

Minutes
Town of Hideout
Town Council Regular Meeting
December 08, 2022

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on December 08, 2022 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 6:06 p.m. and reminded participants there was no physical anchor location for the meeting.

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 Attorney Polly McLean
Town Administrator Jan McCosh
Town Planner Thomas Eddington
Director of Engineering Timm Dixon
Director of Public Works Daniel Allen
Recorder for Hideout Alicia Fairbourne
Deputy Recorder for Hideout Kathleen Hopkins

Others Present: Cambria Owens, Jared Fields, Damian Taitano, Lori Weston, Si Hutt, Katie Shepley, John Blamer, Randy Larsen, Sheriff Jared Rigby, Planning Commissioner Donna Turner and others who may have logged in using a partial name or using only a phone number.

III. Update on Golden Eagle Subdivision

Mayor Rubin stated he would not take public input for Golden Eagle during this meeting. Although progress had been made, he stated the infrastructure still needed to be completed to the state standard before the Town could issue building permits.

Regarding the court case, Hideout presented closing arguments on December 2, 2022 as did Mustang Development. The judge would take all arguments into consideration and was scheduled to make a ruling on January 13, 2023. Mayor Rubin noted if work was completed prior to that date, building permits could be issued. He explained the full water system had not been completed and turned over to the Town.

Director of Engineering Timm Dixon stated the developer had continued to make progress on the roads. He was under the impression the developer had requested Rocky Mountain Power to install the final requirements on the pump station but had not set a date as of yet. Mayor Rubin stated once the power was fully hooked up and the water was tested and approved, the Town could move forward.

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

At 6:17 p.m. Mayor Rubin opened the floor to members of the public wishing to speak on items not listed on the agenda. He reiterated Council would not hear comments related to the Golden Eagle Subdivision.

Council Member Severini noted the recycling pickups from Recyclops had been missed and a number of residents had expressed their concern. He asked if there was a contract between the Town and Recyclops. Mayor Rubin stated the contract was between Recyclops and the homeowner, but he could reach out to Recyclops and inform them there were some complaints from residents. Council Member Baier added she had received a text message from Recyclops stating there was an additional surcharge for excess materials although the company had missed several weeks of pickup services. She would discuss the complaints from residents to the company when she discussed her matter with them.

Golden Eagle Lot Owner Damian Taitano – wanted to share publicly that the Hideout Local District 1 monthly meeting was scheduled for 10:00 a.m. on Monday, December 12. He understood it to be a virtual meeting and hoped to attend.

Golden Eagle Lot Owner John Blamer – wanted to discuss evidence received that the water had been tested and was deemed safe for consumption. Town Attorney Polly McLean reminded Mr. Blamer he was represented by legal counsel and she and Mr. Dixon would set up a call when his legal counsel was present.

There being no further public comment, Mayor Rubin closed the public input portion of the meeting at 6:24 p.m. and moved to the agenda items for discussion.

V. Agenda Items

1. Discussion and consideration of approving additional funds for the renewal of the contract between Hideout and the Wasatch County Sheriff's Office

Mayor Rubin informed Council the Sheriff's Office contract ran from January 1 through December 31 of each year although the municipal fiscal year ran from July 1 through June 30 each year.

Katie Shepley noted the contract increased approximately seven percent (7%) from the previous year but did not include the month of July because it was paid in prior years. Because the Town did not factor in the increased cost during the current fiscal year, the budget would be short approximately \$2000. Ms. Shepley stated there were enough funds to cover the cost and Mayor Rubin added the additional funds could be factored into Fiscal Year 2023.

Mayor Rubin noted there were reports and dispatch logs included in the council materials which justified the cost. He mentioned he had asked the Sheriff's Office if there were steps the Town could take to increase public safety and would discuss those findings with the Sheriff in the near future.

Mayor Rubin asked Council if service should continue with the Sheriff's Office and if the work had been performed at a satisfactory level. Council Member Baier and Council Member Severini supported continuing the services but would like to see if a report could be obtained detailing areas with higher crime activity.

2. Presentation by IHC regarding services provided and projects and initiatives at Park City and Heber Valley Hospitals

Lori Weston (Park City Hospital) and Si Hutt (Heber Valley Hospital) presented the 2022 Report to the Community from the Park City and Heber Valley Intermountain Health Care (IHC) Hospitals. Ms. Weston described statistics for the Park City Hospital, including the number of babies delivered, surgeries performed, and emergency room visits. She noted the statistics increased significantly during 2022 in part due to increased recreational activities and new residents.

Mr. Hutt described the statistics from Heber Valley Hospital. He anticipated significantly more emergency room visits in 2023 due to the amount of growth in the Heber Valley. He noted approximately \$3.8 million was allocated to improvements and equipment at both hospitals. He pointed out how the community benefited by having the hospitals nearby, including no-cost education to the community, and working with and donating to various nonprofit organizations and charities.

The services provided at each hospital were described, which included board-certified emergency room physicians, surgical services, intensive care, inpatient services, labor and delivery, respiratory therapists, sleep studies, intravenous (IV) infusion therapy, chemo infusions, sports medicine physicians, cardiology testing, oncology, behavioral health services, crisis care, and pediatric care.

Ms. Weston described several initiatives in process for 2023 at the Park City Hospital, which included an expansion of the first floor involving the emergency imaging and lab. Also included was adding cardiac and pulmonary rehabilitation, Parkinson's rehabilitation program, and opening the Park City Surgery Center. The Sports Medicine Live Well program and physical therapy was to be expanded, as well as adding robotics for surgeons to perform less invasive procedures on patients.

Mr. Hutt described several initiatives in process for 2023 at the Heber Valley Hospital, which included an expansion of the specialty clinic and replacing the Magnetic Resonance Imaging (MRI) machine. An outpatient pharmacy consultation would be added as well as additional primary care providers, family practice physician, and an internal medicine physician.

Council Member Severini asked what the newer building in the Park City area was. Ms. Weston explained it was the new Orthopedic Surgery Center which was to open in January, 2023. She further explained all the outpatient or under 24-hour stay surgeries would be performed at that facility in the future.

Mayor Rubin thanked Ms. Weston and Mr. Hutt for the presentation and stated he had visited the Park City Hospital and was pleased with the level of service and was grateful for the advanced technology.

Ms. Weston asked Council to inform either her or Mr. Hutt if there was anything the community may need that could be improved, and thanked Council for the opportunity to present the information.

3. Discussion of expansion of Annexation Declaration Area (ADA)

Mayor Rubin wanted to share with Council that the Town was approached by the developers of Benloch Ranch, which was a property on the south end of Jordanelle Reservoir, who inquired if the Town would be interested in annexing the land. There were some potential items of interest to the Town as it related to the General Plan. The developers presented a preliminary concept plan at a Planning Commission meeting held on December 1, 2022. Mayor Rubin reiterated this was in the very early stages but wanted to inform Council of the discussion and process.

Mr. Eddington presented a map of the proposed expansion of the Annexation Declaration Area (ADA) to include Benloch Ranch. Mayor Rubin noted there was an overlap of the proposed area with Heber City's ADA, and therefore, the process would take some time. Ms. McLean added that the intent of including this discussion to the agenda was to make Council aware of it and get support prior to spending additional resources and moving forward with the project. Council Member Baier expressed her support with the knowledge the Town was limited in resources and felt that expanding the ADA was necessary. Council Member Jacobs also expressed her support and disclosed her company represented Benloch Ranch. She had visited the property on several occasions and thought it would be a good addition to Hideout. Council Member Severini gave his support to continue the dialogue, noting the Economic Development Committee (EDC) had researched some potential financial opportunities for the Town.

Council Member Haselton suggested a site visit be arranged for Council and Planning Commission.

Council Member Baier inquired how the ADA could be expanded with Jordanelle Reservoir separating Hideout from Benloch Ranch. Mr. Eddington explained there were some potential connections along some of the Bureau of Reclamation (BOR) land as well as some of the State lands. Ms. McLean added with the connection of the land it would be contiguous and would be within the threshold requirements.

Mayor Rubin stated there was enough support from Council to move forward with researching the expansion. Ms. McLean explained the Planning Commission would hold meetings to expand the ADA and make a recommendation to Council.

4. Presentation regarding the creation of CRA and Bonding next steps for MIDA cash flows

Mayor Rubin explained because Hideout was a portion of the Military Installation Development Authority (MIDA), income was granted to the Town by MIDA. He introduced Randy Larsen, who worked with the law firm of Gilmore and Bell in the Salt Lake office. Mr. Larsen explained he would represent Hideout as the bond counsel.

Mr. Larsen explained the purpose of a Community Renewal Agency (CRA) was to create a mechanism to collect an increase in property taxes from a particular area or project area. The Town would be the Board of the CRA and would serve as a reporting entity when assets or obligations were present and necessary for an audit.

A CRA was an increase in property tax from a development in a project area which could be shared with public improvements, or vertical infrastructure. It also had some ability to be flexible when selling city assets. The approval of the Board was sufficient to sometimes sell assets at a reduced cost to incentivize development activities in particular.

A CRA had certain rights the Town did not have, but once the entity was created and the project area was defined, the CRA would be enabled to, with the agreement of the Town, create a taxing boundary. The other taxing entities could, at their own discretion, decide whether or not to share their own tax increment for purposes of the project area. Mr. Larsen suggested creating the CRA, especially given the development projects the Town was facing. He stated the CRA could attract development by providing a mechanism between the School District, Wasatch County, and the Town to volunteer or share any tax increment. He also noted the Town could pledge the MIDA revenue to a bond of the CRA. The CRA could then magnify the bond with its own Tax Increment Financing (TIF), or a Public Improvement District (PID) could magnify the tax with the consent of the property owner.

Council Member Severini inquired what the benefit of using the CRA with the MIDA funds was as opposed to working with MIDA directly. Mr. Larsen explained a CRA would act as a facilitator because the Town would retain control over the CRA, but the CRA had more flexibility. He provided an example that if the Town wanted to acquire land, or pay for some public improvement, or develop vertical infrastructure, the Town was not entitled to lend its credit toward private development. A CRA had an exception in that it could incentivize and even assist in paying for things that might benefit the entities that fit within the desired development, which the Town could not do by itself. Legislatures intentionally created CRA's to enhance development activities the Town could not otherwise do. A CRA could use revenues which belonged to the Town through a pledge to the CRA.

Council Member Severini asked if there were any CRA's that Council could research to assist in the decision-making process. Mr. Larsen stated Salt Lake City had a long-standing CRA with project areas that included affordable housing, theaters, convention centers, et cetera. Park City was also noted as holding CRA projects for development. Mr. Larsen offered to send documents of information to Council.

Ms. McCosh asked Mr. Larson to discuss what Hideout would need to do to bond on the MIDA cash flows. Mr. Larsen explained the Town could bond against the MIDA revenue without a CRA in place. However, a CRA would offer more flexibility in how the funds were used. He suggested engaging with an investment banker who could offer insight on rates and terms based upon the projected revenues expected from MIDA.

There were no further questions for Mr. Larsen. Mayor Rubin thanked Mr. Larsen for taking time to explain the risks and benefits of creating a CRA.

5. Update from Wasatch County Sheriff's Office regarding service during 2022

Sheriff Rigby joined the meeting and discussed some of the issues present in Hideout in the previous year. He stated the majority of service calls were from the growing number of alarm systems installed because of the increased residential growth and popularity of security systems. A number of calls were received for non-criminal questions, such as: hunting rights, the legality of firearms within the Town, and issues with property disputes. He noted the aforementioned calls were part of the regular service the Sheriff's Office provided.

Sheriff Rigby mentioned if Deputies were to respond three times to a false alarm, any subsequent false alarms would be charged to the homeowner. He stated there was a service in place for homeowners to report a false alarm prior to Deputies being dispatched. He offered to prepare an informational summary to be included in the Town newsletter.

Mayor Rubin noted the Sheriff's Office assisted in enforcing the Town's parking ordinances. Sheriff Rigby explained Deputies would attempt to contact the vehicle owner prior to towing the vehicle when it was in violation of the parking ordinance.

Sheriff Rigby discussed an increased number of calls related to fraud. This included credit card fraud, identity theft, package theft, or a caller stating a relative had a warrant that could be paid for over the phone with a credit card.

Council Member Baier asked how the parking ordinance was enforced when construction workers were parked on both sides of the road making the road impassable. Sheriff Rigby stated the Deputy would contact the contractor and instruct them to park on only one side of the road. He stated if there were any particular areas which were in violation, residents should contact the non-emergency dispatch line.

Sheriff Rigby mentioned there was new technology in the Deputy's vehicles which would accurately log what time the Deputies were in which area at any given time. He offered a ride-along with the Deputies for any of the Council Members who wished to do so, or if there were reports the Council Members wanted to discuss one-on-one to contact the Sheriff's Office for a discussion.

Mayor Rubin reminded Council the Sheriff's Office would be scheduled to provide updates once per quarter, and if there were any questions or concerns, they could also bring those up during those regularly scheduled meetings.

Sheriff Rigby thanked Council for the opportunity to work with the Town.

6. Possible approval of Resolution 2022-R-XX to update the Hideout Fee and Rate Schedule for re-inspections

Mr. Dixon explained there were approximately three thousand (3000) inspection requests in the year 2022, with a failure rate of approximately ten to twenty percent (10-20%). He noted most of the failed inspections were regarding building permits. Each time an inspection failed, Staff was required to re-inspect the same issues which may not have been corrected from the previous inspection. He asked for consideration to approve a re-inspection fee of three-hundred seventy dollars (\$370).

Council Member Baier supported the fee and reiterated costs should be covered and correct behaviors should be encouraged.

There being no further questions from Council, Mayor Rubin asked for a motion to approve the change.

Motion: Council Member Baier moved to approve Resolution 2022-R-16 to amend the Hideout Fee and Rate Schedule as described to include a re-inspection fee. 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. The motion carried.

7. Consideration of adopting Resolution 2022-R-XX to update Hideout's Electronic Meeting Policy

Ms. McLean explained the Electronic Meeting Policy was outdated and needed to be updated per state law requirements. The Resolution would allow for electronic meetings to be held and a quorum of the Council could be made using electronic meetings.

Roll call voting was discussed. Ms. McLean explained the state law required all votes be recorded in the meeting minutes as a roll call vote.

There being no questions from Council, Mayor Rubin asked for a motion to adopt the Resolution.

Motion: Council Member Jacobs moved to adopt Resolution 2022-R-17 regarding electronic meeting participation. 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. The motion carried.

8. Possible approval of Ordinance 2022-O-XX setting the Hideout Town Council Regular Meeting schedule for 2023

Mayor Rubin presented the 2023 Council Regular Meeting Schedule and noted it was to remain on the second Thursday of each month. He noted one exception for the meeting on November 9th which fell on an observed holiday. That meeting would be held on Wednesday, November 8.

There being no questions from Council, Mayor Rubin asked for a motion to adopt the Ordinance.

Motion: Council Member Haselton moved to adopt Ordinance 2022-O-08 establishing a 2023 Regular Meeting Schedule for the Town Council of Hideout, Utah. 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. The motion carried.

9. Consideration and possible approval of Holidays observed and Town Hall closure schedule for 2023

Mayor Rubin presented the proposed observed holiday schedule for Town Hall closure. He noted the regular office hours were Monday through Thursday and on some occasions the holiday fell on a Friday or weekend. He asked Recorder Alicia Fairbourne to add a column showing the date of the actual holiday so it could be compared to the observed holiday.

Council Member Baier felt comfortable with the holiday schedule. There were no further comments or questions.

10. Consideration of setting a date for a retreat for all Council Members to discuss and set goals for the upcoming year

Mayor Rubin stated a Council Work Session had been held in previous years to discuss what had been accomplished and to set goals for the upcoming year. He asked Council if they would prefer to meet in person, or to conduct the meeting fully electronic, or to conduct a hybrid meeting which would include in-person and electronic attendees. Council agreed the meeting should be conducted in-person and at an off-site location to allow for social distancing.

Mayor Rubin reminded Council and meeting participants it would be an open meeting to the public, although no public comment or public input would be taken. He stated it would be streamed via YouTube Live and/or Zoom.

Several potential meeting locations were discussed, as well as a date that would accommodate all Council Members. Ms. McCosh would explore possible venues and finalize the date with the Council Members.

VI. Approval of Council Minutes

1. August 11, 2022 Truth in Taxation Meeting Minutes DRAFT

There were no corrections.

2. August 11, 2022 Town Council Meeting Minutes DRAFT

Ms. Fairbourne had a question regarding who the trails map was emailed to. Mr. Eddington stated he would email the names to Ms. Fairbourne to include in the minutes.

3. September 8, 2022 Town Council Meeting Minutes DRAFT

Council Member Haselton asked for lines 4/5 on page 6 to be reworded.

4. October 13, 2022 Town Council Meeting Minutes DRAFT

Council Member Haselton noted two corrections. The first being on page 4, line 33. She stated it should read, "... *she was concerned about the lighting...*".

The second correction on page 7, line 31, which should be corrected to "*Skyridge*".

There being no further corrections, Mayor Rubin asked for a motion to approve the minutes.

Motion: Council Member Haselton moved to approve the Council Minutes of the August 11, 2022 Truth in Taxation Meeting, August 11, 2022 Regular Meeting, September 8, 2022 Regular Meeting, and October 13, 2022 Regular Meeting minutes with the aforementioned corrections. Council Member Jacobs 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. The motion carried.

VII. Follow up of Items Related to Council Minutes

Mayor Rubin noted the water situation which was discussed in the September meeting would be followed-up with in the January meeting. He stated a meeting was to be held with JSSD to provide clarification on several discrepancies regarding the amount of water available.

Council Member Severini asked about the discussion during the August 11 meeting regarding resident Carol Tomas' suggestion of leaving the lot where the bike path crossed as an open lot. Mr. Eddington stated he had an initial conversation with Ms. Tomas and the developer and noted the bike path would be constructed where it was platted in front of Ms. Tomas' house. However, there was a potential alternative opportunity which he would discuss with the developer.

Council Member Severini asked about the discussion during the August 11 meeting regarding the water consumption data. Mayor Rubin stated the water consumption data would be reviewed during the discussion of available water in January.

Council Member Severini asked if any resolution was found in creating a definition around a possible mid-term rental being between thirty-one (31) and eighty-nine (89) days as discussed in the September meeting. Ms. McCosh noted there were complications surrounding that term because state law was specific in its format.

VIII. Committee Updates

1. Community Engagement Committee - Sheri

Council Member Jacobs stated the Community Engagement Committee held a meeting the previous week. She stated several creative ideas were discussed, some of which focused on a fundraising event and additional opportunities for grant money. An additional meeting would be held in the following month to get further details. She noted she would discuss some possible winter activities with the Parks, Open Space and Trails (POST) Committee.

Mayor Rubin noted the Committee had created articles of clothing for residents to purchase and felt further communication was needed to make residents aware it was available. Council Member Jacobs would order additional items to offer a variety of sizes to residents. She would also discuss with Staff members to ensure it was advertised in the community newsletter and website.

2. Parks, Open Space and Trails (POST) Committee - Chris

The POST Committee did not meet in November. However, Deputy Recorder for Hideout Kathleen Hopkins had a discussion with Jason Whittaker who confirmed the construction project had started at the Ross Creek Day-use area. He mentioned a trail groom would be completed in the Ross Creek area in the coming months.

3. Transportation Committee - Carol

Council Member Haselton stated the new Park City Transit Silver Line schedule was complete. The bus schedule showed transportation would begin to take passengers to the Old Town Transit Center from Richardson Flat at 5:45 a.m.

4. Hideout Design Review Committee (DRC) - Thomas

Mr. Eddington stated the DRC had met and reviewed Deer Springs Phases 2A and 2B, and focused specifically on the fourplexes within those developments. The review regarding footings and foundations was complete; however, final colors and design components would continue to be discussed.

Council Member Baier inquired if dark-sky compliant lighting was discussed, to which Mr. Eddington replied it had, and the DRC was awaiting final lighting fixtures, colors, and material components from the developer. Mr. Dixon also noted the new streetlights which were ordered and were to be installed by the developers would be dark-sky compliant as well.

5. Planning Commission - Donna Turner

Planning Commissioner Donna Turner stated the Planning Commission discussed the potential annexation of Benloch Ranch which consisted of approximately two-thousand, three hundred (2300) acres outside of Hideout. The Planning Commission also heard a concept plan from a developer who was interested in annexing the Creekside area near Deer Springs and Deer Waters, which consisted of approximately seven (7) acres. Mr. Eddington noted the Creekside annexation

had been discussed approximately two (2) years prior and the applicant had withdrawn the application. This was a re-submission of the same area. Commissioner Turner stated the applicant desired to build ten (10) single-family homes in the area; however, Mr. Eddington noted there were a number of issues with the development due to the sensitive lands, wetlands, duck ponds and slopes. The Planning Commission made several recommendations to the applicant, including reducing the number of houses and alternating the homes to avoid a monotonous aesthetic. She mentioned the applicant stated studies had been conducted to preserve the wetlands. Mr. Eddington added the Planning Commission had asked the applicant to conduct a slope analysis and environmental analysis before presenting the concept to the Planning Commission again.

IX. 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 a Closed Executive Session.

X. 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 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.

The meeting adjourned at 8:48 p.m.



Alicia Fairbourne
Alicia Fairbourne, Recorder for Hideout