchases. Mayor Rubin clarified that emergency purchases for health and safety could be authorized by the Mayor, citing a past example involving snow removal equipment.

Further discussion ensued among Council Members, with Council Member Severini and others questioning the adequacy of current oversight mechanisms and the potential impact of the proposed changes. They emphasized the need for proper checks and balances to prevent budget overruns. Council Member Gunn proposed additional safeguards, such as requiring a not-to-exceed price for contracts above a certain amount and giving the Town Administrator contract oversight authority for substantial contracts.

Mr. Platt reassured Council that all purchases would still be within the approved budget, and detailed expenditures would continue to be reviewed monthly. He clarified that the ordinance

focused on equipment and software purchases rather than service contracts, which were negotiated separately and disclosed publicly.

Council Member Severini echoed the sentiments of previous speakers, agreeing with the points raised by Council Members Gunn and Baier regarding the financial details. Council Member Severini expressed a need for more comprehensive data on the impact of the proposed changes, particularly in terms of the number and nature of purchases affected. He indicated that without this data, he was hesitant to fully support the proposal. He pointed out the differing financial thresholds for various municipal budgets and noted the importance of maintaining diligent oversight of Town expenditures.

Council Member Severini also raised concerns about the definitions and implications of purchasing from a single source in "good faith" and what that entailed at a Town level. He questioned the latitude and guardrails around this definition and other purchasing practices such as public auctions. While generally supportive of expanding purchase authority to expedite processes, he emphasized the need for judicious oversight and adherence to legal frameworks, including RFP contract negotiations. He concluded by seeking assurance from Mr. Platt that the proposed changes would not circumvent existing contract procedures.

The Council Members agreed on the need to balance operational efficiency with fiscal oversight. Council Member Severini expressed a desire for more quantitative data to assess the impact of the proposed changes.

Mr. Platt suggested creating a table that listed the various spending levels and the number of purchases made by the Town at each level, providing insight into the staff's spending needs.

Council Member Gunn further suggested a revision to Section 1.16.070 Prohibited Acts and Activities, to replace the term "substantial interest" with "any interest" to ensure full transparency. He emphasized that any interest in a purchase should be disclosed upfront, rather than determining what constituted a substantial interest. Mr. Platt agreed and suggested that the state ethics and conflict of interest language could be adopted to cover this. Mayor Rubin concurred, noting that the Town had an ethics policy in place requiring self-disclosure of conflicts. Mayor Rubin requested Mr. Platt to make a note of this proposed change to avoid conflicts between ordinances.

Ultimately, the consensus was to refine the ordinance language and gather additional data before making a final decision, ensuring that the proposed updates would streamline operations while maintaining robust fiscal oversight.

6. Presentation of Fraud Risk

Ms. McCosh presented the annual fraud risk assessment required each year by the state. She reported that the Town was currently at a low risk for fraud, thanks to various effective measures and mitigating controls, including efforts from Ms. Shepley and training conducted by Mr. Platt with the staff.

Mayor Rubin added that the main gaps in the assessment were due to the absence of internal auditors and an audit committee, as the Town's size did not justify such resources. The Town relied on an external licensed auditor for state audits and third-party support for certified financial services. The former treasurer was a Certified Public Accountant (CPA), but the Town currently lacks that designation in-house, contributing to the Town's rating of low risk instead of very low risk.

Ms. McCosh mentioned that the Town was continually seeking improvements, including possibly hiring a treasurer with a CPA designation to gain additional points in the assessment.

Mayor Rubin concluded by noting the progress made in reducing fraud risk over the years and thanked the staff for their efforts. The presentation was for informational purposes, with no immediate action required from the council unless they had further suggestions.

7. Discussion of the Hideout Coalition

Ms. McCosh provided an update on efforts to enhance communication with the affordable housing community in Hideout. She had reached out to various members in Wasatch County, leading to the formation of the Hideout Coalition. The first meeting, described as a "storming and forming" session, included nine participants who discussed ways to promote health and well-being for all residents in the Hideout community. Trudy Barrett from Wasatch Behavioral Health would lead the coalition. The group met for the first time last month and was scheduled to meet again next week. The goal was to integrate the communities and increase involvement from the Deer Mountain Affordable community.

Mayor Rubin acknowledged the previous discussions about improving engagement with the affordable housing community and commended Ms. McCosh for her efforts. He expressed anticipation for the outcomes of the coalition's work. No questions were raised for Ms. McCosh following the update.

8. Authorization for the Mayor to enter into a contract with Hansen, Allen, and Luce (HAL) Engineering for engineering services to the Town

Mayor Rubin introduced the agenda item to authorize a contract with Hansen, Allen, and Luce (HAL) Engineering for providing engineering services to the Town. He explained that this followed previous discussions and aligned with the need to diversify engineering service providers based on specific skill sets. Although the Town had initially contracted with other firms, HAL was identified later and deemed a good fit due to their impressive capabilities and favorable rates.

Mayor Rubin highlighted that while the Town has had a longstanding relationship with Ardurra, transitioning to HAL Engineering would maintain the same level of skill and knowledge or better, at a lower cost. The existing contract language, reviewed by both parties' legal teams, mirrors that of previous contracts with other service providers. He assured Council that HAL would avoid redundant billing by only involving the necessary personnel for each project.

Council Member Gunn expressed concerns about ensuring transparency and detailed billing, asking for specific descriptions of services provided, by whom, and on what dates. Mayor Rubin acknowledged the validity of this request, confirming that detailed records have always been maintained and can be accessed upon request. However, he agreed to incorporate this requirement explicitly into the contract to ensure clarity.

Mr. Platt added that HAL's response to the Town's request for qualifications already included commitments to detailed hourly and daily billing, which were part of the contract's exhibits. Council Member Severini concurred with Council Member Gunn's concerns, asking for clarity on how billing increments were recorded. Mayor Rubin and Mr. Platt agreed to add language to the contract to include detailed billing.

Council Member Severini raised additional questions regarding the transition from the current engineering service provider to HAL Engineering, focusing on the costs and processes associated with the transition. Mayor Rubin explained that there would be a two-week overlap with the current provider, involving about thirty hours of work to ensure a smooth handover, managed within existing Town overhead costs. Additional work, estimated at four to eight hours, might be required to address any gaps that arise during the transition.

Council Member Severini then inquired about the adequacy of insurance coverage specified in the contract, expressing concerns about social inflation driving up claim costs. He suggested the current coverage limits might be insufficient and recommended assessing the adequacy of the coverage in light of rising costs and risks. Mr. Platt explained that the specified amounts were based on previous contracts and that there was a state minimum, though he was unsure of the exact figure. He assured Council that the contractors' indemnity clause would protect the Town from liabilities due to the contractors' actions, but acknowledged the need to evaluate if the current limits provided sufficient protection.

Mayor Rubin noted that while the Town was covered by state insurance, additional coverage might be necessary for specific areas. He proposed addressing this issue separately from the current contract approval process. Council Member Severini agreed but emphasized the importance of ensuring adequate coverage.

After discussing the concerns, including the detailed billing requirements and the insurance coverage, Mayor Rubin requested a motion to authorize the contract with HAL Engineering, with the inclusion of the amendment for detailed billing as discussed.

Motion: Council Member Nadelberg moved to authorize the Mayor to execute the contract with HAL Engineering for engineering services for the Town, with the inclusion of the amendment for detailed billing as discussed. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

9. Consideration and possible approval of a statement by the Town Council regarding density under the Hideout Master Development Agreement

Mayor Rubin explained the need for the Town Council to formally approve a statement regarding density under the Hideout Master Development Agreement (MDA). He provided background on the issue, noting that the Town had previously submitted a letter, authored by the Town Attorney, clarifying their interpretation of the MDA's density provisions. However, in a recent legal case, a judge indicated that because the letter did not come from the Mayor or reflect the Town Council's official position, it lacked the necessary weight.

To rectify this, Mayor Rubin proposed that the Town Council publicly ratify the letter to solidify their stance as a formal position of the Town. He clarified that this action was to ensure the court acknowledged the letter as representing the Town's official interpretation. Mayor Rubin emphasized that no changes had been made to the content of the letter since its original submission in August 2021; the current action was solely to ratify it in a public meeting.

Mr. Platt confirmed the Mayor's explanation, stating that the Council's ratification would make the letter an official public record and reflect the Town Council's position rather than just an attorney's opinion.

Mayor Rubin requested a motion to ratify the language in the letter, specifically to formally ratify the letter dated August 4, 2021, from Attorney Polly McLean, and disavow the analysis of the staff reports regarding Shoreline Phase III. *(Clerk's note: The letter referenced is included in the meeting materials.)*

Motion: Council Member Gunn moved to formally ratify the letter dated August 4, 2021 from Town Attorney Polly McLean, and disavow the analysis in Town Planner Thomas Eddington's staff reports regarding Shoreline Phase III. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

10. Fire Station 56 update

Council Member Gunn provided an update on Fire Station 56, emphasizing its significance due to current fire and emergency medical services (EMS) coming from across the Jordanelle. The project, initiated nine months ago by Mayor Rubin and Chief Eric Hales, had faced challenges but had successfully established a temporary station at the intersection of Deep Water and Recreation Drive in Hideout. This station would serve both Hideout and the greater SR-248 corridor.

The station would be staffed by advanced Emergency Medical Technicians (EMTs) trained as firefighters and equipped with Engine 56, an attack fire engine with comprehensive emergency medical, firefighting, and extrication equipment. The new station was expected to reduce response times by eight to twelve minutes, a critical improvement for fire and EMS outcomes. Additionally, being within five road miles of a fully operational fire station was likely to lower the Town's risk class for insurance purposes.

Despite the lack of budgeted funds, Mayor Rubin proceeded with the project, with the Town covering site exploration, selection, and engineering costs, while the fire department provided equipment, structures, and staffing. To recoup these funds, a fundraising effort was launched with a goal of \$200,000. So far, approximately \$95,000 had been raised, including a \$10,000 pledge from Rocky Mountain Power and an additional \$50,000 contribution.

Fundraising efforts continued with events such as a Town concert on June 21, where Engine 56 would be present (barring any emergencies), and donors could receive a Wasatch County Fire Department supporter T-shirt for specific dollar amount contributions which were yet to be determined. Further fundraising plans included outreach to local HOAs and businesses, a Talisker HOA event on July 6, and a chili cook-off in the fall. All donations were tax-deductible, and contributions could be made via the Town's website.

Mayor Rubin and Council Member Gunn expressed confidence in reaching their fundraising goal and gratitude for the community's support, noting the significant impact the new station would have on public safety by reducing response times.

VII. Committee Updates

1. Planning Commission - Planning Commissioner Chase Winder

Planning Commissioner Chase Winder provided several updates from the Planning Commission. Tim Schoen would present an updated concept plan for Hideout Pointe, now renamed Wild Horse,

featuring a mixed-use development between Klaim and the Woolf property. This development would include commercial areas along SR-248 and single-family residences on the hillside, with considerations for accessibility in coordination with the Wasatch Fire Department due to its proximity to the future permanent fire station.

The Planning Commission would also review updated code language regarding recreational vehicles (RVs), although it was not yet ready for presentation. Additionally, Ty Frisbee's concept for Hideout Point (without an E), a boat storage area near the Ross Creek entrance, may be discussed if it was ready for review.

The next Planning Commission meeting was scheduled for June 18 at 6:00 pm. Mayor Rubin expressed appreciation for the collaborative efforts, particularly Ty Frisbee's work aligning his project with the Ross Creek entrance project. The commercial and restaurant potential of the property across SR-248 by Klaim was highlighted as a positive development for the community.

2. Economic Development Committee - *Council Member Severini*

Council Member Severini provided an update on the Economic Development Committee's activities. The Salzman property discussions were ongoing, with a new agreement for regular bi-weekly meetings to address updates, critical issues, obstacles, and vision. These discussions were expected to be productive due to the cooperative attitude of the involved parties.

The Committee was also focusing on the Ross Creek area and has received new information from Steve Coleman and Henry Sigg regarding the Coleman project on the other side of the Jordanelle reservoir. This project included changes such as the addition of "man caves," and a pro forma spreadsheet which had been provided to the Committee was currently under analysis by Rob Sant.

Additionally, Ms. McCosh distributed a positive report on the Wasatch Back's health and growth from Zions Bank's Robert Spendlove, which would be incorporated into presentation materials for Ross Creek. Efforts were also being made to explore the potential benefits of Bureau of Reclamation (BOR) land adjoining Town property at Ross Creek. This included five parcels owned by the Town and additional acres owned by the federal government, which could enhance the project if integrated effectively.

Council Member Severini mentioned receiving input from previous proposals on the Salzman property and emphasized the ongoing nature of Committee meetings. Mayor Rubin thanked Council Member Severini and the team for their dedication and efforts to advance community-beneficial projects.

3. Design Review Committee - *Thomas Eddington*

Mr. Eddington provided a brief update on the Design Review Committee's activities. The Committee was currently coordinating with developer Patrick Todd on potential changes to the landscaping standards for Deer Springs and Lakeview. These updates were expected to be addressed soon. Additionally, some minor changes to a few designs were being considered, with the next tranche of designs anticipated to come through in about six weeks. Overall, the Committee's work was progressing well and remained on schedule.

4. Parks, Open Space and Trails (POST) Committee - *Council Member Baier*

Council Member Baier provided an update on the Parks, Open Space, and Trails (POST) Committee. The Jordanelle State Park project, sponsored by Hideout, received a Utah Outdoor

Recreation grant award. The next POST committee meeting was scheduled for Tuesday, June 18th, at 4:00 pm. The agenda included working with Jason Whitaker, the Park Manager at Jordanelle State Park, to outline the project timeline, record-keeping requirements, and grant compliance.

Council Member Baier also thanked Hideout Deputy Recorder Kathleen Hopkins for writing the grant application for the Wasatch County Trails, Arts, and Parks (TAP) grant, which was currently under consideration. Additionally, there would be trail maintenance during the summer, and volunteers from the community would be needed.

5. Transportation Committee - Council Member Haselton

There were no updates from the Transportation Committee.

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

There being no further public business, Mayor Rubin requested a motion from the Council to adjourn the public meeting and move into a closed Executive Session to discuss pending or reasonably imminent litigation, personnel matters, deployment of security personnel, devices or systems, and/or the sale or acquisition of real property as needed.

Motion: Council Member Nadelberg moved to close the public meeting and reconvene in a closed Executive Session. Council Member Gunn made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

The public meeting adjourned at 9:34 pm and reconvened in Executive Session at 9:42 pm.

Executive Session:

Present: Mayor Phil Rubin

Attending Remotely: Council Member Chris Baier
Council Member Jonathan Gunn
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Ralph Severini

Staff Attending Remotely: Assistant Town Attorney Cameron Platt

IX. Meeting Adjournment

Motion: Council Member Gunn moved to adjourn the Executive Session and the meeting. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

The meeting adjourned at 10:26 pm.

Alicia Fairbourne
Alicia Fairbourne, Recorder for Hideout



APPROVED