



# HIDEOUT, UTAH TOWN COUNCIL REGULAR MEETING AND PUBLIC HEARING

September 08, 2022

## Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of Hideout, Utah will hold its Regular Meeting and Public Hearing electronically for the purposes and at the times as described below on Thursday, September 8, 2022.

This meeting will be an electronic meeting without an anchor location pursuant to Mayor Rubin's August 11, 2022 No Anchor Site Determination Letter.

All public meetings are available via ZOOM conference call and YouTube Live.

Interested parties may join by dialing in as follows:

**Zoom Meeting URL:** <https://zoom.us/j/4356594739> To join by telephone dial: US: +1 408 638 0986

**Meeting ID:** 435 659 4739

**YouTube Live Channel:** <https://www.youtube.com/channel/UCKdWnJad-WwvcAK75QjRb1w/>

---

### Regular Meeting and Public Hearing

6:00 PM

#### I. Call to Order

- [1.](#) No Anchor Site Determination Letter

#### II. Roll Call

#### III. Public Hearing

- [1.](#) Consideration and possible approval for a lot/driveway amendment for Lots 38 and 39 of the Overlook Village Subdivision

#### IV. Public Input - Floor open for any attendee to speak on items not listed on the agenda (*Please limit comments to two minutes*)

#### V. Agenda Items

- [1.](#) Presentation and update of MIDA
- [2.](#) Discussion and possible approval of adopting Ordinance 2022-O-XX regarding Water Conservation
- [3.](#) Discussion and consideration of adopting Ordinance 2022-O-05 amending Hideout Town Code 4.02.010 Definitions - Business Licenses and Regulations, and adopting Title 4, Chapter 07 Regulation of Short Term (Nightly) Rentals
- [4.](#) Consideration of possible approval to enter into a lease for a mini excavator for the Hideout Public Works Department (Resolution 2022-R-13)
5. Update regarding Poly Platform mobile application for Hideout

#### VI. Committee Updates

- [1.](#) Community Engagement Committee - Sheri
2. Economic Development Committee (EDC) - Ralph
3. Parks, Open Space, and Trails (POST) - Chris
4. Transportation Committee - Carol
5. Hideout Design Review Committee (DRC) - Thomas
6. Infrastructure Committee - Timm

#### VII. Approval of Council Minutes

- [1.](#) March 3, 2022 Town Council Special Meeting Minutes DRAFT
- [2.](#) March 10, 2022 Town Council Meeting Minutes DRAFT

#### VIII. Follow Up Items from Council Minutes

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

#### X. Meeting Adjournment

---

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Mayor or Town Clerk at 435-659-4739 at least 24 hours prior to the meeting.



August 11, 2022

DETERMINATION REGARDING CONDUCTING TOWN OF HIDEOUT PUBLIC MEETINGS  
WITHOUT AN ANCHOR LOCATION

The Mayor of the Town of Hideout hereby determines that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location pursuant to Utah Code section 52-4-207(5) and Hideout Town Ordinance 2020-03. The facts upon which this determination is based include: The seven-day rolling percent and number of positive COVID-19 cases in Utah has been over 30.93% of those tested since July 28, 2022. The seven-day average number of positive cases has been, on average, 739 per day since August 3, 2022.

This meeting will not have a physical anchor location. All participants will connect remotely. All public meetings are available via YouTube Live Stream on the Hideout, Utah YouTube channel at: <https://www.youtube.com/channel/UCKdWnJad-WwvcAK75QjRb1w/>

Interested parties may join by dialing in as follows:

**Meeting URL:** <https://zoom.us/j/4356594739>  
**To join by telephone dial:** US: +1 408-638-0986  
**Meeting ID:** 4356594739

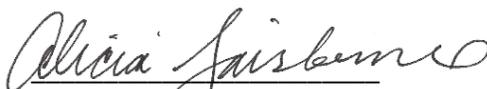
Additionally, comments may be emailed to [hideoututah@hideoututah.gov](mailto:hideoututah@hideoututah.gov). Emailed comments received prior to the scheduled meeting will be considered by Council and entered into public record.

This determination will expire in 30 days on September 10, 2022.

BY:

  
Phil Rubin, Mayor

ATTEST:

  
Alicia Fairbourne, Town Clerk





## Staff Review of Proposed Subdivision Amendment

To: Mayor Phil Rubin  
Hideout Town Council

From: Thomas Eddington Jr., AICP, ASLA  
Town Planner

Re: Hideout Canyon Phase 1 – Lots 38-39 Amendment to a Residential Subdivision

Date: August 30, 2022

---

*Submittals: The Applicant submitted the following plans:*

- *Subdivision Amendment Application dated 1 August 2022*
  - *Amended Subdivision Plat dated 11 August 2022)*
- 

### **Overview of Current Site Conditions**

Site Area: Lot Size for Lot 38 is 4,297 SF (plus common space surrounding)  
Lot Size for Lot 39 is 6,506 SF (plus common space surrounding)

Zoning: Residential Specially Planned Area (RSPA) and within a Residential Medium Density (RMD) Density Pod

Required Setbacks: Front: 20'  
Rear: 20'  
Side (distance between buildings): 10' minimum

Max Height: 42' maximum (3 ½ stories)

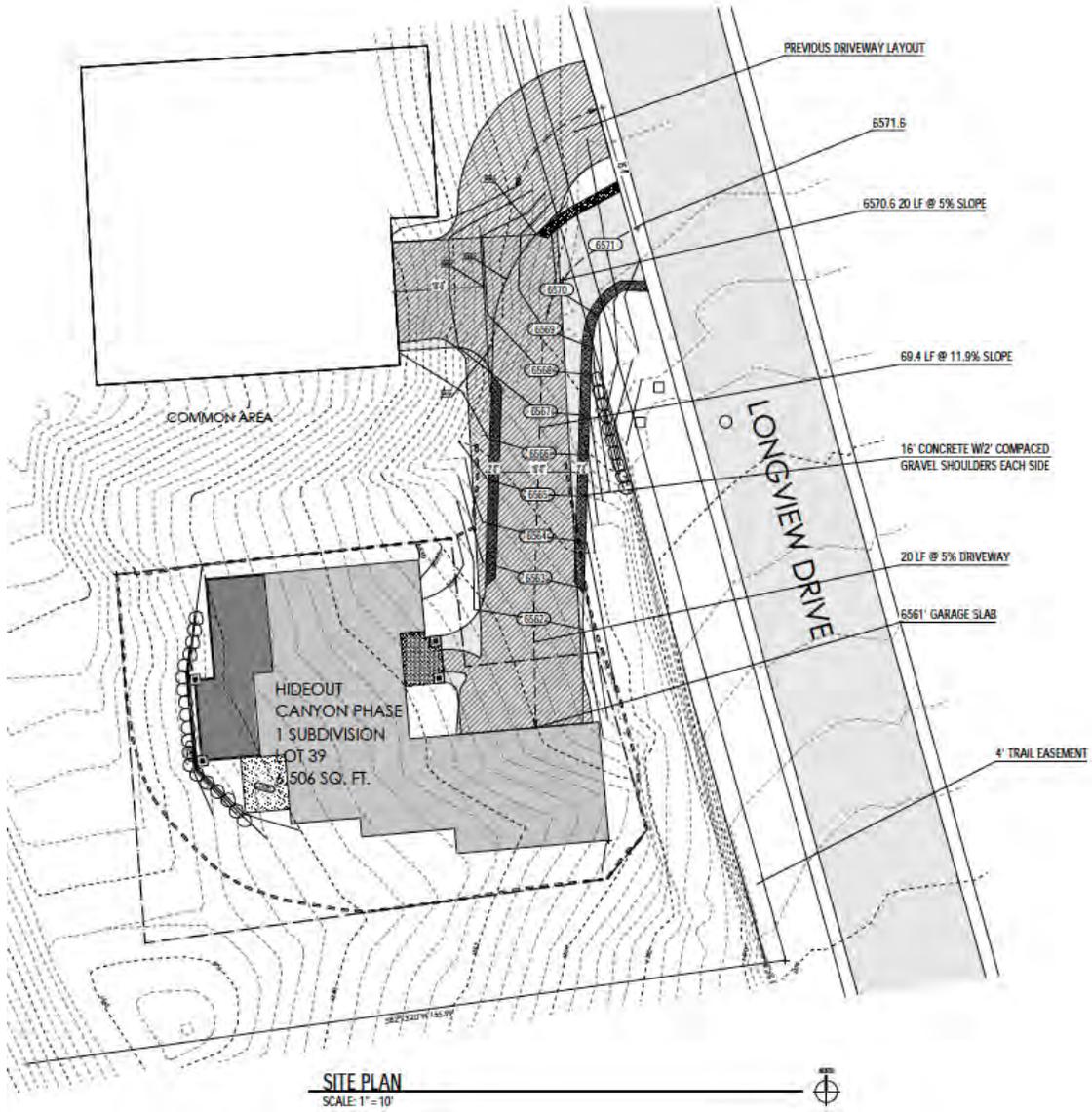
### **Planning Overview**

The Applicant is proposing to change the shared driveway location for Lot 38 and 39 in the Hideout Canyon Phase Amended Pod 9 Subdivision Plat (916 and 926 East Longview Drive). The existing driveway location (limited common designation) is a single driveway layout for two houses; this house and the one next door. The owner of Lot 38 is concerned about the proximity of the driveway to the front of the proposed house (safety concerns); it is very close



and on a downhill slope. The owners would like to slightly revise the location of the ingress/egress of the driveway to Longview Drive and alter the configuration of the limited common area.

### Proposed Site Plan





The Applicants are recommending the proposed driveway configuration illustrated by the hatching on the attached plat. A few issues must be addressed and/or conditions attached to an approval of the proposed Subdivision Amendment:

1. The Applicants must confirm the new configuration will not negatively impact the existing 4'-0" trail easement that runs alongside Longview Drive.
2. The final plat shall be revised to clearly illustrate all proposed 'common' area and 'limited common' area.
3. The Applicant provided a topo map (attached) with existing grading. The Applicant noted that final grading will be modified from the original grades; slopes are steep in this area. Retaining wall locations are illustrated on the site plan and plat. The applicant must provide elevations of all retaining walls and proposed vegetation. All retaining walls are required to be stacked rock. Town Code does not allow for a single retaining wall higher than 6'-0". The Applicant indicated a 4'-0" retaining wall was proposed along the east side of the driveway, at the trail easement.
4. The Applicant shall provide the distance between this proposed driveway and the driveway recently approved for Lot 37.
5. Any approval by the Town Council must be reviewed and approved by the HOA Design Review Committee (DRC) and the HOA will have to sign off on the plat amendment.
6. The Applicant shall confirm that the slope of the driveway does not exceed 14%. The Town Engineer and Building Official have final review/approval for driveway slopes.
7. We have received no input from neighbors to date.

### **Recommendation**

The Planning Commission reviewed the proposed subdivision amendment and favorably recommended it to the Town Council. The Town Council should review the proposed amendment to the subdivision to accommodate two access points off of the proposed driveway as re-designed and consider approving it with the conditions outlined in this report and those from TO Engineering.

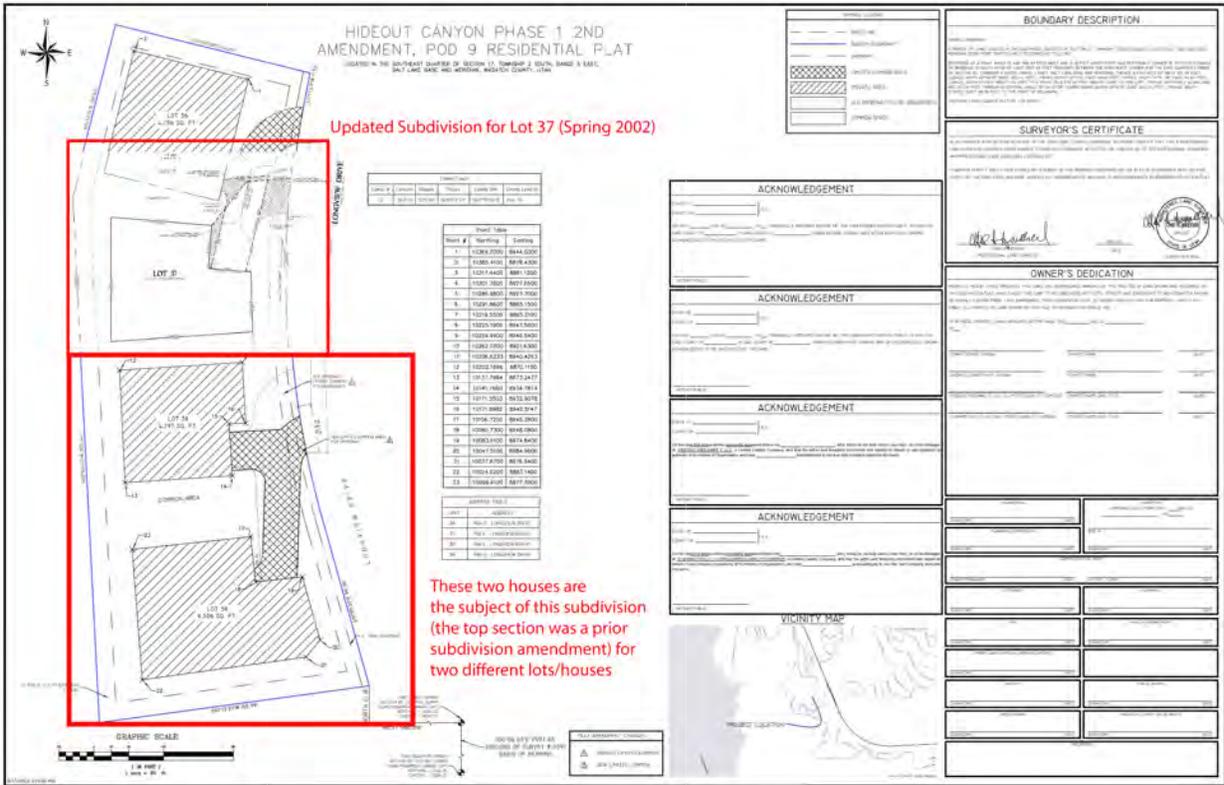




Exhibit B

Exhibit Illustrating Actual Lot 37 Driveway Configuration (to the north)

\* The Subdivision will be revised to reflect this recently approved driveway configuration



**Resolution 2022-R-12****A RESOLUTION APPROVING A SUBDIVISION AMENDMENT FOR LOTS 38 & 39 IN THE HIDEOUT CANYON AMENDED PHASE 1 POD 9 SUBDIVISION LOCATED IN HIDEOUT, UTAH**

WHEREAS, owners of the property known as Lots 39 and 39 in The Hideout Canyon Amended Phase 1 Pod 9 Subdivision Plat, located in Hideout, Utah, have petitioned the Town Council for approval of a subdivision amendment; and

WHEREAS, legal notice of the public hearing was published on the Town of Hideout's website on August 8, 2022 for the Planning Commission meeting and August 22, 2022 for the Town Council meeting according to the requirements of the Hideout Municipal Code; and

WHEREAS, the Planning Commission held a public hearing on August 18, 2022 to receive input on the proposed subdivision amendment for a lot combination and forwarded a positive recommendation to the Town Council; and

WHEREAS, on September 8, 2022 the Town Council held a public hearing on the subdivision amendment; and

WHEREAS, it is in the best interest of Hideout, Utah to approve the proposed driveway reconfiguration in the Hideout Canyon Subdivision given that this subdivision amendment is intended to comply with the Hideout Municipal Code, the 2010 Master Development Agreement (MDA), and the Technical Reports prepared by the Town Staff as well as all other recorded agreements.

NOW, THEREFORE BE IT RESOLVED by the Town Council of Hideout, Utah as follows:

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The subdivision plats illustrating the revised driveway configuration (w/common and limited common space altered) as shown in Exhibit A is approved subject to the following findings of fact, conclusions of law, and conditions of approval:

**Findings of Fact**

1. Soaring Hawk, Phase 2, was recorded on February 6, 2008.
2. Soaring Hawk, Phase 2, was comprised of four (4) lots – Lots 36 – 39.
3. The property is located within the Town of Hideout along SR248, the west side about midway through Town.
4. Zoning for the property is RSPA – Resort Specially Planned Area.
5. The new driveway (limited common area) will provide for access to Lots 38 and 39 with the ingress/egress to Longview Road moved slightly to the south.
6. The Town of Hideout entered into a Master Development Agreement (MDA) with the developer on March 11, 2010.
7. All existing and required easements will be shown on the plat prior to recordation, including utilities, storm drainage, access, trails, snow storage, etc.
8. No changes are proposed to the existing road alignment or uses associated with this plat.

**Conclusions of Law**

1. The subdivision amendment, as conditioned, complies with Hideout Municipal Code.
2. The subdivision amendment as conditioned, is consistent with the applicable State law

regarding subdivision plats.

- 3. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision amendment as conditioned.
- 4. Approval of the subdivision amendment, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Hideout.
- 5. If the Applicant requests an extension for the subdivision amendment, the Hideout Municipal Code requires that these submittals "satisfy[ies] any new Town requirements pertaining to the public health, safety and welfare."

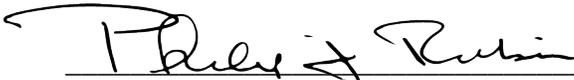
Conditions of Approval

- 1. The Town Attorney, Town Planner and Town Engineer will review and approve the final form and content of the subdivision amendment for compliance with State law, the Hideout Municipal Code, the Master Development Agreement and these conditions of approval, prior to recordation of the plat.
- 2. The applicant will record the subdivision amendment at Wasatch County within six (6) months from the date of Town Council approval. If recordation has not occurred within six (6) months' time, this approval for the plat will be void unless a written request for an extension is submitted to the Town prior to the expiration date and the Town Council grants an extension.
- 3. Non-exclusive public utility easements shall be indicated on the plats prior to recordation as approved by the Town Engineer and consistent with the utility plan, including drainage easements.
- 4. The Applicant must adhere to all requirements of the Master HOA, including Design Review Committee (DRC) requirements.
- 5. The slope on the driveway cannot exceed 12% in any location.
- 6. The single retaining wall will not exceed 4'-0" in height and shall be constructed of natural stacked stone.
- 7. The easement for the trail/walkway must not be disturbed, impacted, or altered in any way and Lots 38 and 39 shall ensure that it can be constructed as originally envisioned.
- 8. The final plat (mylar) is subject to review may require additional notes and corrections.
- 9. The exact language of the plat notes shall be finalized by the Town Attorney, Town Planner and Town Engineer as necessary to implement these conditions of approval and applicable provisions of the Hideout Municipal Code or State Code prior to Mylar signatures by the Town.
- 10. The HOA must sign the plat as an owner since the change is being made to common area.

**SECTION 2. EFFECTIVE DATE.** This Resolution shall take effect upon publication.

PASSED AND ADOPTED this 8<sup>th</sup> day of September, 2022

TOWN OF HIDEOUT

  
 Phil Rubin, Mayor

ATTEST:

  
 Alicia Fairbourne, Recorder for the Town of Hideout



**Exhibit**

Exhibit A – Proposed Subdivision Plat for Hideout Canyon Amended Phase 1 Pod 9



# HIDEOUT CANYON PHASE 1 2ND AMENDMENT, POD 9 RESIDENTIAL PLAT

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH

**SYMBOL LEGEND**

- DEED LINE
- SURVEY BOUNDARY
- EASEMENT
- [Cross-hatched] LIMITED COMMON AREA
- [Diagonal lines] PRIVATE AREA
- [Dotted] OLD DRIVEWAY (TO BE ABANDONED)
- [Blank] COMMON SPACE

**BOUNDARY DESCRIPTION**

OVERALL BOUNDARY:  
A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS AND 986.89 FEET WEST AND 21.18 FEET NORTH FROM SAID NORTHEAST CORNER OF SECTION 20 (BASIS OF BEARINGS IS SOUTH 00°06'03" EAST 2597.65 FEET MEASURED BETWEEN THE NORTHEAST CORNER AND THE EAST QUARTER CORNER OF SECTION 20, TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN); THENCE SOUTH 82°13'20" WEST 65.99 FEET; THENCE NORTH 02°56'02" WEST 303.44 FEET; THENCE NORTH 16°17'14" EAST 1006.0 FEET; THENCE SOUTH 76°01'08" EAST 114.85 FEET; THENCE SOUTH 11°17'49" WEST 11.54 FEET TO A POINT ON A 525.00 FOOT RADIUS CURVE TO THE LEFT, THENCE SOUTHERLY ALONG SAID ARC 247.01 FEET THROUGH A CENTRAL ANGLE OF 26°57'26" (CHORD BEARS SOUTH 02°10'54" EAST 244.74 FEET); THENCE SOUTH 15°39'37" EAST 99.30 FEET TO THE POINT OF BEGINNING.

CONTAINS 48,680 SQUARE FEET OR 1.118 ACRES.

**SURVEYOR'S CERTIFICATE**

IN ACCORDANCE WITH SECTION 10-9A-603 OF THE UTAH CODE, I, CHAD A. ANDERSON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 7736336 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

CHAD A. ANDERSON  
PROFESSIONAL LAND SURVEYOR

08/11/22  
DATE

REGISTERED LAND SURVEYOR  
CHAD A. ANDERSON  
08/11/22  
STATE OF UTAH  
SURVEYOR'S SEAL

**OWNER'S DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT (WE) THE UNDERSIGNED OWNER(S) OF THE TRACT(S) OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS HIDEOUT CANYON PHASE 1 2ND AMENDMENT, POD 9 RESIDENTIAL PLAT, DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

EDWIN GEORGE JORDAN  
PRINTED NAME  
DATE

SARAH ELIZABETH KAY JORDAN  
PRINTED NAME  
DATE

HIDEOUT HIDEAWAY 2, LLC, A LIMITED LIABILITY COMPANY  
PRINTED NAME AND TITLE  
DATE

E-SWAM 1763 LLC, A UTAH LIMITED LIABILITY COMPANY  
PRINTED NAME AND TITLE  
DATE

**ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ } S.S.  
COUNTY OF \_\_\_\_\_ }

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF \_\_\_\_\_, IN SAID STATE OF \_\_\_\_\_, EDWIN GEORGE JORDAN, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME HE EXECUTED THE SAME.

NOTARY PUBLIC

**ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ } S.S.  
COUNTY OF \_\_\_\_\_ }

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF \_\_\_\_\_, IN SAID STATE OF \_\_\_\_\_, SARAH ELIZABETH KAY JORDAN, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME SHE EXECUTED THE SAME.

NOTARY PUBLIC

**ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ } S.S.  
COUNTY OF \_\_\_\_\_ }

On the date first above written personally appeared before me \_\_\_\_\_, who, being by me duly sworn, says that he is the Manager of HIDEOUT HIDEAWAY 2, LLC, a Limited Liability Company, and that the within and foregoing instrument was signed on behalf of said company by authority of its Articles of Organization, and said \_\_\_\_\_ acknowledged to me that said company executed the same.

NOTARY PUBLIC

**ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ } S.S.  
COUNTY OF \_\_\_\_\_ }

On the date first above written personally appeared before me \_\_\_\_\_, who, being by me duly sworn, says that he is the Manager of E-SWAM 1763 LLC, A UTAH LIMITED LIABILITY COMPANY, a Limited Liability Company, and that the within and foregoing instrument was signed on behalf of said company by authority of its Articles of Organization, and said \_\_\_\_\_ acknowledged to me that said company executed the same.

NOTARY PUBLIC

**CURVE TABLE**

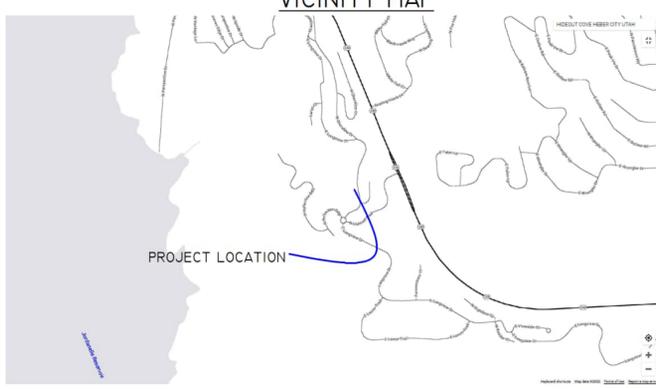
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIR.	CHORD LENGTH
CI	247.01	525.00	026°57'27"	S02°10'54"E	244.74

**Point Table**

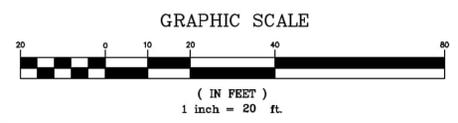
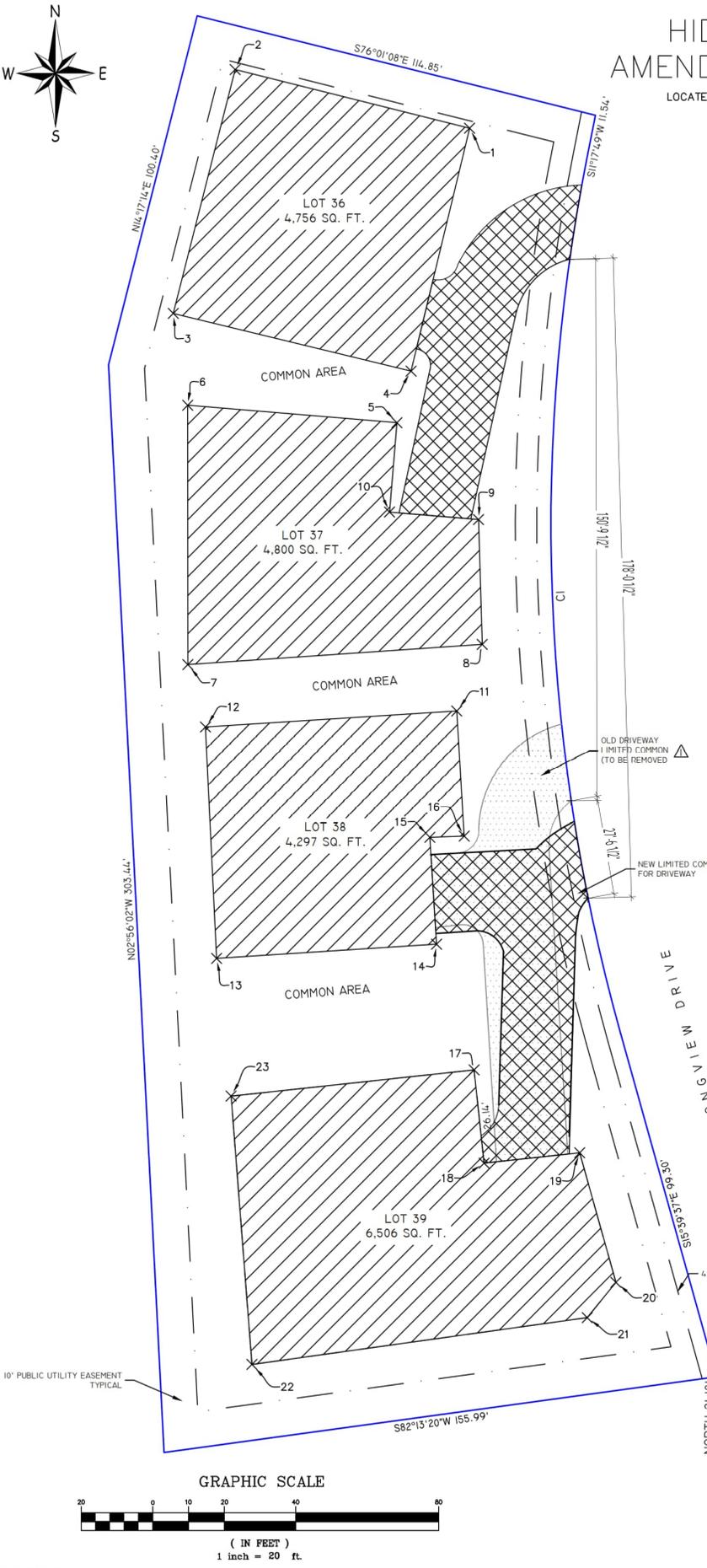
Point #	Northing	Easting
1	10369.0700	8944.0300
2	10385.4100	8878.4300
3	10317.4400	8861.1200
4	10301.3500	8927.6500
5	10286.9800	8923.7000
6	10291.8600	8865.1500
7	10219.5500	8865.2100
8	10225.1900	8947.5600
9	10259.9900	8946.5400
10	10262.0700	8921.6300
11	10206.6233	8940.4263
12	10202.1696	8870.1150
13	10137.7994	8873.2477
14	10141.7660	8934.7874
15	10171.5503	8932.9078
16	10171.8982	8942.5147
17	10106.7200	8945.2800
18	10080.7300	8948.0800
19	10083.6100	8974.8400
20	10047.5100	8984.9600
21	10037.6700	8976.9400
22	10024.6200	8883.1400
23	10099.4100	8877.3000

**ADDRESS TABLE**

UNIT	ADDRESS
36	904 E. LONGVIEW DRIVE
37	910 E. LONGVIEW DRIVE
38	916 E. LONGVIEW DRIVE
39	926 E. LONGVIEW DRIVE



ENGINEERING	SURVEYOR APPROVED AS TO FORM THIS _____ DAY OF _____, 20__
SIGNATURE _____ DATE _____	ROS # _____
PLANNING COMMISSION	SIGNATURE _____ DATE _____
SIGNATURE _____ DATE _____	ADMINISTRATIVE BODY
COUNTY MANAGER _____ DATE _____	ATTEST: CLERK _____ DATE _____
ATTORNEY	PLANNING
SIGNATURE _____ DATE _____	SIGNATURE _____ DATE _____
FIRE	HEALTH DEPARTMENT
SIGNATURE _____ DATE _____	SIGNATURE _____ DATE _____
TIMBER LAKES SPECIAL SERVICE DISTRICT	
SIGNATURE _____ DATE _____	
SHERIFF	PUBLIC WORKS
SIGNATURE _____ DATE _____	SIGNATURE _____ DATE _____
WEED BOARD	WASATCH COUNTY SOLID WASTE
SIGNATURE _____ DATE _____	SIGNATURE _____ DATE _____
RECORDER	



**PLAT AMENDMENT CHANGES**

- △ REMOVE LIMITED COMMON
- △ NEW LIMITED COMMON



Item # 1.

# MRF Project Area Update to Hideout Town Council



May 31, 2022, storm remnants...



Building A

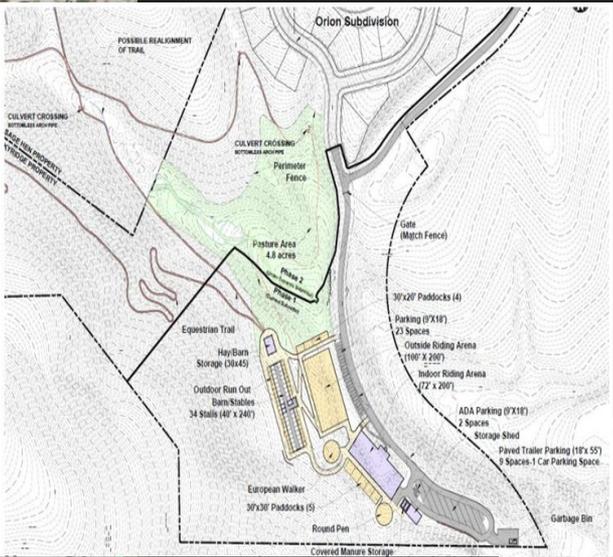
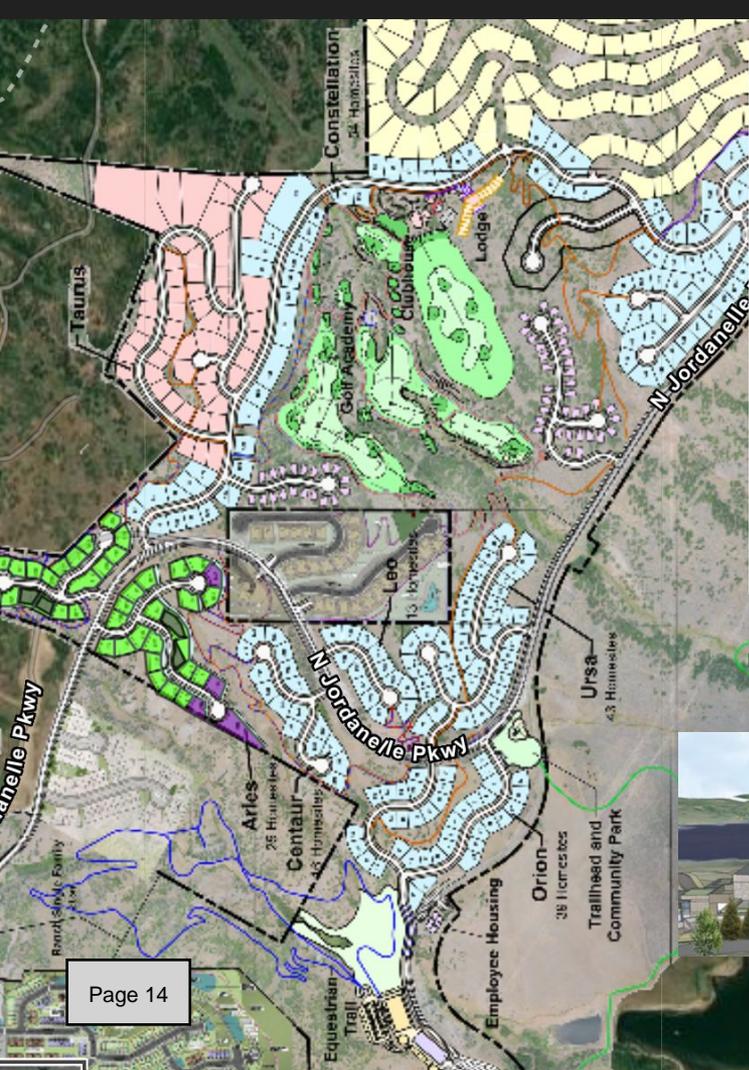


Item # 1.



Designer Hotel and Condominiums, Skier Hotel and Condominiums, Skier Services, and Club. Design and drawings continue; interiors design kick-off occurred with Jeffrey Beers International and AvroKO. A general contractor has been selected, and pre-construction services are being contracted with an announcement in early July.





Item # 1.



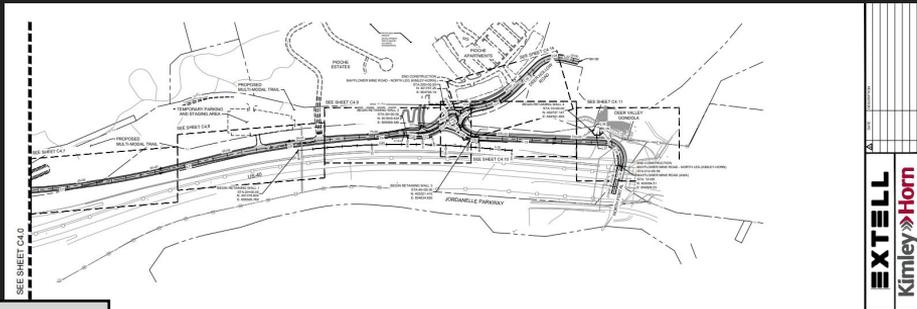
# Project Updates

Recorded Certificates of Occupancy 139

Active Building Permits (Residential) 133

West Side Frontage Road Update

MWR Programming Partnerships



Item # 1.



Crandall Point Trailhead and Parking



## **Chapter 9.03 WATER CONSERVATION**

### **9.03.010 Findings And Purpose**

### **9.03.020 Definitions**

### **9.03.030 Limited Watering Days And Watering Hours**

### **9.03.040 Hardship Waiver**

### **9.03.050 Penalties And Violations**

#### **9.03.010 Findings And Purpose**

The Town Council finds that it is in the best interest of Town of Hideout and its water resources to encourage wise use of this important asset. As the state is subject to periodic droughts and water shortages, these trends have created water deficits in numerous watersheds which effect the Town. The ongoing water deficits demonstrate that water conservation is a prudent step for Town of Hideout and its Water Users. Town of Hideout desires to be proactive in the implementation and enforcement of water conservation efforts.

#### **9.03.020 Definitions**

The following words and phrases whenever used in this chapter have the meaning defined in this section:

"Landscape area" means a lawn, landscape, garden, pasture, or other area of irrigable land.

"Park" means an area that is zoned or otherwise designated by municipal code as a public park for the purpose of recreational activity.

"Water User" means any person using water provided by the Town.

#### **9.03.030 Limited Watering Days And Watering Hours**

- A. Watering of residential lawns, landscape area or other vegetated areas shall only occur between the hours of 8:00 pm and 8:00 am. MST.
- B. Watering or irrigating of lawn, landscape area or other vegetated area shall be limited to three days per week on the following schedule:
  1. Even numbered street addresses: Monday, Wednesday, and Friday
  2. Odd numbered street addresses: Tuesday, Thursday, and Saturday
  3. No watering on Sunday except for public Parks.
  4. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.
  5. Leaks, breaks or malfunctions in the user's plumbing or distribution system must be repaired within seventy-two hours of notification by the Town unless arrangements are made with the Town.
- C. New lawns and landscaping are exempt from the day of the week restrictions for the first thirty (30) days of installation. However, such watering shall be limited to the minimum necessary. Watering should be conducted between the hours of 8 p.m. and 8 a.m. Documentation to verify the

date of planting shall be made available upon request.

Item # 2.

- D. Watering for the purpose of applying insecticides, fungicides, and herbicides where such watering is required by the manufacturer or by federal or state law shall not be restricted by days of the week. However, such watering shall be limited to the minimum necessary. Documentation to verify the date of application shall be made available upon request.

### **9.03.040 Hardship Waiver**

A waiver may be granted or conditionally granted only upon written finding of the existence of facts demonstrating an undue hardship to a Water User using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property due to specific and unique circumstances of the property.

- A. An application for a waiver must be on a form prescribed by the Town.
- B. Supporting Documentation. The application must be accompanied by photographs, maps, drawings, and other information, including a written narrative detailing the reason a waiver should be granted.
- C. An application for a waiver will be granted only if the information provided in the application and supporting documentation for the property meet all of the following:
1. That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other Water Users;
  2. That because of special circumstances applicable to the property or its use, the strict application of this chapter would have a disproportionate impact on the property or use that exceeds the impacts to Water Users generally;
  3. That the authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the Town to effectuate the purpose of this chapter and will not be detrimental to the public interest; and
  4. That the condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent or general in nature.
- D. The Approval Authority shall be deemed to be the Town Administrator. The Town Administrator must act upon any completed application no later than fifteen (15) days after submittal and may approve, conditionally approve, or deny the waiver. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise at the time a waiver is approved, the waiver will apply to the subject property and only during the watering season in which it is issued. The decision of the Town Administrator will be final.

### **9.03.050 Penalties And Violations**

The Town and its duly assigned representative(s) shall seek compliance with or enforcement of this chapter for failure to comply with any provision of the ordinance by assigning the following penalties and violations.

- A. First Violation: Town of Hideout will issue a written warning and deliver a copy of this ordinance by mail.
- B. Second Violation: A one-hundred (\$100.00) dollar fine will be included on the next month utility bill.
- C. Third Violation: The water service will be locked and a two-hundred (\$200.00) dollar fee will be required for removal of the lock and reinstatement of service.



ORDINANCE #2022 – O – \_\_\_\_\_

ORDINANCE ENACTING TITLE 9 CHAPTER 03 “WATER CONSERVATION”

WHEREAS, a reliable supply of potable and irrigation water is essential to the public health, safety, and economy of the Town of Hideout; and,

WHEREAS, water supply is a limited resource that needs to be protected and managed for the present and future uses; and

WHEREAS, water use has continued to rise in a manner that has the potential to exhaust and over tax existing water resources; and

WHEREAS, careful water management should include active water conservation measures not only in times of drought, but at all times and,

WHEREAS, the adoption and enforcement of a water conservation program is prudent to manage Highland City's water resources and thereby ensure a reliable and sustainable supply of water for the residents and to minimize the effects of drought and shortage;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF HIDEOUT, UTAH, THAT:

SECTION I: Title 10 Chapter 03 in hereby enacted as written in Exhibit A.

SECTION II: Effective Date. This ordinance shall take effect upon publication.

PASSED AND ADOPTED by the Town Council of Hideout, Utah, this 8th day of September in the year 2022.

TOWN OF HIDEOUT

\_\_\_\_\_  
Phil Rubin, Mayor

ATTEST:

\_\_\_\_\_  
Alicia Fairbourne, Town Clerk



To: Mayor and Council  
 From: Polly McLean, Town Attorney  
 Date: September 5, 2022  
 Re: Staff Report for Short Term License Regulations

There have been two subdivisions which have explicitly been allowed to have short term or nightly rentals within Hideout: (1) Klaim which negotiated them in their Master Development Agreement and (2) Deer Springs Phase 1 which had a plat note which the developer relied upon which allowed nightly rentals and therefore it was permitted in Deer Springs Phase 1 and Phase 1 amended. Currently, the Hideout Master Association does not allow nightly rentals within the association. Town has not allowed nightly rentals in the Town other than the two exceptions above. Staff will be bringing the issue of whether to allow short term rentals in the Town in the near future as a land use matter. The issue will first be discussed by the Planning Commission and they will make a recommendation to the Council. However, because there have been the two locations in town where short term rentals have been permitted, staff wanted to codify some simple rules related to such rentals.

The plat note related to the Deer Springs Phase 1 Amended stated:

1. The allowance of nightly rentals is only for Phase 1 and Phase 1 amended.
2. Any nightly rentals must be managed by a professional management service with someone who can respond on site within 30 minutes.
3. All nightly rentals require a business license.

The Klaim CCRs have the following conditions related to short term rentals:

9.13. **Use of Dwellings as Short-term Rentals.** Owners may rent their Dwellings as Short-term Rentals provided: (a) they do so in compliance with the Governing Documents; and (b) a short-term rental permit is issued by the County, if required. Owners opting to rent their Dwellings as Short-term rentals are required to use the services of a property management company that is (1) licensed in accordance with state law and local ordinances and (2) approved by the Association to manage Short-term Rentals within the Property. The Board of Directors shall establish the procedures, rules, and regulations for any Short-term Rentals, including check-in, access to Dwellings and common amenities and facilities. The Owner shall at all times ensure the Dwelling is rented in compliance with the Governing Documents and any rules and regulations for the Property.

Therefore, in order to make sure that we have codified the requirements we have imposed on the two exceptions and to enable Hideout to regulate any short term rentals a part from any Home Owners Association, staff is asking the Council to review the following business license requirements and consider adopting the attached ordinance.

TOWN OF HIDEOUT  
ORDINANCE #2022 -O-05

AN ORDINANCE AMENDING 4.02.010 DEFINITIONS - BUSINESS LICENSES AND REGULATIONS  
AND ADOPTING TITLE 4, CHAPTER 07 REGULATION OF SHORT TERM (NIGHTLY) RENTALS

WHEREAS, some nightly rentals are permitted in the Town of Hideout (“Town”) based upon a negotiated agreement within their Master Development Agreements or reliance upon a plat note;

WHEREAS, the Town wishes to define short term rentals and regulate any short term rentals which are permitted by the Town;

WHEREAS, Short Term Rentals can cause impacts on neighbors and the community; and,

WHEREAS, the Town Council for the Town of Hideout finds that the health, safety and welfare of the Town’s residents to adopt and amend the following;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF HIDEOUT, UTAH, THAT:

SECTION I: Amended. The following Section is hereby amended.

**4.02.010 DEFINITIONS - BUSINESS LICENSES AND REGULATIONS**

As used in this title:

**BUSINESS:** Means and includes all activities engaged in within this municipality carried on for the purpose of gain or economic profit, except that the acts of employees rendering service to employers shall not be included in the term "business", unless otherwise specifically provided.

**EACH SEPARATE PLACE OF BUSINESS:** Each separate establishment or place of operation, whether or not operating under the same name, within the municipality, including a home or other place of lodging if the same is held out by advertisements, listings or otherwise as the establishment or place of operation of a person engaging in the business of selling tangible, personal property at either retail or wholesale, or both, in the municipality.

**EMPLOYEE:** The operator, owner or manager of a place of business and any persons employed by such person in the operation of such place of business in any capacity and also any salesperson, agent or independent contractor engaged in the operation of the place of business in any capacity.

**ENGAGING IN BUSINESS:** Includes, but is not limited to, the sale of tangible personal property at retail or wholesale, the manufacturing of goods or property and the rendering of personal services for others for a consideration by persons engaged in any profession, trade, craft, business, occupation or other calling, except the rendering of personal services by an employee to his employer under any contract of personal employment.

**PLACE OF BUSINESS:** Each separate location maintained or operated by the licensee within this municipality from which business activity is conducted or transacted.

**SHORT TERM RENTAL: "Short-term rental" means any dwelling or condominium or portion thereof that is available for use or is actually used for accommodations or lodging of guests for a period of less than thirty consecutive days, wherein guests pay a fee or other compensation for said use. Also known as a nightly rental.**

**WHOLESALE:** A sale of tangible personal property by wholesalers to retail merchants, jobbers, dealers or other wholesalers for resale, and does not include a sale by wholesalers or retailers to users or consumers not for resale, except as otherwise specified.

**WHOLESALE:** A person doing a regularly organized wholesale or jobbing business and selling to retail merchants, jobbers, dealers or other wholesalers, for the purpose of resale.

SECTION II: Adopted. The following Chapter is hereby adopted.

**4.07 REGULATION OF SHORT TERM (NIGHTLY) RENTALS**

**4.07.01 License Required**

It is unlawful to conduct or operate a short-term rental without having obtained a business license therefor.

**4.07.02 Regulations for Short Term Rental**

Short term rentals are required to use the services property management company that is licensed in accordance with State and Local Ordinances and can respond on site within 30 minutes.

**4.07.15 Separate Violations**

For purposes of prosecution of violations of this chapter, each day that any violation occurs, or that applicable taxes and fees are unpaid, is deemed to constitute a separate violation.

Section III: Effective Date. This Ordinance shall take effect upon publication.

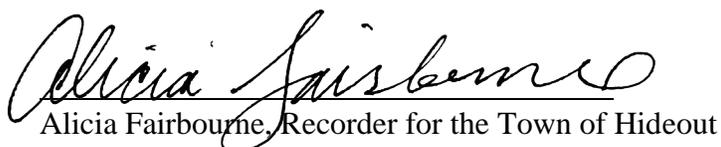
PASSED AND ADOPTED by the Town Council of Hideout, Utah, this 8th day of September in the year 2022.

TOWN OF HIDEOUT



Phil Rubin, Mayor

ATTEST:



Alicia Fairbourne, Recorder for the Town of Hideout



# Memo

## Town of Hideout Engineering/Public Works Department

**To:** City Council  
**From:** Timm Dixon P.E., Public Works Director/Town Engineer  
**Date:** 9/6/2022  
**Re:** Approval to purchase Mini Excavator for Public Works Department

### Background

This past month, the town saw the arrival of 50-year storms which caused drainage issues throughout the Town of Hideout. The Town had to request the help of developers (GCD and Holmes Homes) to help cleanup in certain areas of town due to both developers having the equipment that the town does not have.

Upon inspection of the drainage issues, I have determined that most of the problems could be reduced/preventable in the future by the town having the appropriate equipment for maintenance in house.

### Request

The Public Works Department is requesting approval to purchase a Mini Excavator for FY22-23. The Mini Excavator is a workhorse piece of equipment for the Public Works Department that will be utilized for all/future Drainage issues, such as ditch maintenance cutting/repair and Storm Drainpipe Installation/cleaning /maintenance for future use. Furthermore, this excavator can also be used to help with repair of utility lines and the plowing/removal of snowbanks in the winter.

We are requesting approval from the Town council to issue a purchase order in the amount of \$55,000 with funding to be provided by municipal financing through Zion's Bank with a lease agreement of 5 years, with funding starting in Oct 2022.

### Future Savings/Projected Annual Costs

Annual Yearly Cost:	(Maintenance/Lease/Fuel) -	\$12,500
Future Savings:	Weekly Rental Cost (Quotes)	\$2,000-3000
Anticipated Rental Yearly Use:	8-12 weeks a year (see alternative #1)	

### Alternatives

1. Rental of machines in future: Renting machines, although cheaper in a short-term aspect, has been proven difficult to find with the lack of machines available throughout the Intermountain Western States. I could not acquire a machine for use in the State of Utah or Wyoming, and although there were machines available to rent from Idaho and Nevada, the cost of transportation was prohibitive.
2. Continue to ask developers for help/use of their machinery: Although our developers can help, there are other issues that need to be addressed legally each time we ask a developer for help and repayment of time and material. This is not a viable long-term option moving forward.
3. Issue approval to purchase a Mini Excavator for the Town of Hideout.

### Recommended Motion to Town Council

Alternative 3

# State Machinery

6891 S 700 W STE 100  
Midvale, UT 84047  
801-462-2700



## Invoice

**9-2-2022**

Timm Dixon  
435-300-4159  
tdixon@hideoututah.gov  
jmccosh@hideoututah.gov

**Payable to**  
State Machinery

**Invoice #**  
5149

**Due date**

Description	Qty	Unit price	Total price
Cat 303 - 2020 CAT0303EJFR300576 450 hr	1	\$50,000.00	\$50,000.00
Thumb Attachment and Install	1	\$5,000.00	\$5,000.00

Sales Tax Exempt

Notes:

Subtotal **\$55,000.00**

Adjustments

**\$55,000.00**

A monthly finance charge of 2% is assessed on all past due invoices on the last day of each month. In the event this invoice is not paid, the customer is responsible for all attorney/collection fees and costs. If sales outside of Utah customer may be subject to use tax.

# Town of Hideout, Utah

\$55,000 Equipment Lease Purchase  
Series September 22, 2022

## Table of Contents

### Report

Debt Service Schedule	1
Pricing Summary	2
Sources & Uses	3

## Town of Hideout, Utah

\$55,000 Equipment Lease Purchase

Series September 22, 2022

### Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
09/22/2022	-	-	-	-	-
09/22/2023	10,027.46	4.630%	2,546.50	12,573.96	12,573.96
09/22/2024	10,491.73	4.630%	2,082.23	12,573.96	12,573.96
09/22/2025	10,977.50	4.630%	1,596.46	12,573.96	12,573.96
09/22/2026	11,485.76	4.630%	1,088.20	12,573.96	12,573.96
09/22/2027	12,017.55	4.630%	556.41	12,573.96	12,573.96
<b>Total</b>	<b>\$55,000.00</b>	<b>-</b>	<b>\$7,869.80</b>	<b>\$62,869.80</b>	<b>-</b>

### Yield Statistics

Bond Year Dollars	\$169.97
Average Life	3.090 Years
Average Coupon	4.6299965%

Net Interest Cost (NIC)	4.6299965%
True Interest Cost (TIC)	4.6299969%
Bond Yield for Arbitrage Purposes	4.6299969%
All Inclusive Cost (AIC)	4.6299969%

### IRS Form 8038

Net Interest Cost	4.6299965%
Weighted Average Maturity	3.090 Years

## Town of Hideout, Utah

\$55,000 Equipment Lease Purchase

Series September 22, 2022

### Pricing Summary

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
09/22/2027	Term 1 Coupon	4.630%	4.630%	55,000.00	100.000%	55,000.00
<b>Total</b>	-	-	-	<b>\$55,000.00</b>	-	<b>\$55,000.00</b>

### Bid Information

Par Amount of Bonds	\$55,000.00
Gross Production	\$55,000.00
Bid (100.000%)	55,000.00
Total Purchase Price	\$55,000.00
Bond Year Dollars	\$169.97
Average Life	3.090 Years
Average Coupon	4.6299965%
Net Interest Cost (NIC)	4.6299965%
True Interest Cost (TIC)	4.6299969%

## Town of Hideout, Utah

\$55,000 Equipment Lease Purchase  
Series September 22, 2022

### Sources & Uses

Dated 09/22/2022 | Delivered 09/22/2022

#### Sources Of Funds

Par Amount of Lease	\$55,000.00
<b>Total Sources</b>	<b>\$55,000.00</b>

#### Uses Of Funds

Deposit to Equipment Lease Purchase Fund	55,000.00
<b>Total Uses</b>	<b>\$55,000.00</b>

**A resolution approving the form of the Lease/Purchase Agreement with Zions Bancorporation, N.A., Salt Lake City, Utah and authorizing the execution and delivery thereof**

Whereas, The Town Council (the "Governing Body") of the Town of Hideout (the "Lessee") has determined that the leasing of the property described in the Lease/Purchase Agreement (the "Lease/Purchase Agreement") presented at this meeting is for a valid public purpose and is essential to the operations of the Lessee; and

Whereas, the Governing Body has reviewed the form of the Lease/Purchase Agreement and has found the terms and conditions thereof acceptable to the Lessee; and

Whereas, either there are no legal bidding requirements under applicable law to arrange for the leasing of such property under the Lease/Purchase Agreement, or the Governing Body has taken the steps necessary to comply with the same with respect to the Lease/Purchase Agreement.

Be it resolved by the Governing Body of the Town of Hideout as follows:

SECTION 1. The terms of said Lease/Purchase Agreement are in the best interests of the Lessee for the leasing of the property described therein.

SECTION 2. The appropriate officers and officials of the Lessee are hereby authorized and directed to execute and deliver the Lease/Purchase Agreement in substantially the form presented to this meeting and any related documents and certificates necessary to the consummation of the transactions contemplated by the Lease/Purchase Agreement for and on behalf of the Lessee. The officers and officials of the Lessee may make such changes to the Lease/Purchase Agreement and related documents and certificates as such officers and officials deem necessary or desirable, such approval to be conclusively evidenced by the execution and delivery thereof.

SECTION 3. The officers and officials of the Governing Body and the Lessee are hereby authorized and directed to fulfill all obligations under the terms of the Lease/Purchase Agreement.

**Adopted and approved** by the governing body of the Lessee this 8th day of September, in the year 2022.

TOWN OF HIDEOUT:

Signed:   
Phil Rubin, Mayor

ATTEST:

  
Alicia Fairbourne, Recorder for the Town of Hideout



# HIDEOUT END OF SUMMER CELEBRATION FREE COMMUNITY GATHERING / FOOD DRIVE

**PLEASE BRING CANNED/NON-PERISHABLE GOODS  
TO BENEFIT THE UTAH FOOD BANK**

**ENJOY THE LAST OF THE GREAT WEATHER AND THE CHANCE TO HANG  
WITH YOUR NEIGHBORS AND SOCIALIZE.**

**HIDEOUT RESIDENTS ONLY PLEASE**

**SATURDAY SEPTEMBER 24<sup>TH</sup> 4:00 PM – 7:00 PM**

**COMPLIMENTARY BBQ AND DESSERT**  
**Bring your own beverages**

**FEATURING:**

**LOCAL MUSICIAN AND HIDEOUT RESIDENT VICTORIA SORENSEN**

*Victoria is a local singer/songwriter who has lived in the Park City area for 13 years. We are proud she is now a resident in our town and excited to have her for our event.*

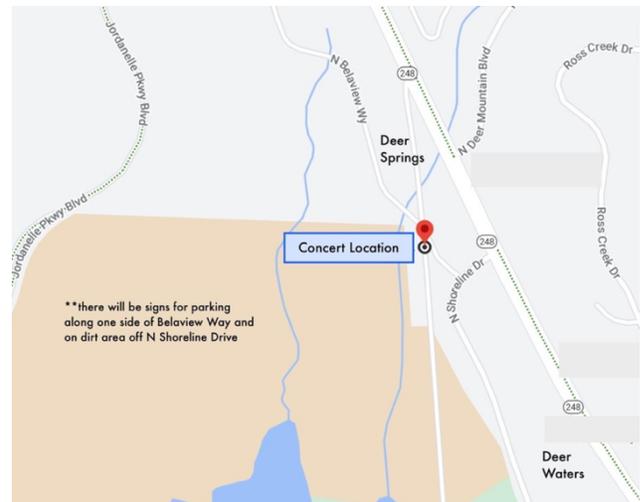
**PLEASE RSVP TO**

**[SHERIJACOBS@ME.COM](mailto:SHERIJACOBS@ME.COM) SO WE CAN PLAN FOOD PROPERLY**

**LOCATION:** Hideout Public Works Building  
Parking Lot: Off N Belaview Way on the way  
to Deer Springs.

**PARKING:** There is parking along one side of  
Belaview Way – please note signs and park  
on only one side.. Please try to carpool.

**MISC INFO:** The party is on a parking lot with  
pavement and gravel on the edges so bring  
chairs.



**A huge thank you to Rocky Mountain Power for  
sponsorship!**



**Minutes**  
**Town of Hideout**  
**Special Meeting / Public Hearing**  
**March 03, 2022**

The Town Council of Hideout, Wasatch County, Utah met in a Special Meeting on March 03, 2022 at 6:00 p.m. electronically via Zoom due to the ongoing COVID-19 pandemic.

Special Meeting

**I. Call to Order**

**1. No Anchor Site Determination Letter**

Mayor Rubin called the meeting to order at 6:02 p.m. and reminded participants there was no physical anchor site due to the ongoing COVID-19 pandemic.

**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 Attorneys Polly McLean and Cameron Platt  
 Town Administrator Jan McCosh  
 Town Planner Thomas Eddington  
 Town Engineer Ryan Taylor  
 Director of Engineering and Public Works Timm Dixon  
 Town Clerk Alicia Fairbourne  
 Deputy Town Clerk Kathleen Hopkins

**Others Present:** McKay Christensen, Todd Amberry, Brett Rutter, Carol Tomas, Jared Fields, Jack Walkenhorst, Daniel Salzman and others who may have logged in using a partial name or using only a phone number.

**III. Public Hearing Items**

**1. Summary of site visit to the Boulders at Hideout project held on February 21, 2022**

Council Member Baier recounted the site visit at the Boulders at Hideout project. She stated they talked conceptually about the financial analysis and oriented themselves with the layout of the area.

1

2 **2. Discussion and review of an Ordinance amending the official Town of Hideout Zoning Map**  
 3 **to rezone parcels 00-0020-8181, 00-0020-8182, 00-0020-8184, and 00-0020-8185 (the**  
 4 **“Boulders at Hideout Development”) from Mountain (M) zone to Neighborhood Mixed Use**  
 5 **(NMU), R20 (Residential 20), R6 (Residential 6), and R3 (Residential 3)**

6 Town Planner Thomas Eddington presented the staff report for the Boulders at Hideout  
 7 Development project. Mayor Rubin noted the Planning Commission gave a favorable  
 8 recommendation with certain caveats which were included in the staff report. Mr. Eddington  
 9 explained a Concept Plan and Zoning Amendment Application had been presented to Planning  
 10 Commission, however the Concept Plan did not need to be presented to Council. He reviewed  
 11 the proposed density, which included:

- 12 • Approximately 610 Units (or 577 ERU’s) on 112 acres, which was equivalent to 5.35  
 13 units per acre
- 14 • A variety of residential building typologies, a small retail pad, a hotel, and retrofitting  
 15 the existing house as a bed-and-breakfast
- 16 • Potential gathering area for festivities and food trucks

17 Mr. Eddington noted the proposed density would be approximately a five hundred percent  
 18 (500%) increase beyond existing allowances, and compared that amount to recent subdivisions:

- 19 • Deer Springs: 97 acres, 248 Units (2.57 units per acre)
- 20 • Lakeview: 22.4 acres, 69 units (3.08 units per acre)

21 He further noted of the six hundred and ten (610) proposed Boulders units, one hundred and fifty  
 22 (150) units would be contained within the hotel, and twenty (20) units would be within the bed-  
 23 and-breakfast. Applicants McKay Christensen and Todd Amberry explained approximately fifty  
 24 percent (50%) of the density, which was over three hundred (300) units, would be located within  
 25 approximately twenty (20) acres and the single-family homes accounted for approximately 3.15  
 26 units per acre.

27 Mr. Eddington reviewed several concerns of the Planning Commission, which resulted in the  
 28 applicant agreeing to provide a 4,000 square foot hotel restaurant, a 4,000 square foot bed-and-  
 29 breakfast restaurant, a 1,000 square foot coffee shop within the clubhouse, and a 500 square foot  
 30 sundry shop within the clubhouse. The applicants also added another 2,500 to 4,000 square foot  
 31 retail pad to the northeast of the hotel. The Planning Commission discussed reserving several  
 32 acres for the possibility of developing a Town Center, however, the applicants were more in  
 33 favor of providing retail shops or restaurants along the first floor of the big house condos. Mayor  
 34 Rubin noted discussions with other developers were being had regarding various locations for a  
 35 Town Center.

36 Mr. Eddington outlined what was proposed as far as amenities, which included a clubhouse with  
 37 a fitness center, a park, an outdoor amphitheater, a pond with a beach, and access to the Town’s  
 38 existing trail system. He explained an underpass was discussed with the Planning Commission  
 39 in order to provide safe connectivity and access from both sides of SR-248. The applicants agreed  
 40 to provide \$2.5 million to the Town to construct the underpass, with payments made in \$500,000

1 increments over the course of five (5) years. Discussion regarding the various sources to fund  
2 the underpass ensued.

3 Mr. Eddington reviewed the Open Space Plan, noting approximately forty five percent (45%) of  
4 the site could remain as undisturbed open space. Council Member Baier inquired how much open  
5 space was dedicated to the park, to which Mr. Amberry thought it was about fifteen (15) acres.  
6 Details regarding the park area were discussed, with Mr. Christensen noting it would not be a  
7 flat park, but rather, a lookout point with incorporated sitting areas.

8 Town Engineer Ryan Taylor discussed grading of the land would be necessary for the roads, and  
9 therefore, would not be considered undisturbed open space. Mr. Amberry agreed, stating their  
10 goal was to maintain as much undisturbed area as possible. Discussion regarding the grading and  
11 preserving the natural vegetation ensued. Mr. Taylor suggested the applicant provide a  
12 conceptual Grading Plan in order to identify those areas which could potentially remain  
13 undisturbed. Mr. Amberry stated a preliminary Grading Plan could be provided; however, the  
14 Plan could change as the development progressed. Mr. Taylor suggested using the Concept Plan  
15 to set a minimum open space or minimum undisturbed area target. Engineering and Public Works  
16 Director Timm Dixon expressed his concern of moving forward with the project until a  
17 conceptual Grading Plan was provided. Town Attorney Polly McLean agreed, stating although  
18 the Town Code wasn't specific regarding the grading amount, the concern was with the density  
19 and if any of the land would be left undisturbed. She felt it was appropriate if the Council wanted  
20 to require a Grading Plan based on the density of the site. Mayor Rubin asked the applicants to  
21 work with Mr. Eddington and Engineering on a preliminary Grading Plan.

22 Council Member Severini stated he did not see any sort of a preliminary traffic study. Mr.  
23 Amberry stated a full traffic analysis was completed and he would provide the results to Council.  
24 Council Member Baier inquired if the development would affect the agreement the Town had  
25 with the Utah Department of Transportation (UDOT) in regard to the limited number of access  
26 points allowed to SR-248. Mr. Amberry stated there were two access points already established  
27 which would not affect the agreement. It was discussed to plan the development with a road  
28 stubbed out to tie in with the planned lighted intersection near Tuhaye and SR-248.

29 Mr. Eddington discussed the Planning Commission's concerns regarding the design of the homes  
30 and hotel. Mr. Christensen stated the development would establish its own Architectural Review  
31 Committee (ARC) and adhere to strict architectural design guidelines and standards. Mr.  
32 Eddington recommended combining the development's ARC with the Town's Design Review  
33 Committee (DRC) in order to be more efficient.

34 The Infrastructure Plan was discussed. The applicants were proposing a Public Infrastructure  
35 District (PID), which would be brought before the Council at a subsequent date for an approval.  
36 Mr. Amberry explained the infrastructure would not be a liability of the Town and would be  
37 financed through a PID.

38 Mr. Eddington reviewed the Planning Commission's recommendations and conditions regarding  
39 the overall Concept Plan, to which the applicants had agreed to.

40 The rezone request was presented. Mr. Eddington explained the proposed zoning designations  
41 looked to be more dense than what was proposed; however, the number of units and maximum  
42 Equivalent Residential Units (ERU's) allowed would be specified in the Master Development  
43 Agreement (MDA) and Planned Performance Development (PPD). Ms. McLean recommended  
44 any rezone be contingent on entering into a Development Agreement within the following six

1 (6) months after approval, and with that Development Agreement should be an approved  
2 preliminary plat. The applicants expressed their opposition to Ms. McLean's recommendation,  
3 stating they needed to have an executed MDA prior to closing on the purchase of the property  
4 from the current property owner. Discussion ensued. Ms. McLean reiterated Staff's  
5 recommendation to keep the current Mountain Zone designation and implement a PPD overlay  
6 and, in order to accommodate the hotel, rezone to Neighborhood Mixed Use to achieve the  
7 desired outcome. Mr. Eddington explained in further detail what a PPD entailed, which would  
8 tie the Concept Plan to the density agreed on by the Council into an MDA. He further explained  
9 how it would provide more flexibility than current zoning designations. Mayor Rubin asked Ms.  
10 McLean and Mr. Eddington to provide the applicants with an in-depth explanation of what a  
11 PPD does and does not allow. The applicants asked for additional time to explore this option.

12 Mayor Rubin asked the applicants to provide the Financial Analysis to the Council prior to the  
13 next meeting. Council Member Severini asked to be provided with the raw data in spreadsheet  
14 form instead of a pdf so he could look at the formulas behind the data.

15 Council Member Jacobs inquired if the hotel would be operated and sold as condotels. Mr.  
16 Christensen stated the would be sold as condos but run as a hotel as in the same way as Stein  
17 Eriksen, The Montage Deer Valley, or St. Regis Deer Valley was run. He noted they anticipated  
18 that it would be flagged by one of the major brand hotels.

19 It was noted a Parking Plan was one of the conditions Planning Commission stated was needed.  
20 Mr. Christensen stated a Parking Plan Exhibit was being determined but could be provided to  
21 Council within a couple of days.

22 Council expressed their support of the recommendations from Planning Commission.

23 There being no further comments or questions from Council, Mayor Rubin opened the floor to  
24 public comment at 8:07 p.m.

25 *Brett Rutter* – Mr. Rutter stated he agreed with Council Member Severini and Mayor Rubin's  
26 desire to obtain a thorough Financial Analysis which would focus on the net tax revenue  
27 projections to the Town's General Fund, not just the gross tax. He understood the net tax number  
28 came to approximately three hundred dollars (\$300) per head, which he would personally rather  
29 pay three hundred dollars (\$300) directly into the General Fund than increase the number of units  
30 by nearly six hundred (600) ERU's and all of the costs and expenses which come along with the  
31 increase in density.

32 Mr. Rutter pointed out that the retail space may not be ideal for residents to walk or bike to,  
33 considering it was approximately a two hundred and fifty (250) foot climb over a half a mile  
34 from the south side of Town to where the proposed coffee shop would be located. He was  
35 concerned of the increase in traffic and the need for parking due to the number of residents who  
36 would most likely drive to the retail stores.

37 Mr. Rutter then spoke of the 2019 General Plan which noted the property was designated for  
38 lower density and to "preserve wild space". He cited several quotes from public comments in  
39 Section 4.4.1 of the General Plan, stating commercial development near housing or to  
40 intermingle with each other was not desired. Public comments also stated a hotel was not wanted  
41 by residents. Citizens also stated high density was not preferred. He suggested Council look at  
42 this property as an opportunity for assisted living space which would result in less traffic than a  
43 hotel.

1 Mr. Rutter expressed his concern of the proposed zoning map, stating the inner circle of the  
2 development should be designated as Open Space Zoning. He was also concerned of the number  
3 of ERU's and thought those should be kept in the hotel and condos in order to preserve the wild  
4 space and keep the density confined to as few of the structures as possible. Mayor Rubin thanked  
5 Mr. Rutter for his comments.

6 *Carol Tomas* – Ms. Tomas agreed with Mr. Rutter. She expressed her concern regarding the high  
7 density, particularly with the hotel. She felt more time was needed for additional review to do  
8 what was best for the Town.

9 There being no further comments, Mayor Rubin closed public input at 8:20 p.m. and reiterated  
10 the public input and discussion would be continued to a future meeting.

11 **3. Discussion of a Master Development Agreement (MDA) regarding the Boulders at Hideout**  
12 **Development**

13 The Council did not receive the MDA with enough time to review prior to the meeting, and  
14 therefore, Mayor Rubin asked for a motion to continue the discussion to the March 10, 2022  
15 regular meeting.

16 *Motion: Council Member Baier moved to continue the discussion of a Master Development*  
17 *Agreement regarding the Boulders at Hideout to the March 10, 2022 regular meeting.*  
18 *Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council*  
19 *Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from*  
20 *voting: Council Member Nadelberg. None opposed. Motion carried.*

21 **IV. Agenda Items**

22 **1. Discussion and possible approval of an Agreement with GCD and JSSD regarding impact**  
23 **fees due to JSSD**

24 Ms. McLean explained there were some errors in calculating the impact fees due to Jordanelle  
25 Special Service District (JSSD). An agreement was made between GCD, the Town, and JSSD  
26 to each pay a third of the amount due.

27 Ms. McLean noted a provision should be added to the agreement stating the Town's maximum  
28 contribution would be \$33,645 – which was a third of the total amount owed.

29 There being no questions from Council, Mayor Rubin asked for a motion to approve the Mayor  
30 to sign an agreement related to the settlement of impact fees due to JSSD with the insertion of  
31 language that limits the Town's portion to no more than \$33,645.

32 *Motion: Council Member Severini moved to approve the Mayor to sign an agreement related*  
33 *to the settlement of impact fees due to JSSD with the aforementioned language added.*  
34 *Council Member Baier made the second. Voting Yes: Council Member Baier, Council*  
35 *Member Haselton, Council Member Jacobs, Council Member Severini. Absent from voting:*  
36 *Council Member Nadelberg. None opposed. Motion carried.*

37

1 **2. Discussion and authorization for the Mayor to enter into a contract for an economic study**  
2 **regarding water, sewer, storm drain, transportation, trails and community development**  
3 **fees with Zions Bank in an amount not to exceed \$30,000**

4 Town Administrator Jan McCosh explained the water study had started, as it was previously  
5 approved by Council. She had discussed the rates for the studies with Zions Bank, and they  
6 agreed to match or beat the competitors' rates.

7 Ms. McCosh recommended utilizing Lewis Young to continue the studies on the Military  
8 Installation Development Authority (MIDA) and nightly rental formulas and continue the rate  
9 studies with Zions Bank.

10 There were no questions from Council.

11 *Motion: Council Member Severini moved to authorize the Mayor to enter into a contract for*  
12 *the overall economic study regarding water, sewer, storm drain, transportation, trails and*  
13 *community development fees with Zions Bank in an amount not to exceed \$30,000. Council*  
14 *Member Haselton made the second. Voting Yes: Council Member Baier, Council Member*  
15 *Haselton, Council Member Jacobs, Council Member Severini. Absent from voting: Council*  
16 *Member Nadelberg. None opposed. Motion carried.*

17 **V. Meeting Adjournment**

18 There being no further business, Mayor Rubin asked for a motion to adjourn.

19 *Motion: Council Member Baier moved to adjourn the meeting. Council Member Severini*  
20 *made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council*  
21 *Member Jacobs, Council Member Severini. Absent from voting: Council Member Nadelberg.*  
22 *None opposed. Motion carried.*

23 The meeting adjourned at 8:49 p.m.

24  
25  
26  
27  
28  
29  

---

Alicia Fairbourne, Town Clerk

**Minutes**  
 Town of Hideout  
 Town Council Regular Meeting and Public Hearings  
 March 10, 2022

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

Regular Meeting and Continued Public Hearings

**I. Call To Order**

**1. No Anchor Site Determination Letter**

Mayor Phil Rubin called the meeting to order at 6:02 p.m. and welcomed those present. He explained this was a virtual meeting with no physical anchor site due to the ongoing COVID-19 pandemic.

**II. Roll Call**

**Present:** Mayor Phil Rubin  
 Council Member Chris Baier (excused at 9:00 p.m.)  
 Council Member Sheri Jacobs  
 Council Member Carol Haselton  
 Council Member Bob Nadelberg  
 Council Member Ralph Severini

**Staff Present:** Town Attorneys Polly McLean and Cameron Platt  
 Town Administrator Jan McCosh  
 Town Planner Thomas Eddington  
 Director of Engineering and Public Works Timm Dixon  
 Director of Public Works Daniel Allen  
 Town Clerk Alicia Fairbourne

**Others Present:** Clint Neerings, Don Blumenthal, Shauna Mecham, Todd Amberry, Brett Rutter, McKay Christensen, Glynnis Tihansky, Jack Walkenhorst, Troy Morgan and others who may have logged in using a partial name or using only a phone number.

**III. Approval of Council Minutes**

**1. December 9, 2021, Town Council Meeting Minutes DRAFT**

***Motion: Council Member Baier moved to approve the December 9, 2021 Town Council Meeting minutes as presented. Council Member Nadelberg made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, Council Member Severini. None opposed. The motion passed unanimously.***

1 Council discussed several follow-up items. Council Member Severini referenced Page 7 Line 16 of  
 2 the Town Council Meeting Minutes. The Mission Statement of the Economic Development  
 3 Committee was supposed to be shared on the Town website. He did not know if that had been done.  
 4 Council Member Baier felt the Town Council should review the Mission Statement before it is posted.  
 5 Town Administrator Jan McCosh reported the Mission Statement was not finalized. One of the  
 6 Committee Members prepared something, but it was not finished and was forthcoming. There would  
 7 be an Economic Development Committee Meeting next Monday. As soon as the Mission Statement  
 8 was agreed upon by the Committee, it would be shared with the Town Council for approval.

9 Council Member Severini referenced Page 8 Line 19 of the Town Council Meeting Minutes. He asked  
 10 if there would be any follow-up about the survey for the Wildland/Urban Interface. Mayor Rubin  
 11 explained it would be discussed during the Town Council Meeting.

12 Council Member Haselton noted that there had been discussion about the design and the height of the  
 13 pickleball courts. At one point, it was suggested that the height be twenty (20) feet, but a resident felt  
 14 ten (10) feet would be more appropriate. She asked if Town Planner, Thomas Eddington had spoken  
 15 to the developer about that. Mr. Eddington explained there would be additional coordination. He had  
 16 taken photographs of various pickleball courts for reference and the work would continue to move  
 17 forward.

#### 18 **IV. Public Input - Floor Open for any Attendee to Speak on Items Not Listed on the Agenda**

19 Mayor Rubin opened the floor for public comment at 6:12 p.m.

20 *Brett Rutter* shared comments related to the pickleball court. He believed it would be constructed  
 21 within the guidelines of the national organization. Those guidelines for pickleball court construction  
 22 included the surface area, not just fences and heights. This meant there were guidelines listed for the  
 23 sub-surface and the surface itself. He encouraged the Town to look closely at the construction surface.  
 24 This would ensure the structure was long-lasting and would not settle.

25 Council Member Baier learned earlier in the day that the annual Jordanelle Community Spring Clean  
 26 Up Day had been scheduled for May 14, 2022, from 10:00 a.m. to 12:00 p.m. Last year, Hideout  
 27 participated by paying for a dumpster which was placed on a few of the parking spaces in front of  
 28 Town Hall. She wanted to see the Town participate again. With advanced notice, it would be possible  
 29 to have more resident participation. Mayor Rubin was supportive of the suggestion. The information  
 30 could be placed in the newsletter. There was discussion regarding the dumpster from last year.  
 31 Council Member Haselton pointed out the dumpster last year was very tall and it was difficult to  
 32 place items inside. It was noted the dumpster sizes are standard but a platform could be placed in  
 33 front to make it easier for residents.

34 Council Member Baier previously attended the Wasatch County School District Meeting related to a  
 35 plan for potential schools. She was able to ask the Superintendent about plans for a school in the  
 36 Jordanelle area. The response was that there was already a site. After the meeting, she was contacted  
 37 by Kim Dickerson, who represented the Jordanelle area on the Wasatch County School Board. There  
 38 was a desire to make a presentation and speak to the Town Council at the next Regular Meeting. She  
 39 noted the next Regular Meeting was scheduled for April 14, 2022. Mayor Rubin explained they had  
 40 reached out already. Council Member Baier felt it would be worthwhile to hear the presentation.  
 41 Council Members could ask direct questions and specific concerns could be addressed.

1 There was no further public comment. Mayor Rubin closed the public input portion of the meeting at  
2 6:19 p.m.

3 **V. Public Hearing Items.**

4 **1. Continued Discussion and Possible Approval Regarding an Amendment of the Official Town**  
5 **of Hideout Zoning Map to Rezone Parcels 00-0020-8181, 00-0020-8182, 00-0020-8184, and 00-**  
6 **0020-8185 (the “Boulders at Hideout Development”) from Mountain (M) Zone to**  
7 **Neighborhood Mixed-Use (NMU), R20 (Residential 20), R6 (Residential 6), and R3**  
8 **(Residential 3)**

9 *(Clerk’s note: Agenda items 1 and 2 were discussed in conjunction with each other.)*

10 **2. Continued Discussion and Possible Approval of a Master Development Agreement (MDA)**  
11 **Regarding the Boulders at Hideout Development**

12 Mayor Rubin reported a meeting was held with the Boulders at Hideout development team. The Town  
13 asked Staff and the development team to bring additional content to the Town Council for  
14 consideration. However, all of the requested information had not been prepared in time for the  
15 meeting. As a result, the development team had asked the discussion be continued to a future date.  
16 The proposed date was March 24, 2022. Council Member Baier explained that she had a conflict that  
17 night. It was an important discussion and she felt it would be best to choose a date when the entire  
18 Council could attend. She also wanted to receive the materials ahead of time to contemplate all of the  
19 information.

20 Mayor Rubin asked Town Clerk, Alicia Fairbourne to inform the development team that March 24,  
21 2022, was not possible due to Council Member conflicts. Ms. Fairbourne asked that Council Members  
22 send their availability to her so an appropriate date could be determined. If the discussion was  
23 continued to a date uncertain, the public notice would need to be redone at least 10 days prior to the  
24 scheduled meeting. Town Attorney, Polly McLean believed it would be best to continue the public  
25 hearing items to a date uncertain. It would be re-noticed once a date that suited all Council Members  
26 was determined.

27 The Public Hearing Items were continued to a date uncertain.

28 **VI. Agenda Items**

29 **1. Discussion and Possible Adoption of Resolution 2022-R-02 Regarding the Updated**  
30 **Mountainland Association of Governments (MAG) Pre-Disaster Mitigation Plan for Summit,**  
31 **Utah, and Wasatch Counties**

32 Mayor Rubin reported that the above item related to the updated Mountainland Association of  
33 Governments (MAG) Pre-Disaster Mitigation Plan for Summit, Utah, and Wasatch Counties. Shauna  
34 Mecham was a guest speaker on behalf of MAG. Ms. Mecham explained there were two reasons for  
35 the Pre-Disaster Mitigation Plan. One of the reasons was that mitigation planning saved lives, money,  
36 and property. The Federal Emergency Management Agency (FEMA) wanted every community to  
37 think about mitigation. Though it was sometimes easier to focus on response, mitigation was  
38 preferable. For example, preserving open space in wildfire-prone areas or requiring materials that  
39 were less flammable in housing developments could mitigate issues and save money. Ms. Mecham

1 stated the first reason for the Pre-Disaster Mitigation Plan was to focus on mitigation efforts. The  
2 second reason for the plan was that it allowed participating entities to be eligible to apply for FEMA  
3 grants.

4 Mayor Rubin asked that introductory information be shared about MAG. Ms. Mecham reported the  
5 MAG mission was to help communities achieve their visions in Summit, Utah, and Wasatch Counties.  
6 Ultimately, MAG answers to all of the Mayors and County Commissioners in those areas. MAG did  
7 a lot of transportation planning across borders. For instance, MAG had done the Wasatch County  
8 Transit Study and had worked with Hideout on the SR-248 Corridor Agreement with the Utah  
9 Department of Transportation (UDOT). Something regional that crossed boundaries would likely  
10 involve MAG.

11 Ms. Mecham reported that a few years ago, MAG noticed that it was time to think about refreshing  
12 the Pre-Disaster Mitigation Plan. As a result, the Executive Council discussed the possibility of an  
13 update. MAG understood it could strain local resources when towns and cities created their own  
14 plans. Members of the Executive Council were supportive of the update, and she had been working  
15 with every community in the MAG jurisdiction since then to update the plan. Ms. Mecham explained  
16 the intention this time around was to create a website which would be more accessible. The website  
17 was shared with the Council for review. She felt the Risk Assessment and Map section was the most  
18 interesting. It was possible to scroll in and out of the fire, flood, and earthquake hazard maps. Ms.  
19 Mecham noted fire was the most significant concern for the Town of Hideout. The Fire Map data  
20 would be updated. She stated it showed the likelihood of a fire as well as the assets in the area.

21 The Mitigation Strategies were shared. Ms. Mecham explained after looking at the maps and  
22 determining the greatest vulnerabilities, strategies were created to mitigate those disasters. The  
23 strategies could be aspirational, and no community was held to those strategies. She explained that  
24 there was no penalty if a town or city does not achieve the strategies outlined in the Plan. However,  
25 if something was specifically mentioned in the Pre-Disaster Mitigation Plan and Hideout wanted to  
26 apply for a FEMA grant, that application was more likely to move ahead in the grant process.

27 Mayor Rubin liked the Risk Analysis Matrix that was included in the Pre-Disaster Mitigation Plan.  
28 There was a lot of useful information. For Hideout, the biggest issue was fire. There were also  
29 concerns related to erosion, but fire was the main concern. Ms. McCosh thanked Ms. Mecham for  
30 attending the Town Council Meeting. She clarified Hideout adopted the Plan a few years ago but  
31 since the Plan had been updated, it needed to be readopted. Council Member Haselton loved reading  
32 the information but wondered if a booklet was available since it was difficult to read 379 pages on  
33 the computer. Ms. Mecham explained a booklet could be printed but none were available currently.

34 Council Member Severini praised MAG for their work and asked about the Capabilities Assessment.  
35 Page 368 stated that Hideout needed to be part of the Summit County Emergency Alert System. He  
36 wondered why Hideout needed to be part of that system. Council Member Severini also pointed out  
37 that it stated “No” under maps and plans and there was a blank for education and outreach. Ms.  
38 Mecham explained this was average for cities and towns in the area. The maps and plans section had  
39 to do with whether the city or town had a separate Emergency Preparedness Plan. As far as the  
40 Emergency Alert System, she had heard feedback that Hideout was closer to Summit County than  
41 Wasatch County. When disasters occur in Summit County, they were more likely to impact Hideout.

42 Mayor Rubin noted that all of the underground lines were mapped. Those were not fully publicly  
43 available for security purposes, but the Town was aware of where the gas lines and water lines were

1 located. Ms. Mecham explained the “No” which was listed under maps and plans did not mean that  
2 the Town needed to post secure maps on the website. Council Member Severini wondered what the  
3 recommendation was to address education and outreach. The Town had been trying to do better  
4 planning from an emergency preparedness standpoint but that may not have been factored in. Ms.  
5 Mecham explained the Pre-Disaster Mitigation Plan was updated every four to five years. The data  
6 shown was current.

7 Mayor Rubin reported the Town adopted an Emergency Operations Plan for Wasatch County by  
8 Resolution. He wanted to know if it was important to have that information stated in the Pre-Disaster  
9 Mitigation Plan to obtain FEMA grants. Ms. Mecham stated she would update the Plan to include  
10 that information. Ms. Mecham noted there were several strategies listed in the plan, such as educating  
11 homeowners on fire-wise practices, updating the Town Code, and looking at Homeowners  
12 Association (“HOA”) landscaping requirements to reduce water use. Mayor Rubin asked that any  
13 information that may impact FEMA support be added to the Plan.

14 Council Member Baier noted the Town was focused on the Wildland/Urban Interface Code and fire.  
15 There were other potential hazards recognized in the Plan, but they did not apply to Hideout  
16 specifically. She wondered why that was. Ms. Mecham explained some items such as fire, flood, and  
17 landslides were easier to see because there were maps showing where the potential risks would be.  
18 For rock fall, where there may not be the specific dates or locations listed, it was more difficult. If  
19 there was something the Town felt needed to be mentioned specifically, other strategies could be  
20 included. The Town could list as many potential hazards as the Council felt necessary. Council  
21 Member Baier discussed air quality and noted there could be regulations on new construction.  
22 Alternatively, open wood burning could be controlled. Ms. Mecham felt those strategies would be  
23 appropriate to include in the Pre-Disaster Mitigation Plan. She noted Heber City had that as one of  
24 their strategies and also referenced anti-idling ordinances. Park City had a desire to reduce auto-  
25 dependency.

26 Ms. Mecham noted there were a few strategies Hideout wanted to add. Additionally, the Council  
27 wanted to update the table in the Capabilities Assessment. She wondered if adoption of the Pre-  
28 Disaster Mitigation Plan would be pushed to the April 2022 Town Council Meeting. Mayor Rubin  
29 explained that adopting the Plan, as it was written, would not prevent the Town from focusing on  
30 other areas of concern or implementing different strategies. It would be updated every four or five  
31 years. He wanted to see the Council move the item forward. The longer the Town waited to adopt the  
32 Plan, the more at-risk the Town was, should something happen. He wanted to make sure Hideout  
33 could reach out to FEMA and other organizations for support, should there be a need.

34 Ms. Mecham explained if a disaster occurred, FEMA wanted to see the Town was at least thinking  
35 about mitigation and had considered the risks. If the Town had looked at wildfire and then a tornado  
36 occurred, the fact that the Town had prepared for some sort of disaster was what FEMA wanted to  
37 see beforehand. The current plan expired on May 18, 2022. A few revisions would be sent to FEMA  
38 before that time. Any inaccuracies or changes that the Town Council wanted to see could be submitted  
39 to Ms. Mecham. As long as the Pre-Disaster Mitigation Plan was adopted before May 18, 2022, the  
40 Town would have continuous coverage. Town Attorney, Cameron Platt, reviewed the Resolution  
41 language and had no concerns with what had been written. He explained this was not a binding  
42 document for the Town. It was a matter of official notice that the Town had recognized the document.

43 There were no further comments or questions from Council.

1           *Motion: Council Member Haselton moved to approve Resolution 2022-R-02 regarding the*  
 2           *Updated Mountainland Association of Governments (“MAG”) Pre-Disaster Mitigation Plan*  
 3           *for Summit, Utah, and Wasatch Counties, with the proposed language, after inserting the*  
 4           *“Town of Hideout” into the appropriate categories. Council Member Nadelberg made the*  
 5           *second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member*  
 6           *Jacobs, Council Member Nadelberg, and Council Member Severini. None opposed. The*  
 7           *motion passed unanimously.*

8           **2. Discussion and Possible Adoption of an Ordinance that will Adopt the 2016 Wildland/Urban**  
 9           **Interface Code and its Appendix C**

10           Mayor Rubin reported the above item related to the Wildland/Urban Interface Code. He noted  
 11           Director of Engineering and Public Works Timm Dixon and Troy Morgan from the Wasatch Fire  
 12           District were present. Mayor Rubin explained the document was shared on the Town website and had  
 13           also been sent out to residents. Some comments were received, which were shared with the Town  
 14           Council. Mr. Dixon explained a meeting was held with representatives from the HOAs. He reiterated  
 15           this was only for new construction and would not apply to anything that existed or was currently  
 16           being built. However, he hoped residents of Hideout would follow the Wildland/Urban Interface  
 17           because it would protect homes with a defensible space between the house and the tree canopy. The  
 18           idea was to have ten (10) feet from the house canopy to the tree canopy. From the bottom of the tree  
 19           canopy, there should be a minimum of six (6) feet from the bottom to the ground. This would clear  
 20           out anything that was ignitable and could burn quickly. That space would be extremely beneficial.

21           Mr. Dixon reported his staff met with the Wasatch Fire District to understand what to look for during  
 22           future inspections and Landscaping Plans. He explained there were Class 1, 2, and 3 ignitions. New  
 23           construction had to deal with the fire rating between walls, garages, windows, roofing structures, and  
 24           decking structures. The Building Officials would review the plans and work with the homeowners  
 25           and developers to determine whether something was a Class 1, 2, or 3. Certain things needed to  
 26           happen based on the class level.

27           Mr. Eddington explained he walked through the scoring sheet with various subdivisions in the  
 28           community to determine how those subdivisions would score. He decided to take a general look at  
 29           three neighborhoods consisting of Deer Springs, Rustler, and Soaring Hawk. Mr. Eddington shared  
 30           the form and the data related to Deer Springs. He clarified his approach was general in nature since  
 31           typically, the form is completed on a lot-by-lot basis. Additional points were given for more  
 32           challenging sites. The hope was that the point score would be lower rather than higher. For Deer  
 33           Springs, there was one primary road through the community, which was twenty (20) feet or more  
 34           which scored one (1) point. Newer subdivisions met the forty-five (45)-foot or greater turnaround  
 35           radius for cul-de-sacs. Deer Springs did not have any tall trees, so it scored relatively low. The  
 36           topography was between twenty-one (21) to thirty (30) percent and resulted in a score of ten (10)  
 37           points. Lower grades were advantageous and higher grades were considered more challenging. The  
 38           latter resulted in more points. Mr. Eddington explained most of the roofing material in the community  
 39           scored well. The scoring sheet also looked at water sources, decking, and utilities. The total point  
 40           score for Deer Springs was sixty (60), which put it in the Moderate Hazard zone. That was the most  
 41           likely rating for a subdivision. It was difficult to fall below moderate.

42           The Rustler subdivision scoring sheet was also reviewed. Mr. Eddington noted it scored slightly  
 43           higher. It has a narrow road coming in and out, a dead-end with greater than two hundred (200) feet  
 44           in length of right-of-way, and combustible siding and decking. Those all added extra points to the

1 score sheet. The result was seventy-nine (79) points, which put it in the High Hazard zone. With the  
2 narrow roads and the topography in the area, it was not necessarily a surprising result. Mr. Eddington  
3 reported the Soaring Hawk subdivision scored higher than Deer Springs. This was due to the road  
4 infrastructure and slopes. Ultimately, it fell within the Moderate Hazard zone but was on the higher  
5 side of moderate.

6 Mr. Morgan shared clarifying information about the scoring sheet form. Section B – Vegetation Plan  
7 was more lot-specific than subdivision wide. Those numbers could vary depending on the type of  
8 vegetation that would be planted and what already existed on the lot. If there was a one-half acre lot  
9 and someone built a 4,000-square-foot home, the majority of the vegetation on the lot would be used.  
10 A lot owner would not be punished for the decisions made elsewhere in the subdivision. Mr. Morgan  
11 pointed out the Town Council agenda item referenced the 2016 Wildland/Urban Interface Code.  
12 However, it was the 2006 Wildland/Urban Interface Code which was being discussed. That was the  
13 one which had been recognized by the State. It was noted this would be changed if the item was  
14 adopted.

15 Council Member Severini wondered if the scoring sheet would be filled out when someone moved  
16 in. He wanted to understand if it would be done pre-development or post-development. Mr. Morgan  
17 stated it would typically be done at the beginning of the Building Permit process. The applicant would  
18 fill out the Hazard Severity Form to the best of their knowledge and submit a Landscaping Plan. The  
19 Wasatch Fire District would review the application. Council Member Severini asked about follow-  
20 up. Mr. Morgan explained the way it worked with the County and Heber City, was an initial plan  
21 review was done and then before the final Building Permit was granted, there would be an on-site  
22 inspection to make sure the vegetation on the lot matched the plan that was submitted. The inspection  
23 would also ensure there were no violations within the Code. Council Member Severini wanted to  
24 know who paid for that. Mr. Morgan reported there was a fee which went with the Building Permit  
25 for the Wildland/Urban Interface portion.

26 Council Member Jacobs noted there had been a meeting with the different HOAs. She wanted to  
27 know what the feedback had been like. It was noted no additional questions were raised and no  
28 concerns were expressed at that time. Council Member Jacobs believed something like the  
29 Wildland/Urban Interface was needed but was concerned this would make it more difficult to build  
30 in Hideout. Council Member Severini wondered if an Extreme Hazard zone would impact  
31 homeowner insurance levels. The Council was informed that when a home is in the High and Extreme  
32 Hazard levels, it increased the defensible space requirements. Moderate Hazard was thirty (30) feet,  
33 High Hazard was fifty (50) feet, and Extreme Hazard was one hundred (100) feet. There were also  
34 differentiating factors in the Building Code which would require either Class A, B, or C construction.  
35 Council Member Severini wanted to understand if those factors would impact homeowner insurance.  
36 Mayor Rubin pointed out the State removed mandatory fire suppression systems, which increased  
37 insurance rates. The Wasatch Fire District Fire Marshal, Clint Neerings, explained there had not been  
38 any progress on requiring sprinkler systems in single-family dwellings. However, insurance  
39 companies may want to see that type of system in place in the future due to the large loss from fires  
40 taking place across the nation.

41 Council Member Jacobs believed the intention was to keep the score as low as possible. Mr. Neerings  
42 confirmed this. The score contributed to how much defensible space was needed. The higher hazard  
43 levels need more fire-resistant construction. Mayor Rubin stated that the goal was to give future  
44 homeowners and home builders the information necessary to make smart decisions. The goal was to

1 increase safety. There were additional items which needed to be addressed; for instance, what type  
2 of generator or backup system would be in place to address power loss or fire.

3 Mayor Rubin opened the meeting to comments from the community.

4 *Brett Rutter* was supportive of reducing risks and protecting the homes in Hideout. However, he had  
5 outstanding concerns. He felt there may be some misunderstanding about the scope and applicability  
6 of the Wildland/Urban Interface. Section 601.1 stated it applied to existing building structures located  
7 within the Wildland/Urban Interface area. Chapter 6 applied to all existing spaces, not just new  
8 construction and building permits. The way he read the language was creating defensible space would  
9 apply to everyone in the Town of Hideout. This included both existing and new construction. He  
10 asked for additional clarification about the intention of the Chapter 6 language.

11 Mr. Neerings explained what the Council was looking at now was a rough draft. The Code specifically  
12 stated it was only for new structures or structures which were altered. It was not retroactively  
13 enforced. Mr. Rutter stated every chapter had its own scope which applied to items in that chapter.  
14 Chapter 6 should be clearly revised before the Town considered adopting the Wildland/Urban  
15 Interface Code. There was another related paragraph he wanted to mention, which was Section 101.4.  
16 It related to retroactivity, and he was concerned about the language presented. For example, the  
17 sentence that stated "...to conditions which, in the opinion of the Code Official, constitute a distinct  
18 hazard to life or property," was a concern. He did not like the idea it would be entirely up to the Code  
19 Official to decide where retroactivity could apply. Mr. Rutter encouraged the Town Council to revise  
20 or clarify the language presented. As written, the language would remove a lot of the trees in Rustler.

21 Council Member Baier was not as concerned about allowing the Code Official to make decisions.  
22 She shared an example with those present. If someone planted a tree on their lot, it was acceptable  
23 within the current Code. Over time, that tree would grow, and the crown of the tree could encroach  
24 into the ten (10)-foot defensible space of a neighboring property. That neighbor would want the tree  
25 cut back or cut down, but since it was not on their lot, they would not be able enforce that. However,  
26 a Code Official could determine whether there was a hazard in that situation. Council Member Baier  
27 wanted to see safety was the main focus in all scenarios. The Council further discussed defensible  
28 space.

29 Mr. Rutter noted Section 403.6 called for address markers at the end of every driveway. He wanted  
30 to see a clear definition of the address makers because he was concerned that they would be destroyed  
31 by snowplows. Additionally, the address markers would likely be rendered useless during the winter  
32 months due to snowbanks. If addresses were visible day and night from the street, there should be an  
33 exemption from having an address marker. There were other options to consider. Council Member  
34 Baier explained some communities had address markers so that emergency responders can quickly  
35 and easily locate the correct house. In Hideout, there was not a lot of street lighting, on purpose, and  
36 it could be difficult to determine the address. Address markers would enhance safety. The aesthetics  
37 of the address markers could be discussed at a later time. What was most important was that the house  
38 numbers were visible. Mr. Rutter understood the desire to improve safety but some of the address  
39 markers at the curb were covered during the winter months. Additional clarity was needed to ensure  
40 the markers were effective.

41 Mr. Rutter shared a comment related to Chapter 5. He wanted to see the Town of Hideout limit the  
42 ability of an HOA to restrict fire-resistant siding. He also referenced Section 604.4, which talked  
43 about the tree crowns within the defensible space. Mr. Rutter encouraged the Council to look at the

1 trees in the area and consider whether trees within thirty (30) feet of every structure could survive  
2 losing limbs below six (6) feet. The language seemed to have been written for areas of Wasatch  
3 County that had a lot of conifer trees but did not consider the types of trees in Hideout. Mr. Platt  
4 explained the Town Council could not pass an Ordinance that was retroactive. The language  
5 presented was a work in progress. He asked that any concerns be submitted in writing to Town Staff.  
6 Mr. Neerings added the Wasatch Fire District would not enforce anything retroactively. Mr. Rutter  
7 stressed the intent needed to be reflected in the actual language. He noted A102.2 would widen the  
8 driveways. Many lots were not built yet. If this was implemented on new construction, it would  
9 clearcut most of the Gambel oak. Mr. Neerings explained that scrub oak would be enforced as ten  
10 (10) feet from the structure. He added it was nearly impossible to trim scrub oak six (6) feet from the  
11 ground.

12 Mayor Rubin felt Mr. Rutter had made some good points and believed the Council needed to go back  
13 through the document to identify areas which needed further clarity. It may also be worthwhile to  
14 speak to the HOAs one more time. The HOAs needed to understand the Wildland/Urban Interface  
15 will overrule the HOA design standards. There should be a line-by-line review of the document.  
16 Mayor Rubin asked Mr. Rutter to email the remainder of his comments and suggestions to the Town.  
17 Mr. Rutter stated he would do so as long as his comments were included in the public record.

18 *Don Blumenthal* noted fire safety around homes was a necessary topic of discussion. Defensible  
19 spaces were important for not only individual homeowners but also for the community. He had lived  
20 in Soaring Hawk since July. A Landscape Plan would be submitted shortly. It was based on changes  
21 in the terrain due to excavation. Mr. Blumenthal stated he did not want to have to submit several  
22 different review plans because it costs \$500 each time one is submitted.

23 Council Member Baier explained if the Wildland/Urban Interface Code was adopted, it would  
24 supersede the HOA. Mayor Rubin believed additional discussions needed to be had with the HOAs.  
25 Mr. Platt explained the Town could make amendments to the language. Ultimately, it was up to the  
26 Town Council to decide what standards should be put in place. It would only impact new construction.  
27 The HOA guidelines could be more restrictive but could not be less restrictive than what was  
28 approved. While there was the potential for conflict, ultimately, the Town Ordinance would prevail.

29 Council Member Baier pointed out the Town Council was considering whether the 2006  
30 Wildland/Urban Interface Code and its Appendix C would be adopted. This was what had been  
31 adopted by the State. The Town was not rewriting it but was either adopting or not adopting the  
32 language. Mr. Platt clarified that the Town could make amendments either at the current meeting or  
33 in the future. The State adopted the version which was currently being reviewed. Some amendments  
34 could be made based on resident and Council Member feedback. The Town had other Ordinances,  
35 separate from this, which could be used as well. This was not the only enforcement mechanism in  
36 place to protect the community.

37 Council Member Nadelberg felt there was still some additional work to be done. He was concerned  
38 about insurance companies not being willing to cover homes within the Wildland/Urban Interface  
39 areas. Additional study was needed. While the principles were beneficial, the Town needed to look  
40 further into the unintended consequences. Council Member Nadelberg wanted to defer the item.  
41 There were also HOA discussions to be had. In his opinion, the HOA guidelines for landscaping were  
42 not sufficient. He wondered if there was a way to take back control of the landscaping from the HOA.

1 Council Member Haselton also wanted to defer the item. She suggested that Mr. Rutter provide input  
 2 or assist in some way with the amendments. It seemed as though he had looked at the language  
 3 carefully and had worthwhile comments to share. Mr. Rutter was happy to do that. Council Member  
 4 Severini agreed with the comments shared and felt the Council needed to take a closer look at the  
 5 language. He wondered if other towns in the area had adopted something similar. Mr. Dixon reported  
 6 Park City and Heber had their own version. Riverton had one and Salt Lake City had its own. The  
 7 minor changes those cities implemented pertained to landscaping. For instance, what type of  
 8 landscaping would be allowed in certain areas. Mr. Neerings stated the Wasatch Fire District did not  
 9 have any concerns about adding language related to retroactivity. He clarified homeowners' insurance  
 10 was not being dropped due to the potential adoption of the Code, but the lack of defensible space.

11 Council Member Baier wondered if there was a timeline in place for the amendments. She did not  
 12 want this to take a long time to move forward. It would be worthwhile to establish a timeline and  
 13 have some participation from the Council and other interested parties. Mayor Rubin did not believe  
 14 extensive amendments were needed. He would like to see the item come back for the April 2022  
 15 meeting. Staff would address the comments and concerns as appropriate. Council Member Jacobs  
 16 and Mr. Rutter were both willing to participate in the review process. The amendments would make  
 17 clear that the Wildland/Urban Interface Code was not retroactive from the adoption date.

18 There was discussion regarding house numbering. Mr. Morgan explained the language mirrored the  
 19 Fire Code. If the address was visible from the road when the inspection was done, that would be  
 20 appropriate. Mayor Rubin believed additional clarification and specificity would be worthwhile. The  
 21 language could be cleaned up fairly quickly. Mayor Rubin asked that a list of attendees from the HOA  
 22 meeting be shared so he could reach out. It was noted there would be another meeting with the HOA  
 23 representatives. The item was continued to the April 2022 Hideout Town Council Meeting.

### 24 **3. Discussion and Possible Approval of a Reallocation of Funds for the Budget Ending Fiscal** 25 **Year 6/30/2023**

26 Mayor Rubin reported the recommendation was to discuss the item at the April 2022 meeting. The  
 27 auditors suggested changes so that the Town was in a better position moving forward. The auditors  
 28 would complete their findings over the next week or so and the reallocation of funds would be  
 29 discussed at the next Town Council Meeting. Mayor Rubin clarified that the agenda item should not  
 30 state, "For the Budget Ending Fiscal Year 6/30/2023," but rather, "For the Budget Ending Fiscal Year  
 31 6/30/2022".

### 32 **4. Discussion and Possible Adoption of a Public Infrastructure District (PID) Policy**

33 Ms. McCosh reported that Aaron Wade from Gilmore & Bell was present. She explained that the  
 34 Town had been working with the Economic Development Committee on a policy that outlined when  
 35 and how the Town would evaluate a Public Infrastructure District ("PID") application. Mr. Wade  
 36 stated that the PID was a new tool, but it was starting to gain some momentum in the State. It had  
 37 also been used close to the community of Hideout, with the Mayflower development and Jordanelle  
 38 Ridge by Heber City. He recommended that a PID policy be put in place because there would be  
 39 projects where a PID would make sense. It was beneficial to have a policy in place so that Staff knew  
 40 what to do when an application was received. This would also establish criteria that the Council could  
 41 look to during evaluations. For instance, if the Council said yes to one development and no to another,  
 42 there would be criteria and findings that could be used to support those specific decisions.

1 Mr. Wade explained the way a request was made was by submitting a Petition and Letter of Intent to  
 2 form a PID. The petition was required under State Law and provided basic information about  
 3 boundaries and who would participate. However, it did not provide information about the  
 4 development. That was the reason the Letter of Intent was proposed. This would ensure the Town  
 5 had enough information to fully evaluate the request. Since the PID was used to fund infrastructure,  
 6 the applicant needed to submit what they were looking to build. For example, the regional and  
 7 localized improvements and a timeline. Additionally, a Financial Plan needed to be submitted. The  
 8 Economic Development Committee (EDC) would review the PID applications. If it was approved at  
 9 that level, the governing document would need to be submitted to Staff and the Town Council for  
 10 further review and consideration.

11 The fee section of the PID document was overviewed. Mr. Wade explained the recommendation from  
 12 Staff was the fees be included in the Fee Schedule. This would allow the Town to make adjustments  
 13 without needing to modify the PID policy. He reported there would be a fee at the time the Letter of  
 14 Intent was submitted to ensure that the Town expenses were covered. There would also be a fee when  
 15 the governing document submission took place. If the fees were not sufficient to cover the costs the  
 16 Town was incurring, any additional fees would be paid by the applicant.

17 Mr. Wade discussed the criteria for evaluating a proposed PID. There were a number of points  
 18 included in the document for review. He asked for Council feedback on those points. Many were  
 19 taken directly from the General Plan. Mr. Wade explained each section of the General Plan had  
 20 different goals that outlined what the Town wanted to see as a result of the General Plan. He had tried  
 21 to incorporate those goals into the document. He overviewed the points related to public benefit:

- 22 • Resulting development that was consistent with the General Plan and all applicable  
 23 supplements;
- 24 • Provision of and/or contribution to needed regional and sub-regional infrastructure;
- 25 • Resulting development that contributed to diversifying and solidifying the Town's property  
 26 or sales tax bases;
- 27 • Resulting development preserved viewsheds, green space, and unique topography beyond  
 28 baseline Town requirements; improved recycling efforts; installed community-minded open  
 29 spaces including parks and trails; and promoted conservation and preservation practices to  
 30 protect the local environment in excess of baseline Town requirements;
- 31 • Resulting development promoted a mix of residential and commercial uses appropriate for  
 32 the community;
- 33 • Resulting development provided for moderate-income housing;
- 34 • Resulting development increased livability of the Town by encouraging appropriate  
 35 commercial uses to serve resident needs; enhanced public gathering spaces and community  
 36 connectivity; and/or encouraged commercial uses which are financially beneficial to the Town  
 37 to improve resident quality of life and generated revenues to expand and maintain public  
 38 infrastructure;

- 1 • Provision of public pedestrian, bicyclist, and motor vehicle facilities; improved quantity and  
2 quality of trails in the area; increased frequency of transit services to nearby cities; addressed  
3 user and wildlife safety concerns related to SR-248;
- 4 • Enhancement and expansion of current utilities to account for current and future population  
5 growth; prioritization of the maintenance, mapping, and improvement of existing  
6 infrastructure; or improved student commute time;
- 7 • Allowed for well-planned, fiscally responsible annexations based on Town's development  
8 needs;
- 9 • Residential development which provided amenities and enhancements beyond baseline Town  
10 requirements;
- 11 • Sustainable design including multimodal transportation, water-conserving landscape design,  
12 thoughtful development phasing, green building design, and formation of and participation in  
13 transportation management programs; and
- 14 • High-quality site and building design, including street connectivity, multimodal street design,  
15 durable construction materials, and pedestrian-friendly building design.

16 Mr. Wade explained those points were intended to spark discussion. He wanted to hear feedback from  
17 the Town Council about the listed criteria. Mayor Rubin liked that different elements of the General  
18 Plan had been considered. He noted there could be a suggestion related to electric vehicle charging.  
19 Mr. Wade stated a PID should be beneficial to the Town. Asking for something like electric vehicle  
20 charging stations could certainly be part of the discussion.

21 Council Member Baier believed this seemed to be very focused on economic development. One of  
22 the reasons the Town might consider a PID was because the Town wanted a particular type of  
23 development or there was a specific need for something. She wondered if economic development was  
24 the only driver. It may be worthwhile to have conservation-related items as well. Open space and  
25 conservation were also referenced in the General Plan which could also be incorporated. Mr. Wade  
26 explained the criteria could be whatever the Town decided. There could be a focus on economic  
27 development and conservation or there could even be a focus on Public Works. It was up to the  
28 Council. Council Member Baier appreciated that Public Works had been mentioned and felt that was  
29 important.

30 Mayor Rubin noted item four talked about conservation and preservation. There was also one item  
31 which referenced Public Works' needs. Using the General Plan to create the points ensured a well-  
32 rounded approach was being taken. PID applications should align with the General Plan goals. Mayor  
33 Rubin noted one of the reasons the PID policy was being discussed was to ensure the Town had a  
34 position in place in case someone came forward with an application.

35 Council Member Severini explained when the discussions first started, it was determined the  
36 principles of the General Plan would be used. That information had then been fine-tuned. Mr. Wade  
37 added the majority of the points were taken from the goals of the General Plan. He explained the  
38 language, "beyond baseline Town requirements," had been included because it was an additional way  
39 the goals of the General Plan could be pushed forward. Mr. Wade wondered if the Town wanted to  
40 set some caps as far as the property tax went. The statutory limit was fifteen (15) mills, which was

1 1.5% of the taxable value. That was fairly high, given that the overlapping between the Town, the  
2 County, and Special Districts was twelve point five (12.5) mills. Fifteen (15) mills was very high, so  
3 some cities and towns had established a maximum in their policies. For instance, a residential PID  
4 could not be more than six (6) or eight (8) mills. Mr. Wade recommended there be a separate cap for  
5 residential projects and commercial projects.

6 A list of the existing tax rates had been prepared. It overviewed the rates for different districts in the  
7 State. The information was shared with the Council and reviewed. Mr. Wade reported the Medical  
8 School Campus in Provo received the statutory maximum because it was a commercial project for a  
9 medical school. Provo was excited about the medical school and had wanted to incentivize it. Another  
10 commercial project was reviewed. Black Desert in Ivins hit the 10-mill limit. On the other hand, some  
11 commercial and residential mixed-use projects had six (6) mills and five (5) mills. There was a  
12 variety. Typically, there was a lower mill levy for residential projects and a higher mill levy limit for  
13 mixed-use commercial projects. Mayor Rubin wondered if two separate limits could be set, for  
14 residential and commercial. Mr. Wade explained it was a uniform tax, so that could not be done.  
15 However, there were other options and ways to work around those limitations. For instance, one  
16 component of a project could have its own district, but the Town did need to charge a uniform rate  
17 within each district.

18 Mayor Rubin stated the Town could choose to be conservative with the policy and the policy could  
19 be modified or updated if that became necessary. Most of the examples of the existing tax rates were  
20 ten (10) mills or less. The type of number that would make the most sense for Hideout was likely  
21 between seven (7) and ten (10) mills. Mayor Rubin wanted to consider the implications on the  
22 taxpayers. There needed to be some value for the Town. Ms. McCosh suggested the Economic  
23 Development Committee review the rate. It may be best for the PID policy to be adopted at the April  
24 2022 meeting after Committee review.

25 Council Member Severini pointed out there were some downsides to consider. Surrounding states  
26 such as Nevada, Colorado, and California had some version of the PID policy in place. It seemed to  
27 be a popular financing mechanism. The downside was the first buyer of the piece of property was  
28 given full transparency that some extra would be paid per year. After reading some materials on the  
29 subject, he found the second owner was not always made aware. Transparency was not always there  
30 from the seller to the buyer. He hoped transparency could be incentivized until the PID was fully  
31 retired. Mr. Wade reported that State Law allowed a PID to issue up to forty (40)-year bonds.  
32 However, he recommended that the governing document limit it to thirty-one (31) years. What was  
33 normally authorized in a governing document was a thirty (30)-year bond with a forty (40)-year  
34 repayment window.

35 Mr. Wade felt disclosure was one of the most important pieces of the PID from a Town perspective.  
36 A more recent development was the Standard Real Estate Disclosure Form in the State of Utah. This  
37 had been amended to include a box that had to be checked to disclose whether a property was within  
38 a PID. It would not necessarily prevent all issues, but it was another way to inform future buyers.  
39 Some cities had required the PID to be disclosed in the Covenants, Conditions, and Restrictions  
40 (CC&R's). It was important to ensure that buyers knew what they were buying into. There were  
41 several options.

42 Council Member Severini noted it would be helpful for the Economic Development Committee to  
43 receive some feedback from the Council. Mayor Rubin felt this was an excellent start and was  
44 supportive of what he had seen so far. Council Member Jacobs recognized a lot of work had gone

1 into the PID policy. It sounded like something like this was needed in the Town and she was  
 2 supportive. Council Member Haselton agreed it was necessary. She liked that this would benefit the  
 3 Town. Mayor Rubin wanted to see the PID policy adopted sooner rather than later but understood the  
 4 Economic Development Committee may want to have another round of discussions. Council Member  
 5 Severini stated he would take the item to the Committee. It would be ready to adopt in April 2022.

6 **5. Possible Adoption of Resolution 2022-R-03 Regarding Changes to the Water Meter Fees,**  
 7 **Business Licenses, and Public Infrastructure District (PID) Application Fee**

8 Mayor Rubin reported the Town had looked into the Fee and Rate Schedule. Changes needed to be  
 9 made to the Water Meter Fees because the water meters were being upgraded. The water meters  
 10 would be able to provide instantaneous information about leaks or if there was an unusual amount of  
 11 water passing through the meters. In addition, the information related to Business Licenses needed to  
 12 be amended. Mayor Rubin explained the Code had language about the fee for the Business License.  
 13 When the Business License cost was increased, it was changed on the Fee and Rate Schedule, but not  
 14 in the Code. There was also some language related to a PID and the schedule would be amended to  
 15 reflect the PID fee.

16 Council Members Nadelberg and Baier were not present for the item discussion or vote.

17 *Motion: Council Member Severini moved to approved Resolution 2022-R-03 Regarding*  
 18 *Changes to the Water Meter Fees, Business Licenses, and Public Infrastructure District*  
 19 *("PID") Application Fee. Council Member Jacobs made the second. Voting Yes: Council*  
 20 *Member Haselton, Council Member Jacobs, and Council Member Severini. Absent for voting:*  
 21 *Council Member Baier and Council Member Nadelberg. None opposed. The motion passed*  
 22 *unanimously.*

23 **VII. Closed Executive Session – Discussion of Pending or Reasonably Imminent Litigation,**  
 24 **Personnel Matters, and/or the Sale or Acquisition of Real Property, as needed**

25 There was no need for an Executive Session.

26 **VIII. Meeting Adjournment**

27 Mayor Rubin thanked the Staff, the Town Council, and members of the community for their hard  
 28 work and thorough discussions during the meeting. It was always beneficial to receive feedback.

29 *Motion: Council Member Haselton moved to adjourn the Hideout Town Council Meeting.*  
 30 *Council Member Severini made the second. Voting Yes: Council Member Haselton, Council*  
 31 *Member Jacobs, and Council Member Severini. Absent from voting: Council Member Baier*  
 32 *and Council Member Nadelberg. None opposed. The motion passed unanimously.*

33 The Town Council Meeting adjourned at 9:19 p.m.

34  
 35  
 36  
 37  
 38  
 39  
 \_\_\_\_\_  
 Alicia Fairbourne, Town Clerk