

**Minutes**  
Town of Hideout  
Hideout Town Council Regular Meeting  
January 12, 2023

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on January 12, 2023 at 6:00 p.m. electronically via Zoom due to the ongoing COVID-19 health crisis.

Regular Meeting

**I. Call to Order**

**1. No Anchor Site Determination Letter**

Mayor Rubin called the meeting to order at 6:01 p.m. and reminded participants there was no physical anchor site for the meeting.

**II. Roll Call**

**Present:** Mayor Phil Rubin  
Council Member Chris Baier  
Council Member Carol Haselton  
Council Member Sheri Jacobs  
Council Member Bob Nadelberg  
Council Member Ralph Severini (*joined at 6:03 p.m.*)

**Staff Present:** Town Attorneys Polly McLean and Cameron Platt  
Town Administrator Jan McCosh  
Director of Engineering Timm Dixon  
Director of Public Works Daniel Allen  
Recorder for Hideout Alicia Fairbourne

**Others Present:** Brian Cooper, Katie Shepley, Damian Taitano and others who may have logged in using a partial name or using only a phone number.

**III. Update on Golden Eagle Subdivision**

Director of Engineering Timm Dixon provided an update of the progress on the Golden Eagle Subdivision; specifically on the pump house. He noted the power had been connected and Staff had verified it was in working order. The developer needed to obtain an operating permit for the pump house from the State of Utah in order to be complete.

Mr. Dixon further noted the roads had not been completed although there had been some snow plowing performed. The main roads were covered in snow.

Mayor Rubin reminded Council there was a scheduled court ruling on Friday at 8:30 a.m. Ms. McLean would send a website link to the Council Members to view the livestream video.

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

Mayor Rubin opened the floor for public comments at 6:06 p.m.

*Brian Cooper* expressed concern over the issues with the snowplowing throughout the town and wanted to discuss potential solutions. He had observed a Staff member struggling with the snowblower and suggested starting the process of using the snowblower earlier while the snow was softer. He also mentioned the slush from the road had been plowed onto the ends of driveways and would freeze overnight, making it very difficult for residents to exit their driveways in the mornings. He suggested the plows circle in the same direction in order to push the snow and slush to the opposite side of the road from houses.

Mayor Rubin addressed Mr. Cooper's concerns and explained what remedies Staff were taking and what additional equipment was needed. Mayor Rubin also explained additional staff was needed but there had been very little interest from potential employees. Mr. Cooper offered to assist in writing grants for additional equipment, or researching what type of equipment could be procured for the Town's operations. Council Member Jacobs expressed her concern of the emergency vehicle access and suggested renting the equipment from areas with less snow, such as Salt Lake, in order to obtain the equipment quickly and with less cost. Mayor Rubin agreed and asked Mr. Dixon to explore options to rent the equipment and discuss a plan with him in the following week.

*Damian Taitano* offered his personal Kubota Tractor to the Town. Mayor Rubin thanked Mr. Taitano and asked Mr. Dixon to discuss the possibility with Mr. Taitano.

There being no further public comment, Mayor Rubin closed public input at 6:24 p.m.

#### **V. Agenda Items**

##### **1. Discussion regarding nightly rentals within Hideout**

Mayor Rubin and Town Planner Thomas Eddington explained the Deer Springs Cottages Subdivision was the only area for consideration for nightly rentals at this time. Mr. Eddington suggested an overlay zone could be made, which would allow nightly rentals without disrupting the current zoning within the existing neighborhoods.

Council Member Severini asked if the overlay zone would only affect the Deer Springs Cottages Subdivision, or if it was being investigated for approval for the Town as a whole. Mr. Eddington explained at this time it was only for the Deer Springs Cottages Subdivision and did not recommend approval of nightly rentals for other existing communities.

The current Hideout Zoning Map was displayed, and Mr. Eddington pointed out that the beige area fell within the Master Homeowners Association (HOA) and was not subject to allow nightly rentals.

Council Member Severini discussed if allowing nightly rentals would be fiscally beneficial to the Town and if property values would be affected. Council Member Jacobs stated small areas where nightly rentals were allowed should not negatively affect the existing property values. She also noted potential investment buyers who may not have investigated a purchase in Hideout may be drawn to the Town in areas where nightly rentals were allowed. She suggested limiting the rentals to weekly instead of nightly to reduce transient traffic.

Mayor Rubin discussed allowing nightly rentals in certain areas would generate some revenue for the Town. He reminded Council this was only a discussion item during this meeting and would be brought forth through the Planning Commission and Council at a later time when a specific project would be presented.

Council Member Baier stated the area and smaller cottages proposed for nightly rentals would be ideal for affordable or workforce housing. She opined that workforce housing was discussed and negotiated with the developer when the Richardson Flats Annexation was presented and was desired to be included in the Town's housing.

Mr. Eddington reminded Council that Master Developer Nate Brockbank was approved several years ago for approximately thirty-four (34) townhomes in the Deer Springs Phase 8 development. However, in an attempt to negotiate and diversify product, he was willing to entertain a cottage concept if nightly rentals would be allowed. When the concept of the cottages and nightly rentals were presented to the Planning Commission, suggestions were made to include a community center, retail, and one (1)-to three (3) units of affordable units, potentially above the community center or retail shop.

Mr. Eddington had the thought of suggesting that Mr. Brockbank swap some of the townhomes in Deer Springs Phases 3, 4, 5, 6, and 7 for affordable, cottage homes if he were to amend the Master Development Agreement for the subdivision.

Council Member Haselton inquired if a business license was required for nightly rentals in Utah. Ms. McLean stated it was not legally required by the State, however; some municipalities had incorporated that requirement into their code.

Mr. Eddington reviewed the Staff Report and outlined nightly rentals were currently allowed in Deer Springs Phase 1 and the KLAIM Subdivision, and, per the Ordinance passed in September of 2022, were required to be managed by a company and obtain a Hideout-issued business license. There were several recommendations of conditions for consideration if the Council were to move forward and approve an overlay zone, which included:

- Managed by a professional property management company
- Obtain a Hideout-issued business license
- Limit the home to a maximum size
- Adopt a formal permit requirement
- Limit the number of occupants allowed on the property
- Limit the number of vehicles allowed on the property
- Require a "good neighbor" brochure be provided to renters which would include instructions on when garbage collection or recycling would be collected
- Require a safety inspection of the property

Mr. Eddington noted there was an analysis included in the Staff Report, however; it was for the subdivision as a whole and not just for the Cottages portion. Mayor Rubin stated the area was included in the Military Installation Development Authority (MIDA) and the Subdivision MDA may need to be renegotiated on how the taxes would be managed. Council Member Severini asked for additional data regarding other communities where nightly rentals were allowed.

**VI. Consideration and possible approval of an Ordinance amending Hideout Municipal Code Title 3 to change reference from the Board of Adjustment to Administrative Law Judge**

Ms. McLean explained an ordinance was passed in 2021 which changed the Board of Adjustment to Administrative Law Judge, however; the Title of the Code did not get changed. This Ordinance would make that change as well as other any other corrections which may have been missed.

There being no questions from Council, Mayor Rubin asked for a motion.

*Motion: Council Member Baier moved to adopt Ordinance 2023-O-01 amending Hideout Municipal Code Title 3 to change reference from the Board of Adjustment to Administrative Law Judge. Council Member Nadelberg made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, Council Member Severini. None Opposed. Motion carried.*

**2. Consideration and possible approval of an Ordinance amending Hideout Municipal Code Title 7.18 and 8.09 to correct the timeframe to clear snow from fire hydrants, and to clarify snow plowing limitations**

Mayor Rubin explained he had reviewed Hideout Municipal Code for adopted language in regard to snow clearing, however; he found there were timeframes mentioned in Section 7 and Section 8 for clearing snow around fire hydrants that was inconsistent. One Section allowed sixteen (16) hours and the other allowed seventy-two (72) hours. He asked for Council's input on how much time should be allotted.

Council Member Baier expressed her preference of seventy-two (72) hours for clearing of the fire hydrants. Council agreed.

Mayor Rubin also discussed Section 7.18.140 which outlined the owner's responsibility for clearing snow around fire hydrants located on the homeowner's property. He explained the homeowners and HOA's were responsible for clearing the fire hydrants. Council Member Baier asked how hydrants located on vacant lots would be handled and the Code enforced. Ms. McLean suggested the Town could provide a service to clear the fire hydrant for a fee, or the Town could opt to enforce the non-compliance fine as set in the Town's current Fee and Rate Schedule.

Town Administrator Jan McCosh noted because it was a health and safety issue, the fee to clear the snow by the Town Staff could be added to the Fee and Rate Schedule. Mayor Rubin stated there was not the manpower – either with Staff or a contracted company – who had the time to clear the hydrants. Discussion ensued. It was mentioned the Town may consider contracting with the HOA's to clear hydrants on vacant lots and charge the owner. Council Member Baier suggested mapping and prioritizing each hydrant, with hydrants near structures first and hydrants on vacant lots second. Assistant Town Attorney Cameron Platt mentioned the Wasatch County Fire Department may want to be involved in what hydrants were prioritized because they might need more than one hydrant for adequate pressure. Mayor Rubin would work with Mr. Dixon and the Public Works Staff to determine how many hydrants were located on vacant lots and determine if Staff would be able to handle the extra workload.

Mayor Rubin brought to Council's attention several comments made by residents asking for the snowplow drivers to lift the plow when crossing over a driveway so as not to create a berm of snow at the end of the driveway. Mayor Rubin explained it was not possible to lift the plow because the road would not be cleared if the drivers were to do that. He suggested adding language

to Town Code to explain it was not the Town's responsibility to clear the end of the homeowner's driveway.

Mayor Rubin noted other areas of the Hideout Town Code which outlined parking on the street during and after snowfall, and stated stronger enforcement needed to be made. He asked Mr. Dixon to inform the contractors of the Code and stronger enforcement during the pre-construction meetings. Contact would also be made to each active construction site.

Council Member Haselton asked if there could be enforcement regarding parking in front of the mailbox clusters when several residents were waiting to get the mail and the road became impassable. Mayor Rubin stated the HOA's were responsible for clearing the snow around the mailboxes. He mentioned to Mr. Eddington that a small pull-out lane may be considered into the Subdivision plans where mailbox clusters are located.

Council Member Baier wanted to discuss how parking would be enforced and by whom. Mayor Rubin stated he would discuss stronger communication and enforcement to contractors and residents with Mr. Dixon.

There being no further discussion from Council, Mayor Rubin asked for a motion.

*Motion: Council Member Baier moved to approve Ordinance 2023-O-02 to amend Title 7.18 and 8.09 to correct the timeframe to clear the snow from hydrants and to clarify snowplowing limitations as modified during the meeting. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member 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**

There was no need for an executive session.

**VIII. Meeting Adjournment**

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

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

The meeting was adjourned at 7:55 p.m.



*Alicia Fairbourne*  
Alicia Fairbourne, Recorder for Hideout