

**Minutes**  
Town of Hideout  
Town Council Regular Meeting  
April 13, 2023

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on April 13, 2023 at 6:00 p.m. electronically via Zoom due to the ongoing COVID-19 health concerns.

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 due to the ongoing spread of COVID-19.

**II. Roll Call**

**Present:** Mayor Phil Rubin  
Council Member Chris Baier  
Council Member Carol Haselton  
Council Member Sheri Jacobs  
Council Member Ralph Severini *joined at 6:23 p.m.*

**Excused:** Council Member Bob Nadelberg

**Staff Present:** Town Administrator Jan McCosh  
Assistant Town Attorney Cameron Platt  
Town Planner Thomas Eddington  
Director of Public Works Daniel Allen  
Director of Engineering Timm Dixon  
Recorder for Hideout Alicia Fairbourne  
Financial Consultant Katie Shepley

**Others Present:** Wasatch County Sheriff Jared Rigby, John Greer, Damian Taitano, Ed O’roark, Greg McIntire., Joel Pieper, Peter Ginsberg, Kelleen Potter, Planning Commissioner Jonathan Gunn, 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 provided an update on the Golden Eagle subdivision. It was mentioned that a letter had been issued to the Golden Eagle landowners within the past week, and the information had also been made public. The Town Staff had been working diligently with Mustang Development to address the remaining tasks required for completion. However, as of the meeting, those tasks had not been finished.

#### **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 6:04 p.m.

*Ed O’roark* - began by expressing his gratitude for the opportunity to speak and mentioned that he had sent a letter regarding his concerns but expressed disappointment that he had waited for a response for four weeks for what he considered basic information. His inquiry was related to the background, return on investment, or business case that influenced the decision to specify a water meter four times more expensive than existing ones, seemingly applicable only to new build residents like himself.

He acknowledged that the Mayor had mentioned the matter was under legal review, which he found surprising for what he considered straightforward information. Just before the meeting, Mr. O’roark decided to share the letter with the entire Council, although he recognized they might not have had sufficient time to review it.

Mr. O’roark emphasized that, as a resident (soon to be a voter when his home was built), he believed that the entire community deserved transparency on this issue. He thanked the Council in advance for providing the information he sought but expressed disappointment in the lengthy delay in receiving a response to his inquiries.

Mayor Rubin made a brief comment during the meeting in response to Mr. O’roark's concerns. Mayor Rubin acknowledged that the comment wasn't specific to Mr. O’roark's questions but aimed to address the time gap in responses. Mayor Rubin reminded the residents that their elected officials did not receive compensation for their efforts. Many of them had jobs outside of their Town Council duties, which sometimes limited the time they could devote to supporting the community. Mayor Rubin apologized for any occasional delays in their responses.

*Greg McIntire* – noted he was a lot owner of Golden Eagle and mentioned he was a financial professional by trade. He expressed his concerns regarding the Town's budget and legal costs. He mentioned that he had watched a previous special meeting from January 6, 2022 and noted that the Town had gone from a profit of half a million dollars in 2022 to a projected deficit of \$250,000. Mr. McIntire was particularly concerned about the impact of legal costs on the budget and whether there would be a public hearing to discuss the percentage of town revenue allocated to legal expenses before considering a tax increase.

He also referenced a speech made by Council Member Ralph Severini during the January 6<sup>th</sup> meeting, where Council Member Severini emphasized the need for the Town to be competitive and streamline its processes, especially with the deficit potentially doubling. Mr. McIntire questioned when the Town would take action to improve efficiency and whether there were commercial revenue ideas in the pipeline.

Mayor Rubin responded by stating that he and the Council had taken an oath to uphold the law and that legal costs were often driven by development and disagreements among residents. He emphasized the commitment to upholding the law but acknowledged the need for public input at some point. Mayor Rubin also mentioned that efforts were underway to bring in commercial opportunities and other revenue streams to address the deficit, expressing his dedication to this cause.

Mr. McIntire thanked Mayor Rubin for his comments, expressing his hope for progress in addressing the deficit and improving the Town's financial situation.

*Council Member Chris Baier* - expressed appreciation for the efforts of the Town's Public Works department in monitoring potential flooding due to the recent snowmelt, particularly with the sudden and significant warm-up.

Council Member Baier mentioned that she had an email exchange with the Public Works Director and learned that the Town had sand and sandbags available at the Public Works building. She suggested that the Town should make this information more accessible to residents, especially on the Town's website, so that residents could fill sandbags and place them strategically to protect their properties from potential water issues caused by runoff.

Mayor Rubin responded by assuring Council Member Baier that the information would be posted on the Town's website. He also mentioned that the Town had sent out a newsletter and possibly an app notification regarding the availability of sand and sandbags. He thanked Council Member Baier for bringing it to their attention.

There being no further public comments, Mayor Rubin closed public input at 6:16 p.m.

## **V. Agenda Items**

### **1. Presentation of quarterly Wasatch County Sheriff's Report**

Sheriff Rigby presented the quarterly Wasatch County Sheriff's Report. He began by offering assistance from the Sheriff's Office in emergency management and flooding issues.

Sheriff Rigby proceeded to provide a summary of law enforcement services in the first quarter of 2023. Under the existing agreement, the Sheriff's Office was required to provide approximately twelve (12) additional hours of law enforcement services per week, totaling nearly fifty (50) hours per month. Currently, they were providing about seventeen (17) hours per week and almost seventy (70) hours per month. He also highlighted that there were fifty-seven (57) traffic stops conducted in Hideout during the last three months, averaging about twenty (20) per month and four (4) to five (5) per week.

The Sheriff mentioned the need to remind residents to secure their garages and vehicles to prevent thefts and emphasized the importance of locking doors and not leaving keys inside running vehicles. He also noted that construction sites had been susceptible to theft, and residents should be vigilant in reporting any suspicious activities. Sheriff Rigby encouraged residents to use the non-emergency number (435-654-1411) or text to 911 for non-urgent situations.

Mayor Rubin inquired about trends and any actions the municipality could take to mitigate issues, to which Sheriff Rigby mentioned that awareness campaigns about securing property and not leaving vehicles running would be helpful. He also mentioned a rise in thefts from open garages and vehicle burglaries, which could be addressed through public education.

Council Member Baier expressed gratitude for the report and encouraged reinforcing common-sense practices to avoid becoming victims of property theft. Mayor Rubin suggested promoting the use of video doorbells for additional security and noted that the town could explore the installation of surveillance cameras in common areas.

Sheriff Rigby welcomed the idea of discussing surveillance cameras for common property and expressed his willingness to assist in that discussion.

### **2. Presentation, discussion and possible approval of Resolution 2023-R-XX regarding Rank Choice Voting**

Kelleen Potter from Utah Ranked Choice Voting presented information about implementing ranked choice voting for municipal elections. Ms. Potter explained how ranked choice voting worked - voters rank candidates in order of preference instead of selecting just one candidate. If no candidate received over fifty percent (50%) of the first-choice votes, the lowest ranked

candidate was eliminated, and their votes are redistributed based on the second choice selections. This process continued in rounds until a candidate received over fifty percent (50%) of the votes.

Ms. Potter outlined some of the potential benefits of ranked choice voting, including only needing to hold one election instead of a Primary and General Election, cost savings from eliminating the Primary Election, allowing voters to support their preferred candidate without worrying about "wasting" their vote, and requiring the winner to build a broader coalition of voters. Ms. Potter also noted that Utah had implemented ranked choice voting differently than other states, calling it the "Utah way."

Some Council Members expressed concerns about not having enough time to research ranked choice voting before needing to make a decision, and wanted to hear potential downsides in addition to the positives that were presented.

After a brief discussion, Mayor Rubin called for a motion.

***Motion: Council Member Baier moved to adopt a Resolution requesting inclusion of Hideout, Utah in the Municipal Alternate Voting Methods Pilot Project. Council Member Jacobs made the second. Voting Yes: Council Member Baier and Council Member Jacobs. Voting Nay: Council Member Haselton and Council Member Severini. Absent from voting: Council Member Nadelberg. Mayor Rubin broke the tie with a Nay vote. The motion failed.***

Mayor Rubin and Council Members agreed to revisit the issue in the future with more time and information.

### **3. Presentation of annual municipal audit performed by Ben Probst**

Mayor Rubin mentioned that the timing of the presentation coincided with the deadline for taxes, and Ben Probst, being a CPA, was busy with tax work for numerous individuals and businesses, working late into the night to complete tax returns. As a result, it was decided to postpone the presentation to the May 11, 2023 Council Meeting.

Mayor Rubin also noted that for the following year, Staff needed to be more conscious of the timing and aim to complete the audit by March to ensure it could be presented earlier in the year.

### **4. Discussion and possible appointment of Peter Ginsberg and Joel Pieper as alternate members of the Hideout Planning Commission by Mayor with advice and consent of the Council**

Mayor Rubin discussed the need to appoint new alternate members to the Hideout Planning Commission due to a resignation that resulted in the promotion of an existing alternate to a primary member. Planning Chair Tony Matyszczuk had recommended two candidates, Peter Ginsberg and Joel Pieper, for appointment as alternate members of the Planning Commission.

Mayor Rubin explained that the appointment process required advice and consent from the Council rather than a formal resolution. He provided some background information on Mr. Ginsberg's real estate and capital experience and Council Member Baier mentioned that Mr. Pieper had volunteered to help the community on the former Parks, Open Space and Trails (POST) Committee.

Council Member Baier inquired about what motivated Mr. Pieper to join the planning commission as an alternate, to which he explained his interest in assisting the community and helping with responsible development.

Council Member Baier expressed her support for Mr. Pieper's appointment, citing his history of volunteer work in the community and his dedication.

Mayor Rubin also mentioned that Mr. Ginsberg was a newer resident of Hideout and confirmed that both candidates were residents.

Mayor Rubin then requested Council's consent to finalize the appointments.

***Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. None opposed.***

**5. Discussion and possible appointment of Craig Hall, esquire and Tracy Cowdell, esquire as the Administrative Law Judges for the Town of Hideout for a term of three years by Mayor with advice and consent of the Council**

Mayor Rubin discussed the need to appoint an additional Administrative Law Judge (ALJ) for the Town. Previously, Craig Hall had been appointed as an ALJ, but due to personal medical issues that made him temporarily unavailable, an alternate judge was needed. Tracy Cowdell was identified as an alternate judge.

Town Administrator Jan McCosh explained that a Request for Proposal (RFP) had been conducted to find suitable candidates for the ALJ position, and both Mr. Hall and Mr. Cowdell were among the candidates. Mr. Hall had initially been selected, but with his current unavailability, Mr. Cowdell was being considered as an alternate.

Council Member Chris Baier asked how the roles of the two ALJs would work if both were available. Ms. McCosh explained that the selection would depend on the issue at hand and the qualifications and experience of the judges. There would be flexibility in choosing either or both based on availability and relevance to the matter.

Assistant Town Attorney Cameron Platt also confirmed the flexibility of selecting the ALJs based on their schedules and expertise.

Council Member Severini inquired about any retainer fees, and Jan McCosh clarified that the judges would be compensated on an hourly rate basis rather than a retainer.

Council Member Baier expressed her support for having ALJs to handle disputes and was glad that the town had taken this step.

Mayor Rubin then requested Council's consent to appoint both Mr. Hall and Mr. Cowdell as ALJs for the Town.

***Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. None opposed.***

**6. Presentation and discussion of the Tentative Budget for Fiscal Year 2023-2024**

Mayor Rubin and Town Financial Consultant Katie Shepley addressed the tentative budget for the upcoming fiscal year. There were three major areas of proposed increases in the General Fund that were highlighted. First, there were plans to add a new Public Works position to address staffing shortages, particularly for snow removal. The goal was to have the current Public Works Director focus on administrative tasks instead of driving snowplow trucks. Additionally, there was consideration of providing family medical coverage and disability insurance to attract and retain employees.

Secondly, the Town was dealing with significant legal costs due to lawsuits from developers regarding building codes and contract disputes. These legal expenses were expected to continue in the short term. Road repairs were also a concern due to the harsh winter, leading to a need for more substantial work than just crack sealing.

In the Enterprise Fund, the Town planned to increase spending to address deficiencies, including sewer and water projects, storm drain work, and the replacement of old water meters with smart meters for improved water conservation.

Council Member Severini expressed concern about the budget deficit and discussed potential sources of revenue, such as investment strategies, fee schedule adjustments, water rate changes, transportation taxes, and attracting more commercial businesses to increase sales tax revenue and transient tax income.

Ms. Shepley stated the Budget Committee aimed to be creative in addressing the deficit and planned to provide a detailed plan for discussion in the coming weeks. Mayor Rubin stressed the importance of budget planning and noted the Council Members would be provided the necessary information to make informed decisions.

**7. Consideration and possible approval to authorize the Mayor to execute an agreement with Sunroc to install a new sewer lift station in the Shoreline Subdivision in the amount for Hideout not to exceed \$300,000**

Mayor Rubin discussed the proposed project to replace the sewer lift station in the Shoreline Subdivision. He explained that the existing lift station, built ten years ago, was no longer capable of handling the increased capacity from new subdivisions in the area. Developers from the Shoreline and Deer Springs, Lakeview and Deer Waters subdivisions agreed to contribute their budgeted funds to build a single, well-designed lift station for the Town. The Town's responsibility was to pay for the upsized pipeline, allowing for more capacity.

The budget for this project was initially set at \$250,000, but an additional \$50,000 was needed to complete it. Mayor Rubin noted the funding for this project came from the Enterprise Fund, not the General Fund. Council Members raised questions about the new lift station's operation and its impact on the existing station's longevity.

The new lift station would have at least two pumps and a backup generator. It could operate with one pump, albeit at reduced flow. The average lifetime of lift stations ranged from 15 to 20 years, with regular maintenance and the proper use of facilities playing a crucial role in their longevity. Mayor Rubin emphasized that the project aimed to reduce risks and upgrade the Town's waste management infrastructure.

After a brief discussion, Mayor Rubin asked for Council's approval to authorize the Mayor to execute the agreement to install a new sewer lift station in the Shoreline Subdivision and the amount for Hideout not to exceed \$300,000, which would be a \$50,000 difference versus the current budgeted amount of \$250,000.

***Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. None opposed.***

**8. Possible approval of Ordinance 2023-O-XX to make technical corrections to Ordinance 2023-O-03 Standards for Weed Control**

Mayor Rubin discussed the proposed ordinance, which aimed to make technical corrections to Hideout Municipal Code 5.04.110, regarding standards for weed control. The changes were made to clarify certain language and provide more detail on specific requirements.

Mr. Platt explained the specific changes to the ordinance. They included reorganizing the sentences to match the intended structure and adding the term "non-noxious weeds" to make it clear that the Town expected all types of weeds to be controlled or removed, regardless of their noxious status, provided they pose a nuisance or fire hazard.

Council Members raised some questions and sought clarification on various aspects of the ordinance. They inquired about the definition of non-noxious weeds and how property owners should request exemptions for non-noxious weeds. Mr. Platt clarified that the state and county publish lists of noxious weeds, and non-noxious weeds are essentially any plants not on those lists.

Council Member Baier raised a question about the reporting process for ongoing weed control during the growing season. She wanted to ensure that property owners were not required to file multiple reports. Cameron explained that only one report was required, but if property owners found additional problems during the growing season, they could report those as well.

Council Member Baier also inquired about the consequences for property owners who refused to pay for weed remediation or treatment costs. Mr. Platt outlined the three options for addressing non-payment, which included contact with the property owner, sending the bill to collections, or filing an action in court to collect. Additionally, he mentioned that the Town had the option to file charges as a tax lien, which was a powerful tool to encourage payment.

The proposed ordinance was well-received by the Council Members, and no significant changes were suggested. Council Members expressed the importance of ensuring that property owners actively participated in weed control efforts to manage this critical issue effectively.

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

*Motion: Council Member Baier moved to adopt Ordinance 2023-O-04 amending Title 5, Chapter 4, Section 110, Standards for Weed Control to make technical changes. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. None opposed. Absent from voting: Council Member Nadelberg. The motion carried.*

**9. Possible adoption of Ordinance 2023-O-XX regarding the delivery of agenda items and materials in order to be included on the Town Council Agenda**

Mayor Rubin introduced the issue of an ordinance that was passed by Council several years earlier but had never been codified. The ordinance addressed the delivery of agenda items and materials to be included on the Town Council Agenda. The purpose of the ordinance was to set clear deadlines and procedures for submitting agenda items and materials, ensuring that Council Members and the public had adequate time to review and prepare for meetings.

Council Member Baier expressed support for the ordinance, emphasizing the need to establish a clear and firm timeline for submitting agenda items. Mayor Rubin also mentioned his intention to enforce the deadlines strictly and mentioned that meetings might be canceled if materials had not been submitted on time.

The Council discussed the specific deadlines outlined in the ordinance, including the requirement for agenda items to be submitted to the City Recorder no later than 5:00 p.m. on the Monday 10 days or more before the scheduled meeting and the provision of supporting content by midday on the Thursday of the preceding week of the meeting.

Council Member Severini raised the idea of creating a calendar for anticipated major issues, allowing Council Members to better plan for discussions. This approach would provide advanced notice for items such as the budget, fire safety, and other critical topics.

Recorder for Hideout Alicia Fairbourne expressed support for this idea and mentioned her practice of sending a draft agenda to Staff approximately three weeks before the council meeting, seeking input and feedback. She inquired if Council Members would like to be included in the distribution of the draft Agenda, and Council Members agreed they would like to be included in that distribution.

Ms. McCosh commended the early presentation of the budget, emphasizing the importance of starting conversations on financial matters well in advance.

The discussion underscored the need for a comprehensive calendar that identified key issues and allowed for sufficient time to prepare and deliberate.

There being no further discussion, Mayor Rubin asked for a motion to re-adopt Ordinance 2018-6.

***Motion: Council Member Haselton moved to re-adopt Ordinance 2018-6 (renamed Ordinance 2023-O-05). Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. None opposed. Absent from voting: Council Member Nadelberg. The motion carried.***

## **VI. Committee Updates**

### **1. Planning Commission – Planning Commissioner Jonathan Gunn**

Planning Commissioner Jonathan Gunn provided information on several matters to be discussed at the next Planning Commission meeting. These matters included:

- Discussion and potential recommendation to the Council regarding an Overlay Zone for the Deer Springs Cottages that would permit nightly rentals within that subdivision.
- A potential recommendation to the Council on the final subdivision approval of the Deer Springs Cottages.
- A presentation of a revised concept plan for the Bloom project, also known as the Salzman property, based on feedback provided at the last Planning Commission meeting.
- A general concept plan for a Town project, which involved the Town Center.
- A review of a concept plan for Hideout Point, a project located near the Ross Creek entrance of the Jordanelle State Park.

Mayor Rubin and other Council Members discussed these projects and sought clarification on some of them. There was also mention of coordination between different projects, including Ty Frisbee's project, which was related to the Town project and required coordination between the Economic Development Committee (EDC) and the Planning Commission.

### **2. Design Review Committee (DRC) - Thomas Eddington**

There were no updates from the Design Review Committee.



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

Council Member Baier provided information on the short-term projects discussed in the recent POST Committee meeting. The short-term projects included:

- Designing a trail network in the Klaim subdivision, to begin work once the snow melted.
- Establishing a contact with Utah Department of Transportation (UDOT) for various projects, including the new Ross Creek entrance and the realignment of roadways.
- Discussing the possibility of local resident Jordanelle State Park passes and other related considerations.
- Addressing the Keetley Farm signs and finding a permanent ADA-compliant location for them.
- Updating the Master Plan to connect Hideout neighborhoods with trails and ensuring that developers fulfilled promises related to trails and amenities in each subdivision.

Council Members also discussed the impact of UDOT on various projects and the need for coordination and communication with UDOT to move these projects forward. They emphasized the importance of ensuring the entrance between Hideout and the State Park for both safety and economic development. The corridor agreement with UDOT was highlighted as a tool to address some of these issues, and further discussions with UDOT were planned to advance the projects.

### **4. Transportation Committee - *Council Member Haselton***

Council Member Haselton mentioned the following key points:

- The Richardson Flat bus service, run by Park City, was expected to continue. The frequency might not be the same as was during the ski season, but the service would persist.
- High Valley Transit was working on a facility near Home Depot, which would serve as a location to store buses. Once the facility was completed, it may allow for more routes and potentially a stop in Hideout. However, parking in Hideout needed to be considered for such a stop.
- There was a potential future development of a park and ride near the corner of Highway 40, located close to Richardson Flat. The impact of this development on bus schedules and services in the area would need to be monitored.

Council Member Haselton also mentioned that she would provide an updated bus schedule to be included in the newsletter. Additionally, Mayor Rubin requested more information about the timing of the new park and ride development, as it could impact the transportation options in the area.

### **5. Community Engagement Committee - *Council Member Jacobs***

Council Member Jacobs mentioned the following key points:

- The Committee had been planning several events for the summer, but due to venue-related uncertainties, they decided to scale back their plans to two scheduled events.
- The Committee was working on finding a suitable venue for these events, with the Jordanelle State Park being a potential location.
- An attempt to organize a snowshoe event at the end of March was hindered by continuous snowfall and eventually unfavorable conditions. Council Member Baier was thanked for

her assistance in planning, and it was suggested that they will plan a similar event for the next winter season.

Council Member Jacobs mentioned the Committee was open to suggestions and ideas for venues or events, and they were actively working on more activities for the summer.

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

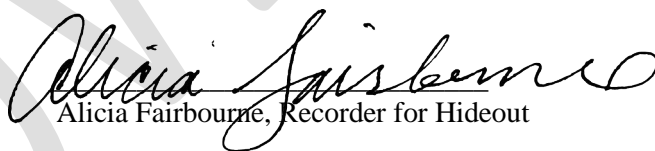
There was no need for an Executive Session.

**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 Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. None opposed. Absent from voting: Council Member Nadelberg. The motion carried.*

The meeting adjourned at 9:05 p.m.

  
Alicia Fairbourne, Recorder for Hideout

