

Minutes
Town of Hideout
Town Council Regular Meeting
February 10, 2022

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on February 10, 2022 at 6:00 p.m. electronically via Zoom due to the ongoing COVID-19 pandemic.

Regular Meeting

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:04 p.m. and reminded participants there was no anchor site location due to the ongoing COVID19 pandemic.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Chris Baier
Council Member Carol Haselton
Council Member Ralph Severini

Excused: Council Member Sheri Jacobs
Council Member Bob Nadelberg

Staff Present: Town Attorneys Polly McLean and Cameron Platt
Town Administrator Jan McCosh
Director of Engineering and Public Works Timm Dixon
Public Works Director Daniel Allen
Town Clerk Alicia Fairbourne
Building Administrator Carol Kusterle

Others Present: Abbi Brashford, Brian Cooper, Carol Tomas and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. November 10, 2021 Town Council Meeting Minutes DRAFT

Corrections were noted to names of the Economic Development Committee members.

Motion: Council Member Baier moved to approve the November 10, 2021 Town Council Meeting Minutes with the noted corrections. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, and Council Member

Severini. Absent: Council Member Jacobs and Council Member Nadelberg. None opposed. Motion carried.

2. November 16, 2021 Board of Canvassers Meeting Minutes DRAFT

There were no corrections.

Motion: Council Member Baier moved to approve the November 16, 2021 Board of Canvassers Meeting Minutes as presented. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Severini. Absent: Council Member Jacobs and Council Member Nadelberg. None opposed. Motion carried.

3. December 9, 2021 Community Development Block Grant Public Hearing Meeting Minutes DRAFT

A clarification was made to an acronym and would be corrected on the final minutes.

Motion: Council Member Baier moved to approve the December 9, 2021 Community Development Block Grant Public Hearing Meeting Minutes with the noted correction. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Severini. Absent: Council Member Jacobs and Council Member Nadelberg. None opposed. Motion carried.

Council Member Severini suggested adding a section for follow up discussion from the previous meeting minutes.

Council discussed strategies regarding continuing conversations in order to improve the relationship between Hideout and Park City. Council Member Haselton stated she was on a senior center committee which included other members from Park City. She stated she had conversations with members who seemed open to having conversations with Hideout Council.

Council Member Severini inquired if the Homeowners Associations (HOA's) were notified of the Ordinance prohibiting parking on the street during winter months. Mayor Rubin confirmed they had been notified. He stated discussions were had based on additional feedback from the HOA board members.

Council Member Haselton inquired if Town Attorney Polly McLean had been able to find an answer regarding the taxes on the Neighborhood Commercial (NC)-zoned land located at the entrance to the State Park. Ms. McLean stated if a tenant was located on the land, they would pay sales taxes, but the Town would not have to pay property taxes.

Council Member Haselton inquired if Town Planner Thomas Eddington had provided any of the other Council Members a map of the owners of the adjoining properties to Hideout, to which he had not.

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

Mayor Rubin opened the floor for the public to speak at 6:20 p.m. There being no public comments, Mayor Rubin closed the floor at 6:21 p.m.

V. Agenda Items

1. Discussion and possible adoption of an Ordinance which will adopt the 2016 Wildland/Urban Interface Code and its Appendix C

Mayor Rubin noted due to COVID illnesses within the staff, several days of productivity was lost and therefore, the Wildland/Urban Interface (WUI) Code document was not distributed prior to the meeting. The document was ready to be distributed to the HOA's for review, and a communications meeting with the various HOA boards would be held prior to the next Council Meeting.

Ms. McLean reviewed an email provided by Mr. Eddington noting the various recommendations of the WUI and the impact to the landscaping it may have. Ms. McLean added it was a good tool to rely on in order to maximize the defensible space and protection against fires. She noted if the WUI were implemented, it would supersede any Covenants, Conditions and Restrictions (CC&R's) of the developments. Mayor Rubin further clarified the WUI would apply to new developments and buildings moving forward, and existing landscaping would not be affected.

2. Discussion regarding a noxious weed report process

Mayor Rubin presented the proposed timeline regarding the weed control plan. He noted one letter was sent with the town newsletter and another notice would be sent in March. The recommended dates of remediation were in conjunction with the Wasatch County Weed Department and the Utah State Department of Agriculture schedule of weed abatement.

Building Administrator Carol Kusterle gave information regarding several companies who were contacted to assist with the weed abatement. She mentioned developers and owners of large properties would be a challenge because their land may have gone untreated, and the infestation of noxious weeds would need continuous treatment throughout the summer months.

Assistant Town Attorney Cameron Platt discussed the details of the Hideout Municipal Ordinance which required the property owners keep the weeds under six inches (6") in height. He noted the Town had the ability to issue a notice at any time to educate the property owner. Once a notice was sent, the property owner would have ten (10) days to correct the problem before enforcement action could be taken by the Town. If the problem persisted after the notice period, the Town could abate the weeds at the property owners' expense.

The language of the existing Hideout Town Code was discussed. Mr. Platt stated the current language of the Code required the Town Staff to monitor the properties for compliance without requiring the property owner to submit proof of abatement. Discussion regarding the various resources which could be used in order to monitor the properties ensued. Ms. Kusterle suggested a team of staff members be assigned to the various subdivisions to track compliance issues and send notices to property owners. Council Member Severini asked for more information be provided in order to educate residents about which weeds were considered noxious. Mayor Rubin suggested to reach out to the various HOA's to ask for assistance with enforcement and education.

Council Member and Mayor Rubin thanked Ms. Kusterle for her work.

3. Discussion regarding responses for economic study regarding a fee study for water, sewer, storm drain, transportation, trails and community development fees

Mayor Rubin presented proposals from Zions Public Finance and Lewis and Young, who responded to the advertised request regarding a fee study for water, sewer, storm drain, transportation, trails and community development fees. He suggested using both respondents for different portions of the study based on their area of expertise and knowledge of the Town's history.

Town Administrator Jan McCosh suggested hiring both entities at their offered hourly rate due to how much of the study had been completed previously by T-O Engineers. She stated water was the top priority and would need to be solved as quickly as possible. The next priority was community development fees and refining the process of pass-through billing.

Because the hourly rate was not provided in the proposal by Zions Public Finance, Council asked to have more detail regarding the hourly rate, as well as a list of which company would be responsible for each portion. Ms. McCosh inquired if the water portion could be granted authority at this time. Ms. McLean stated because the Mayor had a purchase limit of up to fifteen thousand dollars (\$15,000), he could authorize the water contract without Council approval. Council agreed.

4. Discussion of learnings regarding nightly rentals

Ms. McCosh provided an update regarding the learnings of nightly rentals. She stated she had been in contact with Rob Sant who was conducting the studies. Mr. Sant would present his findings to the Economic Development Committee on February 28, however he did not have materials for this meeting. Ms. McCosh stated more information would be available for discussion during the March Council meeting.

5. Discussion and possible adoption of Ordinance 2022-O-02 regarding Title 2 Chapter 2.06 Transient Room Tax

Ms. McLean explained under state law, the Town could implement a Transient Room Tax which would entitle the Town to a one percent (1%) tax for rentals under thirty (30) days in the areas of the Town which did not fall under Military Installation Development Authority (MIDA). Discussion regarding the details of what taxes the Town could collect ensued. It was determined Hideout did not qualify to implement additional resort taxes; however, Hideout was entitled to a portion of taxes collected by MIDA.

Mayor Rubin presented Ordinance 2022-O-02 and asked for a motion to adopt.

Motion: Council Member Severini moved to adopt Ordinance 2022-O-02 adopting Title 2 Chapter 2.06 Transient Room Tax. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, and Council Member Severini. Absent: Council Member Jacobs and Council Member Nadelberg. None opposed. Motion carried.

6. Dark Sky Ordinance update

Ms. McLean provided an update regarding the pending Dark Skies Ordinance, noting there had been multiple attempts to contact the expert at the University of Utah to no avail. A light meter had been purchased and the survey would be conducted by Mr. Eddington and other staff members prior to adopting the Ordinance.

7. Discussion regarding the procedure to obtain a business license in Hideout and update of business licenses issued in 2021 and 2022

Council Member Baier asked what businesses were active within the Town. Ms. McLean explained the difference between a home occupation and a home business and when each would require a business license. A list of active business licenses obtained in 2021 and 2022 was presented. The process for obtaining a business license was discussed.

8. Discussion regarding nuisance enforcement as it specifically relates to dog waste cleanup, off-leash dogs, and the monitoring of aggressive domestic animals

Mayor Rubin stated the Town and the Master HOA had come to an agreement regarding installing dog waste bins on common property, with Public Works staff responsible for emptying the bins.

Aggressive domestic animals were handled primarily by Heber Valley Animal Services, which, as part of their enforcement, would keep a log of aggressive animals. Current Hideout Municipal Code allowed dogs to walk off-leash when a restraint device was present, and an e-collar was in place. The handler must also maintain control of the animal.

Council Member Severini stated the dog waste bins were a good start in order to encourage residents to clean up after their dog. He inquired if the Town could impose fines for offenders. He asked if Council would consider amending the Code to require dogs be on leash at all times or impose harsher penalties for aggressive animals. Mayor Rubin suggested the next newsletter remind residents to report aggressive animals to Heber Valley Animal Services and there were mechanisms in place to enforce the Code.

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

There being no further public business, Mayor Rubin called for a motion to enter into a Closed Executive Session.

Motion: Council member Haselton moved to close the public portion of the meeting and enter into a Closed Executive Session to discuss pending or reasonably imminent litigation, personnel matters, and/or the sale or acquisition of real property as needed. Council member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Severini. Absent: Council Member Jacobs and Council Member Nadelberg. None opposed. Motion carried.

At 7:57 p.m., Mayor Rubin closed the public meeting and entered into an Executive Session.

Present: Mayor Phil Rubin
Council Member Chris Baier
Council Member Carol Haselton
Council Member Ralph Severini

Excused: Council Member Sheri Jacobs
Council Member Bob Nadelberg

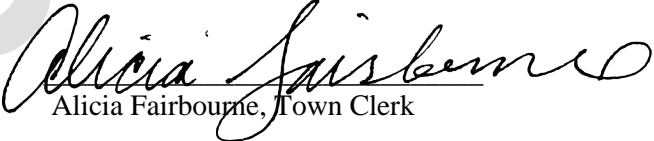
Staff Present: Town Attorney Polly McLean

VII. Meeting Adjournment

At 8:15 p.m., Mayor Rubin called for a motion to close the Executive session and adjourn the meeting.

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

The meeting adjourned at 8:15 p.m.


Alicia Fairbourne, Town Clerk

