

Minutes
Town of Hideout
Town Council Regular Meeting and Continued Public Hearing
December 09, 2021

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting and Continued Public Hearing on December 9, 2021 at 6:15 p.m. electronically via Zoom due to the ongoing COVID-19 pandemic.

Regular Meeting and Continued Public Hearing

I. Call to Order

2. Mayor Rubin's No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:21 p.m. and reminded participants there was no anchor site due to the ongoing COVID-19 pandemic.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Chris Baier
Council Member Carol Haselton
Council Member Sheri Jacobs
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
Director of Engineering and Public Works Timm Dixon
Public Works Director Daniel Allen
Town Engineers Ryan Taylor and Dillon Bliler
Town Clerk Alicia Fairbourne
Town Treasurer Wes Bingham

Others Present: Troy Morgan, Abi Kau, Heather Kruse, Ashley Burr, Paula Eldredge, Jack Walkenhorst, Nate Brockbank, Kathleen Shepley, Glen Gabler, Wasatch County Sheriff Jared Rigby, Bruce Woelfle, Jonathan Gunn, and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. October 16, 2020 Meeting Minutes DRAFT

There were no changes or corrections made to the October 16, 2020 Meeting Minutes.

2. May 13, 2021 Meeting Minutes DRAFT

Council Member Baier noted the following corrections:

- Page 3, line 13 should be a “community clean up event”
- Page 3, lines 22-23, “She asked Mr. Fields to be specific regarding any accusations in the future.”

3. June 02, 2021 Meeting Minutes DRAFT

There were no changes or corrections made to the June 02, 2021 Meeting Minutes.

4. June 08, 2021 Silver Meadows Presentation Minutes DRAFT

There were no changes or corrections made to the June 08, 2021 Silver Meadows Presentation Minutes.

5. June 29, 2021 Board of Canvassers Meeting Minutes DRAFT

There were no changes or corrections made to the June 29, 2021 Board of Canvassers Meeting Minutes.

Motion: Council Member Severini moved to approve the October 16, 2020; May 13, 2021; June 2, 2021; June 8, 2021; and June 29, 2021 minutes with the mentioned corrections to the May 13, 2021 minutes. Council Member Baier made the second. Voting Yea: Council Members Baier, Haselton, and Severini. Abstaining: Council Member Jacobs. Motion carried.

With respect to Sheriff Rigby’s time constraints, Mayor Rubin moved to Agenda Item number 1 prior to addressing the Public Hearing items.

Agenda Item:

1. Update from Wasatch County Sheriff's Office regarding first year of service

Mayor Rubin welcomed Sheriff Rigby from the Wasatch County Sheriff's Office. Sheriff Rigby presented a statistical report on the number of calls Officers had responded to within Hideout. He noted the Sheriff’s Office had worked approximately fifty-seven (57) hours of service in addition to the minimum level of service provided for citizens of Wasatch County. Council Member Severini inquired if any issues related to the roundabout were included in the spreadsheet. Sheriff Rigby explained it could be captured in another category, or it might not have resulted in a citation. Mayor Rubin reminded Council there were three-way cameras installed in the area which tracked activity. Violators of roundabout traffic laws were personally contacted prior to notifying the Sheriff’s Office.

Mayor Rubin stated Council would review the contract with the Sheriff's Office and discuss renewal in a future meeting.

Mayor Rubin proceeded to the Public Hearing portion of the agenda.

IV. Public Hearing Items

1. Review and possible approval regarding the final Lakeview Estates Subdivision and Ordinance

Town Planner Thomas Eddington recounted to Council the Lakeview Estates Subdivision had not been recorded within the six-month time frame per Hideout Town Code. Although there were no changes in the Subdivision, Town Code had been amended since the approval date and the developer agreed to make the changes to the Subdivision to comply with Town Code. Mr. Eddington reviewed the agreed upon changes, which included:

- 10.08.06(C) Monotony clause and 10.08.08 Design Standards: Major subdivisions (6 lots or more) shall not have greater than twenty percent (20%) of the structures with the same elevation and, in no case, shall any two (2) similar structures be located adjacent to each other or directly across the street. The differentiation of each structure shall be a combination of unique roof lines, garage step-backs, entry/porch location and canopy, fenestration, building materials and colors.
- 10.08.14 Roads and Road Requirements: T-O Engineering reviewed the roads and confirmed the Applicant met the road requirement of twenty-six feet (26') of pavement width.
- 10.08.20 Drainage and Storm Water Facilities: T-O Engineering reviewed the proposed stormwater infrastructure and confirmed the Applicant met the requirement.
- 10.08.34 Public Space Requirements: Lakeview Estates is required to have a minimum of 2.07 acres of public/open space. The Applicant agreed to approximately 8.04 acres of public/open space, broken down as follows:
 - Phase 1: None
 - Phase 2: 5.30 acres with a park including a ball court (plus 1.80 acres for stormwater retention; not applicable toward public/open space calculations)
 - Phase 3: 3.10 acres
 - The subdivision was connected via a trail system

Mr. Eddington noted the Town had placed a deed restriction on Lakeview Estates for twenty-five-foot (25') and thirty-foot (30') setbacks. However, the Applicant worked with Staff to reduce the number of retaining walls located throughout the subdivision, which resulted in the reduction of the setbacks to twenty feet (20') and twenty-five feet (25').

Council had no questions for the Applicant, and therefore, Mayor Rubin opened the floor for public input at 7:01 p.m. There being no questions from the public, Mayor Rubin closed public input at 7:02 p.m. and proceeded to discuss agenda item number 6 regarding the approval of possible changes on the Lakeview Estates Deed Restriction.

Town Attorney Polly McLean explained in 2019, the owners of the property entered into a deed restriction with the Town, which primarily addressed a rezone of the property from Mountain (M) to Residential Medium Density (RMD). She further explained with the RMD classification, additional density was allowed, however, limitations regarding building height and front setback / driveway length were enacted. The Council had previously approved the reduced setback length, however, the deed restriction was not amended or recorded to reflect the change. Mr. Eddington noted as building permits were issued, Town Engineers would make an effort to lengthen the setbacks as much as possible; twenty feet (20') and twenty-five feet (25') were a minimum.

There were no questions from Council regarding the amended deed restriction or subdivision approval of Lakeview Estates.

Motion: Council Member Severini made the motion to approve the Lakeview Estates final subdivision. Council Member Haselton made the second. Voting Yea: Council Members Baier, Haselton, Severini, and Jacobs. None opposed. Motion carried.

Mayor Rubin asked for a motion to approve the modified deed restriction to twenty-foot (20') setbacks.

Motion: Council Member Severini made the motion to approve the modified Lakeview Deed Restriction to twenty-foot (20') setbacks. Council Member Haselton made the second. Voting Yea: Council Members Baier, Haselton, Severini, and Jacobs. None opposed. Motion carried.

2. Review and possible approval of the Deer Waters Phase 4 Subdivision and Ordinance

Mr. Eddington explained Deer Waters Phase 4 was submitted with Phase 3, however, Phase 4 was delayed and did not get recorded within the six-month time frame per Hideout Municipal Code. Phase 4 was vested under the Code as of April, 2021 and had no additional requirements. He noted the park, which was to be completed by November 30, 2021 per the previously approved Ordinance, was not completed. He recommended Council approve an extension for completion of the park to June 30, 2022. He further noted the Master Development Agreement (MDA) required the dedication of the Jordanelle Special Service District (JSSD) parcel upon recordation of the final plat.

At 7:15 p.m., Mayor Rubin opened the floor to public input. Council addressed an email received by town resident Brett Rutter regarding the proposed fencing surrounding the pickleball court. He expressed concern regarding the height of the fence, noting the standards for backstops set by the USA Pickleball Association was at minimum ten feet (10'). Discussion ensued. It was determined the Developer and Mr. Eddington would work together to decide on an acceptable design and height.

Developer Nate Brockbank stated the JSSD parcel noted above was associated to the Military Installation Development Authority (MIDA) project which caused delays in the dedication of the land to the Town. Mayor Rubin agreed the JSSD parcel would not be required to be dedicated to the Town upon recordation of the Deer Waters Phase 4 plat map, however, it would be dedicated in the future.

The completion date for the park was discussed and determined to be October 31, 2022.

There were no further public comments.

Mayor Rubin reiterated the changes of the proposed Ordinance, which included:

- Changed “National Pickleball Association” to “USA Pickleball Association”
- Remove the wording “Phase 3” where appropriate in the Ordinance
- Add language regarding the height and color of the fencing surrounding the pickleball courts would be finalized between the Town Planner and Developer
- The date of completion of the park was October 31, 2022

Motion: Council Member Severini moved to approve the Deer Waters Phase 4 final subdivision with the noted modifications to the Ordinance. Council Member Jacobs made the second. Voting Yea: Council Members Baier, Haselton, Jacobs, and Severini. None opposed. Motion carried.

3. Review and possible adoption of the Parks, Open Space and Trails Plan as part of the General Plan

Mr. Eddington presented a report regarding the Parks, Open Space and Trails (POST) Plan. The POST Plan would become an amendment to the General Plan if adopted. The Town contracted with Integrated Planning & Design to create the POST Plan. A Steering Committee was created to help identify existing parks, open spaces and trails within the Town, rank priorities, and guide a plan for implementation of these priorities. The Committee also aided in obtaining project funding through grants.

The priorities identified were:

1. Ensure developer compliance with previously approved subdivisions
2. Finalize bike and pedestrian trails (Deer Springs and Rustler plat)
3. Collaborate with the counties and nearby communities to build the spine on SR-248 and coordinate efforts with Utah Department of Transportation (UDOT)
4. Purchase land for a park near the Town Center roundabout and tie into the trail in Dead Man’s Gulch which connects to Jordanelle State Park
5. Establish a connection to Jordanelle State Park
6. Connect the ‘last mile’ for all constructed trails and parks
7. Use conservation easements as a partnership tool to protect the land under power lines for parks/trails and explore similar opportunities on the Golf Course

Council Member Baier expressed her desire to connect the east and west sides of the Town by a pedestrian access either over or under SR-248. Mayor Rubin discussed the Town was in a Corridor Agreement with UDOT to provide additional stoplights along SR-248, as well as a pedestrian over or under pass.

Council commended the POST Committee and Mr. Eddington on the POST Plan and expressed that it was an excellent plan. Mayor Rubin noted several graphics were not updated and asked Mr. Eddington to update those graphics accordingly.

There being no further comments from the Council, Mayor Rubin opened the floor for public comment at 7:57 p.m. There were no comments from the public. Mayor Rubin closed public comment at 7:58 p.m.

Motion: Council Member Haselton moved to adopt the Parks, Open Space, and Trails Plan as part of the General Plan with the noted corrections. Council Member Severini made the second. Voting Yea: Council Members Baier, Haselton, Jacobs, and Severini. None opposed. Motion Carried.

4. Continued discussion and possible approval of the Official Zoning Map of the Town of Hideout

Mr. Eddington presented the updated Zoning Map and reviewed the request Mayor Rubin had regarding the economic ramifications of designating the Town-owned land south of Deer Springs and the Ross Creek entrance as a Neighborhood Commercial (NC) Zone. Mr. Eddington confirmed with the Wasatch County Assessor the Town was exempt from property taxes regardless of zoning designation. He noted, however, because the land fell under the MIDA overlay, the NC Zone was removed on the proposed Zoning Map but could be added once the details of the impact MIDA evolved. Council Member Severini corrected the zoning designation, stating it should be Neighborhood Mixed Use (NMU) to follow the Town Code should it be amended in the future. Mr. Eddington agreed, stating the NC Zone was replaced with either NMU or Commercial (C) Zone designations per current Town Code.

At 8:05 p.m., Mayor Rubin opened the floor for public comment. Town resident Jonathan Gunn spoke, stating the Staff Report (provided in the materials) noted a right-of-way designation clarification. He inquired if the right-of-way was only to be used for the purposes of emergency access or local government use and was not intended for general public use. Mayor Rubin clarified, stating public pedestrian use would be allowed, but vehicular traffic was limited to public utility vehicles, emergency personnel, or local government service vehicles.

There being no further comments from the public, Mayor Rubin closed public input at 8:08 p.m.

Motion: Council Member Severini moved to adopt the Hideout Zoning Map as proposed. Council Member Jacobs made the second. Voting Yea: Council Members Baier, Haselton, Jacobs, and Severini. None opposed. Motion carried.

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

At 8:11 p.m., Mayor Rubin opened the floor for public input.

Bruce Woelfle inquired if the dirt which was being dumped next to the home on the north side of the KLAIM development would be seeded. Mayor Rubin stated it was required to be stabilized and reseeded upon completion. The Town's Public Works Department Staff was working with the property owner and KLAIM Developers to determine when it would be completed.

Mr. Woelfle asked if there was a time frame of when the dirt being hauled to the Shoreline Development was to be completed, to which Mayor Rubin replied the work was completed for the season but would resume for future phases of the Shoreline Subdivision. Mr. Woelfle inquired if an Ordinance was in place prohibiting changing the topography of the Town. Mayor Rubin explained an Ordinance was in place, however, the Shoreline Subdivision was vested under prior Town Code before the Ordinance was adopted. Mr. Woelfle asked if the dirt was tested for

contaminants and was clean fill. Director of Engineering and Public Works Timm Dixon stated an Engineering Report was required to be submitted to the Town, which included a geotechnical report of the dirt. He stated mechanisms were in place to ensure the fill dirt was clean of contaminants. Shoreline Developer Glen Gabler confirmed the dirt was inspected by geotechnical engineers and was clean.

There being no further public comments, Mayor Rubin closed public input at 8:18 p.m.

VI. Agenda Items

1. Update from Wasatch County Sheriff's Office regarding first year of service

(Item #1 was discussed previously during the meeting)

2. Introductions of the Economic Development Committee and feedback from Council

Council Member Severini introduced the Economic Development Committee, which included Craig Dupper, Scott Davis, and Keith Marmer. Town Administrator Jan McCosh provided further input regarding each member and noted the exceptional qualifications and skills of the Members. She explained the Members were investigating sustainable cash flows and ways to maximize the funding opportunities available to the Town.

Council Member Severini noted Mr. Dupper had initiated a Mission Statement which included the Committee's top four goals. The Mission Statement would be distributed to Council and, upon approval, posted to the Town's website. Ms. McCosh suggested adding a page for the Committee's progress and contact information.

3. Update on MIDA

Heather Kruse and Ashley Burr, representatives from MIDA, presented project updates for MIDA, including the groundbreaking for the Mayflower Village; SkyRidge Mountain Community and completion of Jordanelle Parkway; five homes completed in SkyRidge with another twelve homes projected for completion by the end of the year; the North and South Portals were projected to be completed by Spring, 2022; and the grading for the Mayflower and Pioche Village Apartment Buildings was near completion.

Mayor Rubin discussed questions raised regarding the two buildings constructed along HWY-40 and asked for clarification on the intended use of the buildings. Ms. Kruse stated they were two of four buildings part of the Pioche Village Apartments and were designated as buildings A and D. There were over four hundred units within the four buildings. Each building had a projected completion timeline of twenty-four (24) months after the start of construction.

Mayor Rubin asked for clarification regarding the use of the North and South Portals. Ms. Kruse stated they would accommodate both pedestrian and vehicular traffic. The Portals were substantially complete but had additional work which was scheduled to be completed in the Spring. She noted the connector road from the North Portal to the frontage road and Jordanelle Parkway would be designed and constructed by MIDA. The South Portal connector road was projected to be started in 2022.

Ms. Kruse stated MIDA was working with UDOT and Wasatch County regarding the west side of the frontage road to include a connection piece on the North Portal which would connect into Deer Hollow Road. She further discussed the details of the trails which were constructed within the development.

4. Discussion regarding adoption of the 2016 Wildland/Urban Interface Code and Appendix C

Mayor Rubin presented the Wildland/Urban Interface Code (WUI) and reminded Council no action would be taken during the meeting. Ms. McLean explained a more recent WUI had been drafted but had not been adopted by the State. She discussed a worksheet, identified as Appendix C, which required an assessment to be performed to determine the fire hazard severity.

District Fire Warden Troy Morgan from Wasatch County Fire District explained the purpose of Appendix C was to keep the score to a moderate level and lessen the requirement of defensible space. The code would require trees to be a minimum of ten feet (10') away from a structure. Mayor Rubin expressed concern regarding the close proximity of the building lines and lot lines throughout the Town. Council Member Severini noted the Zoning Ordinance adopted in July, 2020 provided greater distance between the side setbacks.

Council Member Severini inquired if the WUI applied to existing homes or if it was limited to new homes. Mr. Morgan explained the code was not retroactive, rather, a landscaping plan showing the existing and proposed vegetation and Appendix C would be completed and submitted with each new building permit application. The Wasatch County Fire District would complete an on-site inspection prior to approving the building permit.

Mayor Rubin reminded the Council no action was to be taken during this meeting. The WUI would be discussed and reviewed in upcoming meetings.

5. Discussion and possible approval of an extension beyond the six-month timeline noted in Ordinance 2021-O-09 to record Shoreline Phases 2A (Amended) and 3 plat maps

Mayor Rubin explained the Shoreline Phases 2A (Amended) and 3 had not been recorded due to delays in obtaining construction materials and the Developer was asking for a six (6)-month extension to record the subdivision plats.

Developer Glen Gabler noted the sewer was completed and had passed inspection. The delay had to do with the manholes from the manufacturer. All materials were on site and Mr. Gabler had hoped to have the water and storm line completed within the next month and the curb and asphalt by the Spring.

Motion: Council Member Baier moved to approve a request for a six-month extension to record the final plat maps for Shoreline Phases 2A (Amended) and 3. Council Member Severini made the second. Voting Yea: Council Members Baier, Haselton, Jacobs, and Severini. None opposed. Motion carried.

6. Discussion and possible approval of changes to the deed restrictions for the Lakeview Estates Subdivision

(This item was discussed with Public Hearing Item number 1.)

7. Presentation of fiscal first quarter financials

(This item was deferred to the January meeting.)

8. Consideration and possible adoption of the Hideout Sewer Management Plan

Council had discussed the Sewer Management Plan in a previous meeting however, Council had requested additional time to review the Plan in detail prior to adoption. Ms. McLean stated she had consulted with the Utah Local Governments Trust (ULGT) regarding the No-Fault Sewage Backup Claims Program section and revised some language from the previous version.

Abi Kao with T-O Engineers provided an overview summary of the Plan. Town Engineer Ryan Taylor noted the document was intended to be revised and updated on a regular basis. Mayor Rubin pointed out Hideout had made great improvements regarding sewer line maintenance. Ms. Kao stated mappings and inspection videos were available for those who had access to the Geographic Information Systems (GIS).

The schedule for cleaning the pipes was discussed. Ms. Kao reviewed the sewer system cleaning schedule which showed the sections of pipes and schedule to be cleaned in the forthcoming years. Mayor Rubin stated the intent was to clean each section within the Town on a rotating schedule every five (5) years. Mr. Taylor noted the yellow sections of the cleaning schedule may need to be cleaned more frequently due to the slopes, conditions, and flows. Further discussion ensued.

Motion: Council Member Severini moved to adopt the Hideout Sewer Management Plan. Council Member Haselton made the second. Voting Yea: Council Members Baier, Haselton, Jacobs, and Severini. None opposed. Motion carried.

9. Discussion and possible approval of Ordinance 2021-O-15 amendments made to Hideout Town Code Chapter 7.18, Winter Parking for Vehicles and Snow Removal from Streets

Mr. Dixon and Town Attorney Cameron Platt discussed the proposed changes to the Ordinance. Council Member Baier noted the dates on the signs installed within the Town did not match the dates on the proposed Ordinance. Mr. Dixon noted the discrepancy and would correct the Ordinance. As in Section 7.18.080, Mayor Rubin expressed concern of additional Sections of Code which referenced the time frame for snow removal and stated those Sections would also need to be updated. Mr. Platt stated he would verify if that were the case.

Council Member Jacobs was concerned with Sections 7.18.140 and 7.18.150 regarding the fire hydrants to be uncovered and locations to be marked by the resident or landowner. Mr. Dixon explained the Sections mentioned related to fire hydrants located on private land. Mayor Rubin further explained the Town's process for notifying the resident, landowner, or developer, stating Staff would attempt to make yearly contact in order to provide notification of the requirement. Council Member Jacobs suggested for those hydrants located on private land, a letter should also be sent to those owners. Council agreed.

Motion: Council Member Baier moved to approve the Ordinance amending Hideout Town Code Chapter 7.18, Winter Parking for Vehicles and Snow Removal from Streets with the date corrections as mentioned. Council Member Jacobs made the second. Voting Yea: Council Members Baier, Haselton, Jacobs, and Severini. None opposed. Motion carried.

10. Discussion on issuing a Request for Proposals regarding a fee study for water, sewer, storm drain, transportation, trails and community development fees

Mayor Rubin provided information regarding a Request for Proposals (RFP) for a fee study to understand if the Town was inadvertently subsidizing the cost of operating and maintaining the water, sewer, storm drain, roads, et cetera. He expressed concern if the collected utility fees were adequate for covering the cost for utility services. He stated the Town should understand the actual cost of the work to ensure additional costs were not absorbed by the Town. He stated the studies were projected to cost more than what could be approved under his authority and would need Council approval. No action was needed at this time.

11. Adoption of Ordinance 2021-O-19 determining the 2022 Regular Town Council Meeting Schedule

Mayor Rubin presented Ordinance 2021-O-19 determining the 2022 Town Council Regular Meeting Schedule. There were no changes from Council.

Motion: Council Member Haselton moved to approve Ordinance 2021-O-19 determining the 2022 Regular Town Council Meeting Schedule. Council Member Jacobs made the second. Voting Yea: Council Members Baier, Haselton, Jacobs, and Severini. None opposed. Motion carried.

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

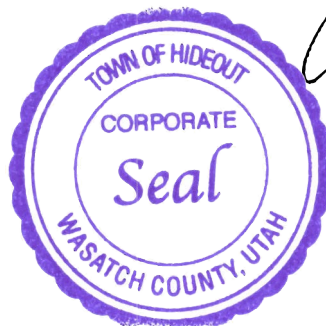
Mayor Rubin stated there was no need for a Closed Executive Session. He thanked the Council and Staff for their efforts and work done for the Town and wished everyone happy holidays and happy new year.

VIII. Meeting Adjournment

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

Motion: Council Member Baier moved to adjourn the meeting. Council Member Severini made the second. Voting Yea: Council Members Baier, Haselton, Jacobs, and Severini. None opposed. Motion carried.

The meeting adjourned at 9:45 p.m.



Alicia Fairbourne
Alicia Fairbourne, Town Clerk