

Minutes
Town of Hideout
Town Council Regular Meeting and Continued Public Hearing
October 12, 2023

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on October 12, 2023 at 6:00 p.m. in the City Council Chambers located at 10860 N. Hideout Trail, Hideout, Utah and electronically via Zoom.

Regular Meeting

I. Call to Order

Mayor Rubin called the meeting to order at 6:06 p.m. and explained the meeting was held as a hybrid meeting with some attendees in person at Hideout Town Hall and some participating remotely via Zoom.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Ralph Severini

Attending Remotely: Council Member Chris Baier
Council Member Carol Haselton
Council Member Sheri Jacobs
Council Member Bob Nadelberg

Staff Present: Town Administrator Jan McCosh
Town Attorney Polly McClean
Town Planner Thomas Eddington
Recorder for Hideout Alicia Fairbourne

Staff Attending Remotely: Director of Engineering Timm Dixon
Director of Public Works Daniel Allen

Public Present: Wasatch County Fire Chief Eric Hales, Wasatch County Council Member Karl McMillan, Planning Commissioner Glynnis Tihansky.

Public Attending Remotely: Don Blumenthal, Karleen Callahan, Greg McIntire, Larry Eisenfeld, Jenni Hogan, Katie Wilking, Ryan Sapp, Steve Grant, and others who may have logged in using a partial name or using only a phone number.

Prior to addressing the issues on the agenda, Mayor Rubin wanted to address three items with the public.

1. Mayor Rubin announced the new setup in the Council Room, which aimed to allow people to attend in-person rather than relying on Zoom or YouTube Live streaming. He mentioned that there would be a limit on the number of individuals who could be accommodated in the Council Room. Staff was in the process of collaborating with the Fire District to determine these limits.

Mayor Rubin emphasized that once specific numbers were determined, they would be shared with the community. He expressed concern that if too many people showed up and the room reached its capacity, the issue would need to be addressed. Mayor Rubin also highlighted the potential for changes in these numbers and the overall approach, depending on the evolving COVID-19 situation during the winter. He acknowledged that COVID-19 was resurging and affecting a larger number of individuals, and decisions would be made with public health and safety in mind.

2. Mayor Rubin reminded the community about the upcoming election. He mentioned that ballots were on their way and highlighted that the election would officially take place on November 21st. Mayor Rubin acknowledged that the date had been changed from the previous year.

Furthermore, Mayor Rubin informed the residents that there were three open Council positions with four candidates on the ballot, underscoring the importance of voting in this election. He also mentioned that there was an item related to the Fire District, which would be discussed later in the meeting.

In terms of ballot submission, Mayor Rubin informed the community that there would be a ballot box available at Town Hall for those who preferred not to mail in their ballots, providing a convenient option for dropping off their ballots.

3. Mayor Rubin addressed concerns about communication with the community. He noted that residents were reaching out to him through his direct email address. He expressed inability to personally read every email due to the high volume of correspondence. He apologized for this limitation and mentioned that it was impractical to go through all the incoming emails. He provided an alternative solution, suggesting that if residents had concerns to raise with the Town, they could still write to the Mayor but should do so through the general email inbox at hideoututah@hideoututah.gov. This would ensure that the email would enter the Town's mailbox, allowing Staff to review and assign it to the appropriate person for addressing.

Mayor Rubin clarified that if individuals only sent emails to him personally, the response time might be delayed, and it might take weeks to get a reply due to his heavy workload. He expressed regret but emphasized the necessity of this approach.

Mayor Rubin then redirected the focus back to the agenda items for discussion.

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

Mayor Rubin opened the floor for public input at 6:11 p.m.

Karleen Callahan and Don Blumenthal addressed concerns about property signage at Soaring Hawk. They pointed out that there had been no improvement in the signage of properties under construction and requested that this issue be addressed.

In response, Mayor Rubin mentioned that Director of Engineering Timm Dixon had previously been involved in addressing the limits of disturbance and other issues in that area but was unsure of the current status of the signs.

Ms. Callahan acknowledged that some of the concerns regarding limits of disturbance and erosion problems had been addressed, but they specifically sought follow-up on signage.

Mayor Rubin assured them that the matter had been assigned to the Engineering and Public Works teams, even though they were not currently on the call. He pledged to provide an update on the issue by the following Monday or Tuesday.

Council Member Baier sought a clarification on the term "signage," and Ms. Callahan explained that they were referring to signs that were supposed to be displayed on properties under construction, indicating the contractor and owner. She noted that many of these signs were missing. Mayor Rubin acknowledged that these signs should also display stop work orders, but they seemed to be lacking on several properties. Council Member Baier further inquired if the Town had fallen behind in printing and delivering these signs or if there was another reason for their absence. Ms. Callahan mentioned that older properties under construction seemed to have a higher prevalence of missing signs.

Mayor Rubin acknowledged the issue and indicated that they would follow up on it, even considering the temporary placement of signs if necessary to address the problem promptly. They recognized the importance of having these signs in place for community awareness and enforcement purposes.

Ms. Callahan and Don Blumenthal expressed their appreciation for the commitment to addressing the concern.

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

Council Member Baier suggested deviating from the posted agenda and moving the Fire District discussions ahead of the public hearing items. Mayor Rubin agreed.

IV. Agenda Items

1. Presentation from Wasatch County Fire Department Regarding Ballot Proposal 9

Mayor Rubin introduced Chief Eric Hales from the Wasatch Fire District to present on Proposition 9 for an Emergency Medical Services (EMS) sales tax. Chief Hales explained that recent state legislative changes now allowed Wasatch County, as a fourth-class county, to implement up to a 1% sales tax to fund emergency medical services. The County Council chose to put a 0.5% sales tax on the ballot for voters to decide. The tax would apply to most goods and services except unprepared food, gasoline, and medication.

Chief Hales noted that currently 80% of the Fire District's budget came from property taxes, and any improvements would require raising taxes. The sales tax would provide funds to enhance EMS and fire resources without further burdening property owners. The chief explained that 50% of sales tax revenue in the county comes from non-residents.

If approved, the 0.5% sales tax was estimated to generate \$5.2 million in the first year to fund facilities, equipment, staffing, and ambulances. The revenue was expected to grow over time with increased tourism and population. Chief Hales reviewed the Fire District's need for additional stations throughout the county and stated the sales tax would provide capital funds for construction without raising property taxes.

Council Members asked questions about emergency response procedures, revenue projections, and community opinions. The Mayor and Council Members voiced support to put more information out to residents on the ballot measure. Chief Hales offered to provide educational materials for the city to share.

2. Discussion of Fire Station update and contributions

Mayor Rubin explained that the Fire Chief had requested allowing the Department to place a trailer with office and bunkhouse space in one of the bays at the Public Works building, in order to establish a temporary fire station in Hideout ahead of schedule.

The Town would provide the salt storage bay for the trailer and build a temporary structure to replace the lost salt storage space. Estimates to prepare the site with paving, utilities, and heating for the trailer plus a temporary salt storage structure could be approximately \$250,000-\$300,000.

Mayor Rubin planned to amend the Town Budget and add a line item to support the fire and EMS for the Town. Staff would then solicit contributions from neighboring communities that would benefit from quicker emergency response. Several communities had already pledged support. The goal was to have the temporary station operational by January without using Town funds. However, the timeline would depend on how quickly donations could be raised. Some aspects like paving may need to be deferred until spring due to the lateness of the paving season.

Chief Hales confirmed they could bring a smaller apparatus to the site before paving was complete and noted Capital Funds were used to purchase a four-wheel-drive mini pumper fire truck. The Council supported the plan and public outreach for contributions. Mayor Rubin reiterated this was an interim step until funds could be raised to construct a permanent fire station in Hideout.

V. Public Hearing Items (Continued from September 14, 2023)

1. Discussion and possible approval of a new zoning designation of Residential Casita (RC) *Note: This item will be continued to a date certain of December 14, 2023*

Mayor Rubin explained that the discussion and possible adoption of new zoning for Residential Casitas was not ready for action at this meeting. The Planning Commission needed additional time to make a recommendation.

As a courtesy, Mayor Rubin opened the floor for public comment at 7:11 p.m. and noted that only preliminary reviews had occurred so far. No draft ordinance was available yet.

There being no questions from the public, Mayor Rubin closed public comment at 7:12 p.m. and asked for a motion to continue to a date certain of December 14, 2023.

Motion: Council Member Nadelberg moved to continue the discussion and possible approval of a new zoning designation of Residential Casita (RC). Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. Abstaining from voting: Council Member Haselton. The motion carried 4-1.

Continued Agenda Items

3. Discussion and possible adoption of Ordinance 2023-O-XX to approve Chapter 12.25 Short Term Rental Overlay (SRO) Zone which is an overlay zoning designation that would allow short-term rentals *Continued from September 14, 2023*

The mayor explained that recent changes in state law now allowed regulations for short-term rentals to be enacted through development agreements, which go through the same approval process as land use regulations.

The Planning Commission had concerns about implementing short-term rental rules as a broad Overlay Zone across the Town. Mayor Rubin recommended continuing the proposed ordinance and instead looking at modifying the Master Development Agreement (MDA) for Deer Springs to allow short-term rentals in certain areas, such as the uphill side of Jordanelle Parkway.

The Council discussed that using development agreements allowed more focused application of short-term rental rules to specific projects rather than Town-wide. Mayor Rubin noted the proposed ordinance language could be incorporated into an MDA. The Council supported continuing the Overlay Zone ordinance and pursuing short-term rental regulations through development agreements going forward.

At 7:25 p.m., Mayor Rubin opened the floor for public input to allow for any comments before continuing the ordinance.

There being no public comments, Mayor Rubin closed public comment at 7:26 and asked for a motion to continue to a date uncertain.

Motion: Council Member Severini moved to continue the discussion of a possible adoption of an Ordinance to approve Chapter 12.25 Short Term Rental Overlay (SRO) Zone which is an overlay zoning designation that would allow short-term rentals. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

4. Presentation to Hideout Town Council and discussion of the re-zone for the Bloom in Hideout Development

Mayor Rubin announced that the next agenda item was a presentation by the Bloom in Hideout development team regarding their proposal to rezone land in Hideout for a mixed-use development. Mayor Rubin clarified that this was not a vote to approve the project, just an initial presentation to get feedback from Council.

Town Planner Thomas Eddington explained that the Bloom in Hideout developers were looking to purchase and rezone 72 acres of a 112-acre parcel owned by the Salzman's. He outlined the proposed zoning, which would include Neighborhood Mixed Use (NMU), Residential 3 (R3), Residential 6 (R6), and Neighborhood Preservation (NP) zones.

The Bloom in Hideout developers, Jenni Hogan and Ryan Sapp, introduced themselves as longtime area residents and real estate professionals invested in Hideout. They presented an overview of their vision for a mixed-use resort community with commercial space, a boutique hotel, townhomes, single family homes, and cabins. They emphasized wanting to create a community gathering space with restaurants, a market, and amenities like trails, open space, and an amphitheater.

Council Member Baier asked about the number of employees needed to staff the commercial area and provisions for employee housing. Mr. Sapp and Ms. Hogan acknowledged affordable housing was an issue in the county, but said it was not part of their current plan. However, they had included a transit stop in their plans.

There was discussion about the amount and types of commercial space planned, with comparables provided like Deer Valley Café and Liberty Heights Market. Council Member Baier expressed concerns about attracting businesses and employees to the remote location. The Bloom developers

emphasized quality over high rents to attract the right tenants. Their commercial broker Katie Wilking said concessions on rent would help form partnerships between developer and tenants.

Additional discussion covered:

- The concept of a resort community with rentals vs. residential
- Controlling quality and consistency if operated as nightly rentals
- Mitigating risks raised regarding commercial viability and location

Mayor Rubin concluded by stating this was an initial presentation to get feedback, not for final approval. The developers would continue working with the Planning Commission, and more discussions would be held regarding risk mitigation strategies.

5. Discussion of the requirements, roles and responsibilities of the Economic Development Committee (EDC)

Council Member Severini presented a document that discussed the requirements, roles, and responsibilities of the Economic Development Committee (EDC) and its members. The EDC aimed to create a business-friendly community that welcomed responsible commercial development, provided diversity and amenities, and worked proactively with both the Town and developers to achieve positive outcomes.

Council Member Severini stated the EDC was comprised of volunteers who cared about the Town and its future. Mayor Rubin emphasized that the EDC was not a remunerated role. The EDC's work included analyzing potential economic benefits of development proposals before they were presented to the Council, Planning Commission and public. This analysis helped the Council make informed decisions about whether a proposed project aligned with the Town's goals.

Council Member Severini discussed the need for transparency in the EDC's work, ensuring that the Council and the public were kept informed about their activities and findings. He also discussed the importance of the EDC having members with expertise in finance, marketing, and real estate to address the economic aspects of development proposals. Additionally, he mentioned that the EDC preferred members who were residents and voters of the Town to ensure their commitment to the community's best interests.

Council Member Baier inquired about the EDC's role and how it differed from working with external consultants. Council Member Severini explained that the EDC leveraged the intellectual property of town residents who were experts in various fields, and their unique understanding of Hideout's specific needs and values set them apart from external consultants.

Council Member Severini mentioned the importance of Committee members signing a conflict of interest (COI) statement in order to declare any potential conflicts of interest that could affect their impartiality in the decision-making process.

Council Member Baier and Mayor Rubin expressed appreciation for the work of the EDC and looked forward to updates from the Committee.

VI. Committee Updates

1. Planning Commission - Planning Commissioner Glynnis Tihansky

Planning Commissioner Glynnis Tihansky shared an update on the Planning Commission's forthcoming agenda. Their primary focus for the upcoming meeting was centered around the review and potential recommendations related to zoning and the Master Development Agreement (MDA) of the Bloom in Hideout development.

Thomas Eddington provided additional information, noting that the Benloch Ranch annexation applicant had requested a one-month continuation.

2. Community Engagement Committee - Council Member Jacobs

Council Member Sheri Jacobs provided an update on the Community Engagement Committee's activities and future plans. The Committee had a productive meeting where they reviewed their summer initiatives and discussed ideas for the upcoming seasons, including both winter and the following summer.

One of the notable events the Committee organized was a free concert at the State Park held on September 17. This event attracted a significant number of attendees from the broader community, contributing to positive publicity for the Town.

The Committee was also taking steps to gather input from residents. They had prepared a survey to be distributed to the Town's residents. This survey would aim to collect feedback on the types of events and community outreach activities that residents would like to see in the future.

Looking ahead, the Community Engagement Committee was planning a blanket drive in collaboration with the Peace House, a nonprofit organization that supported individuals affected by domestic violence. The blanket drive would take place in November.

Council Member Jacobs noted the Committee was in the process of establishing a 501(c)(3) nonprofit organization account. This move would enable them to manage funds more efficiently and explore grant opportunities, including the possibility of securing matching funds.

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

During the recent Parks, Open Space, and Trails (POST) Committee meeting, Council Member Baier provided a comprehensive update on various topics and developments.

On September 28, Mountainland Association of Governments (MAG) held a UDOT Trails meeting. They highlighted the need for an engineering study and the funding required for the spine trail. This study was considered a critical step to make progress on the spine trail, connecting Summit County to Summit County through Hideout.

One of the key highlights of the meeting was the UDOT MAG Trails workshop, as reported by Council Member Haselton. UDOT's new trails division was introduced, which had substantial funding, including \$45 million for trail development. The focus of this division was to create a network of trails that catered to all ages and abilities, integrating with regional transportation plans.

The meeting delved into plans to connect various areas, with special attention given to the spine trail running through Hideout. UDOT urged Hideout Council to show strong support for this trail, and it was clarified that Council may need to provide a formal declaration of support.

Council Member Baier also discussed the Klaim trails and the delay in their development due to ongoing construction work on access points. The Committee recognized the need to have a well-defined project and plan in place before applying for grants to fund these projects.

It was also noted that an invitation had been extended to Jason Whittaker, the Jordanelle State Park manager, for an upcoming meeting to address negotiations regarding a local State Park pass fee. Council Member Baier emphasized the importance of establishing a fair fee structure, ensuring that Hideout paid its share compared to other homeowner associations (HOAs) participating in the program.

Council Member Baier acknowledged the need to engage with UDOT, explore possibilities of constructing trails underneath power lines, and continue working on developing a comprehensive trail network. She emphasized that they would further discuss these topics in their upcoming committee meetings.

4. Transportation Committee - *Council Member Haselton*

Council Member Haselton provided an update on the transportation services between Hideout and Park City. She had reached out to someone from the Park City Council to inquire about the bus service for the upcoming ski season.

Initially, the information she received indicated that the bus service would be the same as the previous year, requiring passengers to transfer at the transit center in Park City when traveling to the ski resorts. Council Member Haselton expressed her concerns, noting that this arrangement might not be the most convenient for passengers.

However, subsequent news indicated that there had been discussions and changes in plans. The updated information revealed that the buses would run directly to Park City Resort and Deer Valley Resort. Both resorts were contributing \$150,000 towards the cost of these buses. There was still a funding gap, but a compromise was reached by shortening the ski season slightly, ending bus service on March 31.

The hours of operation for the bus service were expected to remain similar to the previous year, with buses running from early in the morning to late at night. This provided an efficient means of transportation for those who work in Park City or want to go for dinner, ensuring they could catch the bus back to Hideout.

Council Member Haselton mentioned the importance of ensuring that the entire parking lot at Richardson Flat was adequately plowed, as last year, only half of it was cleared, causing parking challenges. She assumed that the entire parking lot would be plowed this year to accommodate passengers.

Council Member Haselton expressed satisfaction with this positive development and asked for consideration to share this information in the next newsletter to inform residents of the improved bus service to the ski resorts.

VII. Approval of Council Minutes

1. April 13, 2023 Town Council Regular Meeting Minutes DRAFT

There were no corrections or changes to the minutes.

Motion: Council Member Haselton moved to approve the April 13, 2023 Town Council Regular Meeting Minutes as presented. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

2. September 14, 2023 Town Council Meeting Minutes DRAFT

There were two corrections to the September 14 meeting minutes.

- Page 3, line 8: "... acknowledged her concerns and *committed* to enforcing regulations..."
- Page 2, line 27/28: corrected to read "Limits of Disturbance"

Motion: Council Member Nadelberg moved to approve the September 14, 2023 Town Council 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 Nadelberg, and Council Member Severini. There were none opposed. The motion carried.

VIII. Follow Up of Items from Approved Council Minutes

During the discussion of follow-up items from the approved meeting minutes, Council Member Severini brought up the need to address the issue of speeding in Hideout, specifically in the context of recent incidents involving reckless driving. He expressed concern about the safety of residents and visitors due to speeding and dangerous driving behavior.

In response to these concerns, Mayor Rubin informed the Council that a traffic study had been completed and was expected to be available soon. The traffic study included data on speed limits, speed-related issues, and recommendations for addressing speeding problems. The study revealed that the majority of drivers were driving at or close to the speed limit, with an average median speed of around 25 mph.

Council Member Baier discussed ways action could be taken to address the speeding issue. She suggested that the Town could potentially use the camera data to identify repeat offenders and take appropriate measures, even if ticketing was not an option. The Mayor agreed with this approach and mentioned that some communities had successfully used creative campaigns and educational efforts to address speeding problems.

Council Member Severini emphasized the urgency of the issue and the need for immediate action, expressing concerns that someone might be seriously injured due to reckless driving. The Mayor assured the Council that they would take action based on the recommendations and findings of the traffic study, and that they were expecting actionable recommendations in the near future.

In addition to addressing speeding, Council Member Severini noted the discussion regarding Ranked Choice Voting should be calendared for an April meeting in order to make an informed decision for the municipal elections in 2025.

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 called for a motion to adjourn.

*Motion made by Council Member Nadelberg, Seconded by Council Member Severini.
Voting Yea: Council Member Baier, Council Member Haselton, Council Member Jacobs,
Council Member Nadelberg, Council Member Severini*

The meeting adjourned at 9:39 pm



Alicia Fairbourne
Alicia Fairbourne, Recorder for Hideout

APPROVED