

Minutes
Town of Hideout
Town Council Regular Meeting and Continued Public Hearings
April 14, 2022

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting and Continued Public Hearings on April 14, 2022 at 6:00 p.m. electronically via Zoom Conference call due to the ongoing COVID-19 pandemic.

Regular Meeting and Continued Public Hearings

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:03 p.m. and reminded participants there was no physical anchor site due to the ongoing COVID-19 pandemic.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Chris Baier
Council Member Sheri Jacobs
Council Member Carol Haselton
Council Member Ralph Severini

Excused: Council Member Bob Nadelberg

Staff Present: Town Attorneys Polly McLean and Cameron Platt
Town Administrator Jan McCosh
Town Planner Thomas Eddington
Town Clerk Alicia Fairbourne

Others Present: Todd Amberry, Jacob McHargue, Jack Walkenhorst, Kirsta Albert, Amy Davies, Garrick Peterson, Bret Rutter, Lindsey Ferrari, Andrew Moran, Kim Dickerson, Carol Tomas, Clint Neerings, Troy Morgan and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. January 13, 2022 Town Council Meeting Minutes DRAFT

There was a correction on page 1, line 34, which was a correction to Mayor Rubin's name.

Motion: Council Member Jacobs moved to approve the January 13, 2022 Town Council Meeting Minutes with the noted correction. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs,

and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

IV. Discussion of Meeting Follow Up Items

Council Member Severini inquired if structures with more than ten thousand (10,000) square feet required sprinkler systems. Mayor Rubin confirmed and noted the State had chosen to relax the requirement for structures less than ten thousand (10,000) square feet. The Town could encourage fire suppression systems but could not require it.

V. Public Hearing Items

1. Discussion and possible approval of subdivision/lot amendment to Hideout Canyon lot 37 (parcel 00-0020-7851)

Town Planner Thomas Eddington presented a request for an amendment to lot 37 in Hideout Canyon Phase 1 which included surrounding common area and was zoned as Resort Specially Planned Area (RSPA) within a Residential Medium Density Pod. The owner was requesting a change to the single driveway which connected and serviced two homes. The proposal was to create two separate driveways and two independent entrances with common space between the two driveways.

Mayor Rubin clarified this was in the Overlook Village area.

Mr. Eddington reviewed the conditions in which the Hideout Planning Commission recommended, which included:

- Both driveways were to remain completely separated with common land between and the plat would be revised to reflect the change
- The driveways themselves were limited common area for the homeowners
- Retaining walls would match the retaining walls in the Hideout Canyon Phase 1 area and would not be taller than eight (8) feet in height with two, four (4)-foot stacked and terraced retaining walls
- The back-out area originally proposed for Lot 37 was removed
- Approval by Council must be reviewed and approved by the Homeowners Association (HOA) Design Review Committee (DRC)
- The property owner to the north of Lot 37 should provide input stating they had no objections to the proposal (an email from the property owners was included in the meeting materials)

Council Member Baier inquired about the grade of the driveways, to which Mr. Eddington confirmed it was at approximately ten percent (10%) with a flat area before the garage and a flat area for access to the road.

There being no further questions from Council, Mayor Rubin opened the floor for public comment at 6:21 p.m.

There was no input from the public, and therefore, Mayor Rubin closed public comment at 6:22 p.m. and asked for a motion to approve the amendment to Hideout Canyon Lot 37 as presented.

Motion: Council Member Baier moved to approve the driveway amendment to Hideout Canyon Lot 37 as presented. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

2. **Continued discussion and possible approval regarding an amendment of the official Town of Hideout Zoning Map to rezone parcels 00-0020-8181, 00-0020-8182, 00-0020-8184, and 00-0020-8185 (the “Boulders at Hideout Development”) from Mountain (M) zone to Neighborhood Mixed Use (NMU), R20 (Residential 20), R6 (Residential 6), and R3 (Residential 3)**

****Note: This item will be continued to May 4, 2022 at 6:30 p.m.***

3. **Continued discussion and possible approval of a Master Development Agreement (MDA) regarding the Boulders at Hideout Development**

****Note: This item will be continued to May 4, 2022 at 6:30 p.m.***

The applicants of the Boulders at Hideout Development requested items 2 and 3 be continued to May 4, 2022 at 6:30 p.m.

Because the public hearing was noticed as such, Mayor Rubin opened the floor for public input at 6:25 p.m.

Carol Tomas – Ms. Tomas wished to speak but had technical difficulties. Town Attorney Polly McLean suggested allowing Ms. Tomas to speak at a later time during the meeting if the technical difficulties were resolved.

Applicant Todd Amberry noted an open house would be held for residents to get questions answered on Wednesday, April 27th. Discussion was had regarding the Town sending a survey via email to residents shortly thereafter.

There being no further questions from Council and no other comments from the public, Mayor Rubin closed public input at 6:45 p.m. and asked for a motion to continue the discussion to a date certain of May 4, 2022 at 6:30 p.m.

Motion: Council Member Severini moved to continue the discussion regarding an amendment of the official Town of Hideout Zoning Map to rezone the Boulders at Hideout parcels and the possible approval of a Master Development Agreement regarding the Boulders at Hideout to May 4, 2022 at 6:30 p.m. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

Council Member Baier inquired if the wording in agenda item #2 would be updated to reflect the intended zoning. Ms. McLean confirmed the language would be changed to reflect a Neighborhood Mixed Use (NMU) and Planned Performance Development (PPD). It was also requested to have materials delivered to Council and available to the public on the Tuesday of the week prior to the meeting to allow time for review.

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

General public input was combined with the open public input during the Boulders at Hideout discussion. There were no other public speakers and therefore, public input was closed at 6:45 p.m.

VII. Agenda Items

1. Presentation by Wasatch County School District regarding the Future Schools Project planning process

Kim Dickerson, a member of the Wasatch County School District Board representing the Jordanelle area, and Wasatch County School District Directors Garrick Peterson and Kirsta Albert joined the meeting to answer any questions regarding the Future Schools Project Plan.

Lindsey Ferrari, a public involvement consultant, introduced the Plan and explained her role was to ensure the community's input was part of the process of creating a Master Facilities Plan which would give the Board the information they needed to make decisions regarding the facilities over the next twenty (20) years. She explained the first step was understanding the community's vision through conducting a survey last fall. The second step was working with three (3) committees to create guiding principles. The third step was to look at the District's current facilities and compare how those facilities measured up to the guiding principles. They looked at options for how to address future growth, which included year-round schools, school boundaries, online offerings, et cetera. An open house was held where results of those meetings were shared and further input from the community was received. A future meeting was scheduled and final recommendations would be made to the Board.

Mayor Rubin addressed the growth around the Jordanelle area, with fifteen thousand (15,000) approved units within a small section of Wasatch County. Ms. Ferrari stated the growth data was taken into consideration as part of the process.

Ms. Ferrari presented additional options for remedying overcrowding of schools and the pros and cons of each. She indicated the recommended actions were to use the boundary adjustment and portable classrooms as temporary measures for the first several years and rebuild or remodel schools that needed it most. The Planning Team suggested planning to construct a new elementary school for occupancy in 2027. The decision would be made by the Board in approximately two (2) years, at which time the location of the school would be determined.

Future committee meeting were to be held at which time the needs of the high school would be discussed.

Mayor Rubin proposed asking developers to provide land for future schools in their developments. Mr. Peterson suggested Mayor Rubin discuss the possibility with the school Superintendent.

The demographics of Hideout were discussed. Ms. Dickerson invited any members of the Council to attend the committee meeting held in the following week in order to address any other concerns.

Mayor Rubin thanked the presenters for their time and discussion.

2. Review of annual municipal audit performed by Child Richards

Mayor Rubin introduced Amy Davies who gave a financial activity overview for the year ending 2021. She noted the current year added a Capital Projects Fund account and reviewed the balances, expenditures, and revenue of the various funds.

The audit findings which were reported to the State Auditor were presented. Ms. Davies reviewed several items on the schedule. Several concerns had been addressed and responded to by Town Administrator Jan McCosh and Mayor Rubin. Proposed journal entries to correct the statements made were presented and discussed.

There being no questions from Council, Mayor Rubin thanked Ms. Davies for her work and patience with the progression of the Town.

3. Presentation and discussion of the fiscal third quarter financials

Jacob McHargue presented the budget report for the first three (3) quarters of the fiscal year. He noted he had made an adjustment to the sales tax number from the General Ledger report because of a thirty-thousand-dollar (\$30,000) invoice which had not been received by the Town as of the date of the meeting.

Mr. McHargue presented a summary of the Town's budget and discussed the various revenues and expenditures. He also presented and reviewed the projected year-end revenue and expenditures and discussed the various overages and under-budgeted funds. He stated he and Ms. McCosh would collaborate and present a budget adjustment to the Council in a future meeting to address some of the overages and deficits.

Mayor Rubin thanked Mr. McHargue for his work on the budget and how easy the report was to understand. Mayor Rubin excused Mr. McHargue at 8:19 p.m.

4. Discussion and possible adoption of an Ordinance which will adopt the 2006 Wildland/Urban Interface Code and its Appendix C

Ms. McLean introduced the Wildland/Urban Interface (WUI) Code and explained the WUI Code as presented was a copy of the 2006 version, which was the only version the State of Utah would allow municipalities to adopt. The Ordinance as adopted would read "is hereby adopted as amended as shown in Exhibit A" since amendments were made based on input from residents. Assistant Town Attorney Cameron Platt discussed the amendments made.

Mayor Rubin confirmed the WUI had been presented and discussed with the Town's various Homeowner's Associations (HOA's) and each were given the opportunity to ask questions, get clarification, and provide feedback.

After a brief discussion and Council Member Baier expressing her support of adopting the Ordinance, Mayor Rubin asked for a motion.

Motion: Council Member Baier moved to adopt Ordinance 2022-O-03 adopting Title 10, Chapter 10 Section 05 of the Utah 2006 Wildland/Urban Interface Code and its Appendix C as hereby amended and shown in Exhibit A. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs,

and Council Member Severini. Absent from Voting: Council Member Nadelberg. None opposed. Motion carried.

5. Discussion and possible adoption of an agreement related to the settlement of impact fees due to JSSD

Ms. McLean stated a modification was made to the settlement of impact fees due to Jordanelle Special Service District (JSSD). The entities (GCD, JSSD, and Hideout) would pay one third (1/3) each. Ms. McLean and JSSD's attorney had discussed the impact fees owed by the Town, and it was agreed that all impact fees related to Deer Waters and GCD (beyond those limited fees pertaining to the settlement agreement) were resolved. An agreement was also made that the Town could speak with JSSD's accounting department regarding any outstanding amount due.

Ms. McLean noted the agreement would not be executed until all issues were resolved, which would be in the forthcoming week. Council Member Baier expressed her support.

Motion: Council Member Baier moved to authorize the Mayor to finalize and sign the agreement to JSSD related to the settlement of impact fees due to JSSD. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

6. Discussion and possible adoption of a Public Infrastructure District (PID) policy

Ms. McCosh explained the Economic Development Committee had met with attorney Aaron Wade with Gilmore and Bell, and changes were made to the PID Policy which was distributed during the March 29, 2022 and March 10, 2022 meetings. It was determined ten (10) Mills should be implemented, which were reflected in the Policy presented during this meeting.

Ms. McCosh explained there was a provision which capped the Policy to ten (10) Mills; however, the rate could be amended per development based on need.

Discussion was had regarding what a Mill Rate amounted to. It was determined one Mill equated to one dollar (\$1) per thousand dollars (\$1,000). The rate could be assessed annually for thirty (30) years.

Mayor Rubin explained Section III.B.8 stated if the PID was used, the Town could not collect impact fees on the property as well. He further explained this was not an Ordinance or Resolution, but rather, a policy for Development Staff to use when evaluating building proposals.

There being no further questions from Council, Mayor Rubin asked for a motion to adopt the PID Policy as presented.

Motion: Council Member Severini moved to adopt the PID Policy as presented. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

7. Discussion regarding the Conflict of Interest Policy and Disclosure Form

(Clerk's note: Items 7 and 8 were discussed and adopted together)

8. Discussion and consideration of adopting an Ethics Policy

Ms. McLean explained the purpose of the Ethics Policy was to establish standards of conduct for municipal officers and employees, and noted it was created by the Utah League of Cities and Towns (ULCT).

The Conflict of Interest Policy should be completed by all Council Members annually or when changes were made in order to disclose potential conflicts.

Ms. McLean recommended both policies be completed annually by all Staff, Council Members, contracted employees and Planning Commissioners. Council Member Baier supported the Policies and stated the Town should be as transparent as possible. Mayor Rubin agreed.

Mayor Rubin asked for a motion to combine agenda items 7 and 8 and support the adoption of the Conflict of Interest Disclosure Policy and Ethics Policy Pledge.

Motion: Council Member Haselton moved to adopt the Conflict of Interest Disclosure Policy and Ethics Policy Pledge. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

9. Discussion and possible adoption of Resolution 2022-R-XX regarding restricting fireworks

(Clerk's note: Items 9 and 10 were discussed and adopted together)

10. Discussion and possible approval of Ordinance 2022-O-XX amending chapter 6.08 Fireworks and Ignition Sources to restrict ignition sources from May to November

Mr. Platt presented the Resolution and explained the need for both the Resolution and the Ordinance. The State Legislature had prohibited municipalities from restricting fireworks around certain holidays unless a municipality passed a Resolution finding there were hazardous environmental conditions in two (2) out of the previous five (5) years. The Resolution would need to be passed and recorded with the County before May 1. Once that was accomplished, the Town could restrict fireworks year-round. The Resolution would need to be passed each year with a letter attached from the Wasatch County Fire District noting the hazardous conditions and a map of the prohibited area.

Mr. Platt explained the purpose of the Ordinance was to restrict open fires from May 1 through November 30. Enclosed grills and gas fire pits were permitted so long as proper clearance from flammable materials was adhered to. By passing the Ordinance, the language would be codified and would not require Council approval each year. He noted this was a general restriction, and exceptions could be made if a permit were granted by the Town. Council Member Haselton inquired if the State Park were included since it fell within Hideout's boundaries. Mayor Rubin stated it was not included but the State Park issued its own restrictions which followed closely with Hideout's restrictions.

There were no further questions from Council. Mayor Rubin asked for a motion to adopt the Resolution and Ordinance restricting fireworks and to amend Hideout Municipal Code 6.08.

Motion: Council Member Baier moved to adopt Resolution 2022-R-04 Restriction of Fireworks and adopt Ordinance 2022-O-04 amending Hideout Municipal Code Chapter 6.08 Fireworks and Ignition Sources. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

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

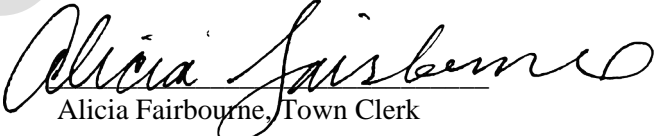
There was no need for an executive session.

IX. Meeting Adjournment

There being no further business, Mayor Rubin called for a motion to adjourn.

Motion: Council Member Haselton moved to adjourn the meeting. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

The meeting adjourned at 9:23 p.m.


Alicia Fairbourne, Town Clerk

