

Minutes
Town of Hideout
Town Council Regular Meeting
September 09, 2021

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on September 9, 2021 at 6:00 p.m. electronically via Zoom due to the ongoing COVID-19 pandemic.

Regular Meeting

I. Call to Order

1. September 6, 2021 No Anchor Site Determination Letter

Mayor Pro Tempore Baier called the meeting to order at 6:04 p.m. and reminded participants there was no anchor site location due to the ongoing COVID-19 pandemic.

II. Roll Call

Present: Mayor Pro Tempore Chris Baier
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Ralph Severini

Excused: Mayor Phil Rubin

Staff Present: Town Attorneys Polly McLean and Cameron Platt
Town Planner Thomas Eddington
Town Engineer Ryan Taylor
Town Clerk Alicia Fairbourne
Public Works Director Timm Dixon
Public Works Supervisor Kent Cuillard

Others Present: Allison McKinnon, Jonathan Gunn, Kathleen Shepley, Carol Tomas, Bruce Woelfle, Ray Brideau and others who may have logged in using a partial name or using only a phone number.

III. Public Hearing

1. Ratify and adopt the Official Zoning Map of the Town of Hideout to reflect existing zoning - CONTINUED TO OCTOBER 14, 2021 MEETING

Mayor Pro Tempore Baier noted the Official Zoning Map ratification public hearing had been continued to the October 14, 2021 Town Council Meeting. Town Attorney Polly McLean explained because it had been noticed for this meeting, it was left on the agenda in order to further continue the item. The Hideout Planning Commission would hold a public hearing on September 16, 2021.

Ms. McLean instructed Mayor Pro Tempore Baier public comment could be opened if desired. Mayor Pro Tempore Baier opened public comment at 6:07 p.m.

Carol Tomas wondered if what appeared to be Lakeview Estates was zoned as Residential Medium Density versus Mountain Zone, and was curious as to why that was different than the previous Zoning Map. Town Planner Thomas Eddington replied a Master Development Agreement (MDA) was signed between the developer and the Town, which was zoned as Residential Medium Density at the time of execution. Town Attorney Polly McLean reminded Ms. Tomas the Zoning Map was not up for consideration by Council during this meeting and would be reviewed and discussed at the Planning Commission meeting to be held the following week. Ms. Tomas asked if a final Zoning Map had been approved within the Town, to which Ms. McLean stated an Ordinance to adopt a final Zoning Map had not been approved. Ms. Tomas agreed to attend the Planning Commission meeting and provide input at that time.

Kathleen Shepley asked when an updated proposed Zoning Map could be expected. Mr. Eddington stated the proposed Zoning Map would be included with the Planning Commission meeting materials which would be made available prior to the Meeting.

There being no further public comment, Mayor Pro Tempore Baier closed public input at 6:17 p.m. and reminded participants the item would be continued for the Council to the October 14, 2021 Town Council Meeting.

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

Mayor Pro Tempore Baier opened the floor to public input at 6:17 p.m. There were no public comments and therefore, public input was closed at 6:19 p.m.

V. Agenda Items

1. Discussion and possible continuation for filling the Council vacancy

Mayor Pro Tempore Baier stated there was a vacancy on the Council due to former Council Member Jerry Dwinell's resignation. She noted no parties had submitted a letter of interest prior to the deadline, and therefore, the vacancy would be continued to the October 14, 2021 Town Council meeting. The terms of the vacancy were reviewed, noting it was a two-year term set to expire on January 1, 2024. Mayor Pro Tempore Baier reviewed the qualifications and process for submitting a letter of interest.

2. Discussion regarding traffic complaints

Mayor Pro Tempore Baier reviewed the traffic complaints, specifically the construction activity and usage of the emergency access road by construction vehicles. She asked for Town Attorney Cameron Platt to discuss any remediation as it applied to these complaints.

Mr. Platt explained an Ordinance from a neighboring community was discovered regarding construction vehicles and traffic, which outlined a traffic control plan was required to be submitted by the developer describing the details of the impact of the construction. He noted the Ordinance could easily be modified for Hideout's needs. Public Works Director Timm Dixon stated more communication should be had with Town residents regarding construction traffic. He further explained a traffic rotation could be implemented, in which construction vehicles would set up an alternating system of road usage to vary the traffic noise and provide residents some relief.

Mayor Pro Tempore Baier opened the item for public input and asked speakers to limit comments to two (2)-to three (3) minutes per speaker.

Jonathan Gunn stated his home was the northernmost house on Stargazer Circle with thirty (30) feet from the edge of his foundation to the Jordanelle State Park Trail. The egress road was thirteen (13) feet from his home's foundation. He was concerned of seismic activity caused by the frequent passage of the large dump trucks on the egress road and counted up to one hundred fifty (150) separate vehicle passes in one day. He expressed concern of the possibility of an accident in which the contents of the dump truck could spill into his basement due to the close proximity. He further expressed concern of health hazards due to the dust stirred up by the trucks. He felt an Ordinance should be in place to prohibit the use of the egress road by construction vehicles. He offered suggestions to enforce the ban of the road, including providing private assistance to the Town.

Mayor Pro Tempore Baier asked Mr. Dixon to provide what solutions had been made to alleviate the traffic. Mr. Dixon explained barriers had been ordered and would be placed on the entrance to the road. In addition, developers and contractors had been notified to use an alternate road, which would cause additional traffic and noise on other public roads. A viable solution was being discussed with the goal of mitigating some of the noise.

Bruce Woelfe spoke with questions regarding the source of the dirt, and if it had been tested for contaminants. Mr. Dixon explained the two developers of Deer Springs, Lakeview Estates and Shoreline had come to an agreement in which the dirt from one subdivision could be used in the other subdivisions and therefore, the dirt was being hauled between them. In regard to testing the dirt, some of the dirt was brought in from an area in Browns Canyon, which would be tested. Town Engineer Ryan Taylor confirmed the hauling of the dirt was permitted by the Town, and explained the lower road was being raised enough to establish a sewer line to slope from the south end of the project to the Vantage Lane Lift Station, which would eliminate some other sewer lift stations within the Town. As a condition of approval, the developers agreed to work with the Town regarding which access routes were authorized.

Council Member Severini inquired who conducted the soil tests and when the tests were conducted. Mr. Taylor explained it was tested after the dirt was brought in, however, the dirt would need to be removed if the soil test revealed it was contaminated which would be costly for the developers. Mr. Dixon noted the majority of the dirt was native fill only moved from within Town. Council Member Severini inquired how the results of the tests were measured, to which Mr. Taylor replied the Utah Division of Environmental Quality had a list of acceptable contaminant levels for the condition of the dirt. Mayor Pro Tempore Baier inquired about who was responsible to pay for the cost of the testing. Mr. Taylor explained the developers were responsible for the cost. Mr. Taylor and Mr. Dixon would provide a summary of results to the Council.

Ray Brideau stated construction projects should have a haul road in order to eliminate construction traffic on main roads. He expressed concern of using the public roads and blocking off the emergency access road. He felt there was a better solution which needed to be found.

Discussion regarding the various solutions ensued. Council Member Severini asked if the complaints were tracked by location or issue. Mr. Dixon stated if complaints were received via email, he would track those emails and provide the data to Council.

Council Member Haselton made mention she was on the Infrastructure Committee which had discussed the construction traffic and noise regarding which residents were most affected. It was

determined the residents in Shoreline Phase 1 and along Hideout Trail were most affected. She also stated the amount of dust stirred up was a nuisance.

Mayor Pro Tempore Baier reminded Messrs Platt and Dixon they were to draft a traffic control plan Ordinance. Mr. Dixon stated it may include land use, and therefore would need to be a public hearing through Planning Commission prior to being reviewed and heard by Town Council, but would have it ready by the following months' Planning Commission meeting.

There being no further public comment, Mayor Pro Tempore Baier closed the public comment at 7:15 p.m.

3. Discussion and possible approval of Fee Schedule adjustment to include fines for violation of codes, impact fees, appeal fees, a variance application fee, an adjustment to excavation fee, and a general land use application fee

Town Planner Thomas Eddington explained the changes in the Fee Schedule, noting:

- Correction to the Excavation Fee to be consistent with the fee on the application and noting criteria for potential additional fees
- Jordanelle Special Service District (JSSD) fees would be collected directly to JSSD instead of passed through the Town
- General Land Use, Variance and Appeal Fees were added and specified
- Specific penalty fee amounts related to code violations were added
- The word "Town" was added to Section 10 to distinguish between the Town Impact Fees and JSSD Impact Fees.

Mayor Pro Tempore Baier asked if Council had any questions. There were no questions from Council. The Resolution associated with the new fee and rate schedule was presented and Mayor Pro Tempore Baier asked for a motion to adopt the Fee and Rate Schedule Resolution.

Motion: Council Member Nadelberg moved to approve a Resolution to repeal and replace the Fee and Rate Schedule as presented. Council Member Haselton made the second. Voting Yea: Council Members Baier, Haselton, Nadelberg, and Severini. None opposed. Motion passed.

4. Authorize the Mayor to purchase an additional Public Works vehicle (truck) with a not to exceed price of \$20,000

Mayor Pro Tempore Baier asked Mr. Dixon to explain the need and what was being requested. Mr. Dixon explained with the addition of Public Works Staff, an additional Public Works vehicle was needed. The Town's procurement policy prohibited any purchases over ten-thousand dollars (\$10,000) without the consent of the Council.

Mayor Pro Tempore Baier asked if there were any questions from Council, to which there were none.

Motion: Council Member Nadelberg moved to authorize the Mayor to purchase an additional Public Works vehicle (truck) with a not to exceed price of \$20,000. Council Member Haselton made the second. Voting Yea: Council Members Baier, Haselton, Nadelberg, and Severini. None opposed. Motion passed.

VI. 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.

VII. Meeting Adjournment

There being no further business, Mayor Pro Tempore Baier called for a motion to adjourn the meeting.

Motion: Council Member Haselton moved to adjourn the meeting. Council Member Nadelberg made the second. Voting Yea: Council Members Baier, Haselton, Nadelberg, and Severini. None opposed. Motion passed.

At 7:32 pm, the meeting was adjourned.



Alicia Fairbourne
Alicia Fairbourne, Town Clerk