



HIDEOUT, UTAH HIDEOUT TOWN COUNCIL REGULAR MEETING AND PUBLIC HEARING

November 10, 2022

Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of Hideout, Utah will hold its regularly scheduled meeting electronically for the purposes and at the times as described below on Thursday, November 10, 2022

This meeting will be an electronic meeting without an anchor location pursuant to Mayor Rubin's October 12, 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. Update on Golden Eagle Subdivision

IV. Public Hearing

1. Consideration and possible approval of Phases 2 and 3 of the Lakeview Estates Subdivision

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

VI. Agenda Items

1. Presentation of financials for fiscal year ending 6/30/2022

2. Discussion regarding nightly rentals in the Town of Hideout

3. Consideration of adopting Ordinance 2022-O-XX amending Title 8, Chapter 4 "Obstructions of Public Streets and Property"

VII. Committee Updates

1. Planning Commission - Jonathan Gunn

2. Community Engagement Committee - Sheri

3. Parks, Open Space and Trails (POST) Committee - Chris

4. Transportation Committee - Carol

5. Hideout Design Review Committee (DRC) - Thomas

VIII. Approval of Council Minutes

1. April 14, 2022 Town Council Meeting Minutes DRAFT

2. May 12, 2022 Town Council Meeting Minutes DRAFT

3. June 09, 2022 Town Council Meeting Minutes DRAFT

4. July 14, 2022 Town Council Meeting Minutes DRAFT

IX. Follow Up of Items Related to Council Minutes

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

XI. 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.

HIDEOUT TOWN COUNCIL

10860 N. Hideout Trail

Hideout, UT 84036

435-659-4739

Posted 11/09/2022



October 12, 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 16.27% of those tested since September 30, 2022. The seven-day number of positive cases has been, on average, 247 per day since October 5, 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>

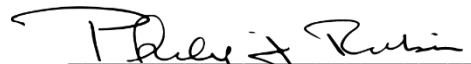
To join by telephone dial: US: +1 408-638-0986

Meeting ID: 4356594739

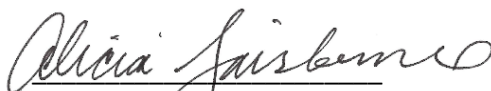
Additionally, comments may be emailed to hideoututah@hideoututah.gov. Emailed comments received prior to the scheduled meeting will be considered by Council and entered into public record.

This determination will expire in 30 days on November 11, 2022.

BY:


Phil Rubin, Mayor

ATTEST:


Alicia Fairbourne, Town Clerk





Staff Report for Lakeview Estates

To: Mayor Phil Rubin
Hideout Town Council

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

Re: Final Plat Approval for Lake View Estates – **Phases 2 & 3**

Date: November 7, 2022

Submittals: The original Application was approved by the Town Council on October 8, 2020. The Town Council subsequently approved two extensions to record the subdivision (the final approval was on December 9, 2021). The proposed phasing of the full subdivision is now being proposed for review and approval by the Planning Commission and Town Council.

Overview of Complete Subdivision Site Conditions

Land Area: 22.40 acres

Zoning: Residential Medium Density (RMD)

MIDA: This property is located within the MIDA boundary – Project Area 4

Proposed Uses: Single-family dwellings, rights-of-way, utility infrastructure, trails and park space – all permitted per the Zoning Ordinance

Proposed Lots 69 Lots

Density/Lot Size: +/- 3 units per acre proposed

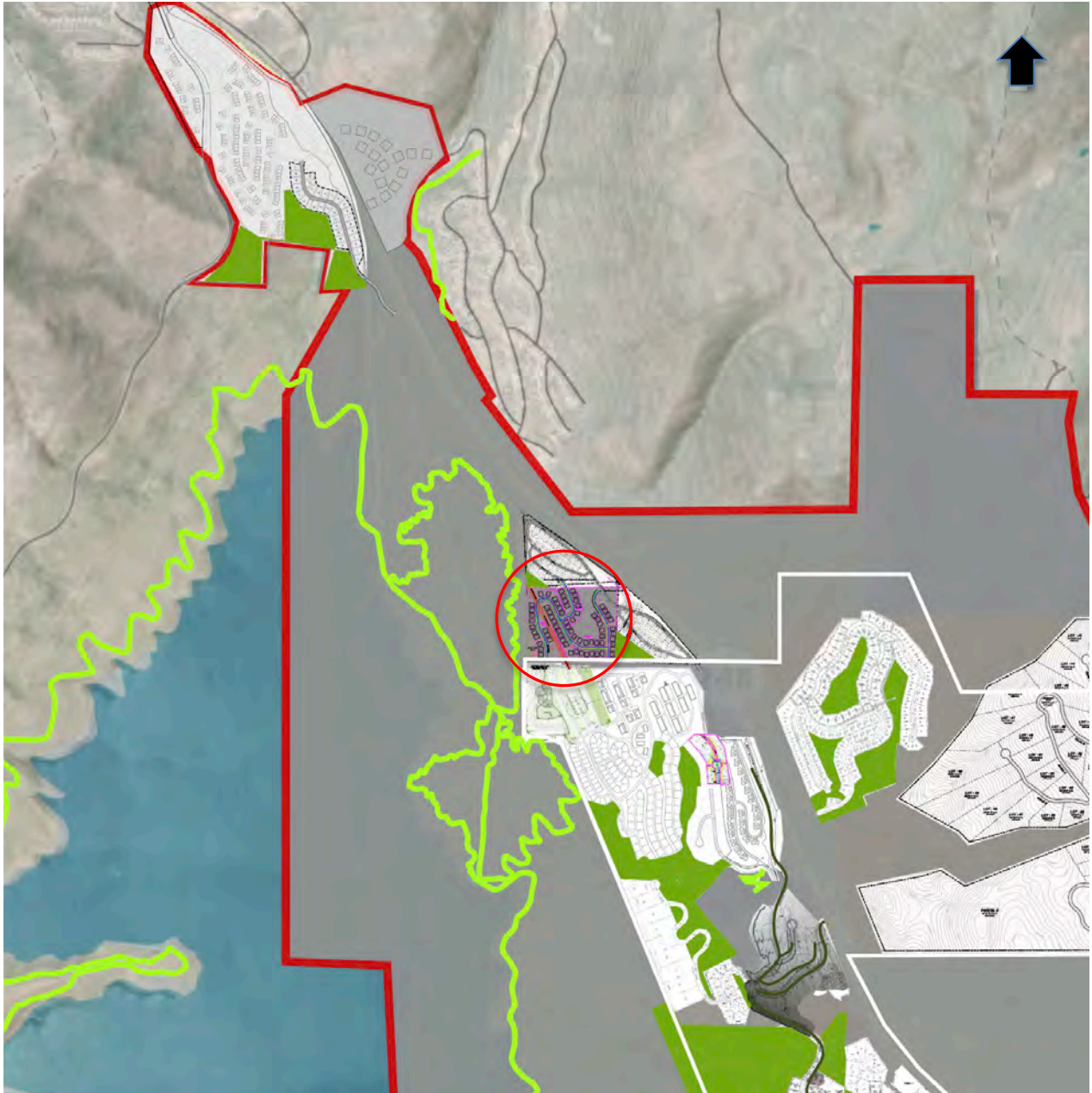
Required Setbacks: Front: 20'
Rear: 20'
Side (distance between buildings): 10' per original approval

Max Height: 42' maximum (3 ½ stories)

Open Space Requirement: 20% of total area



Lakeview Estates in Town Context

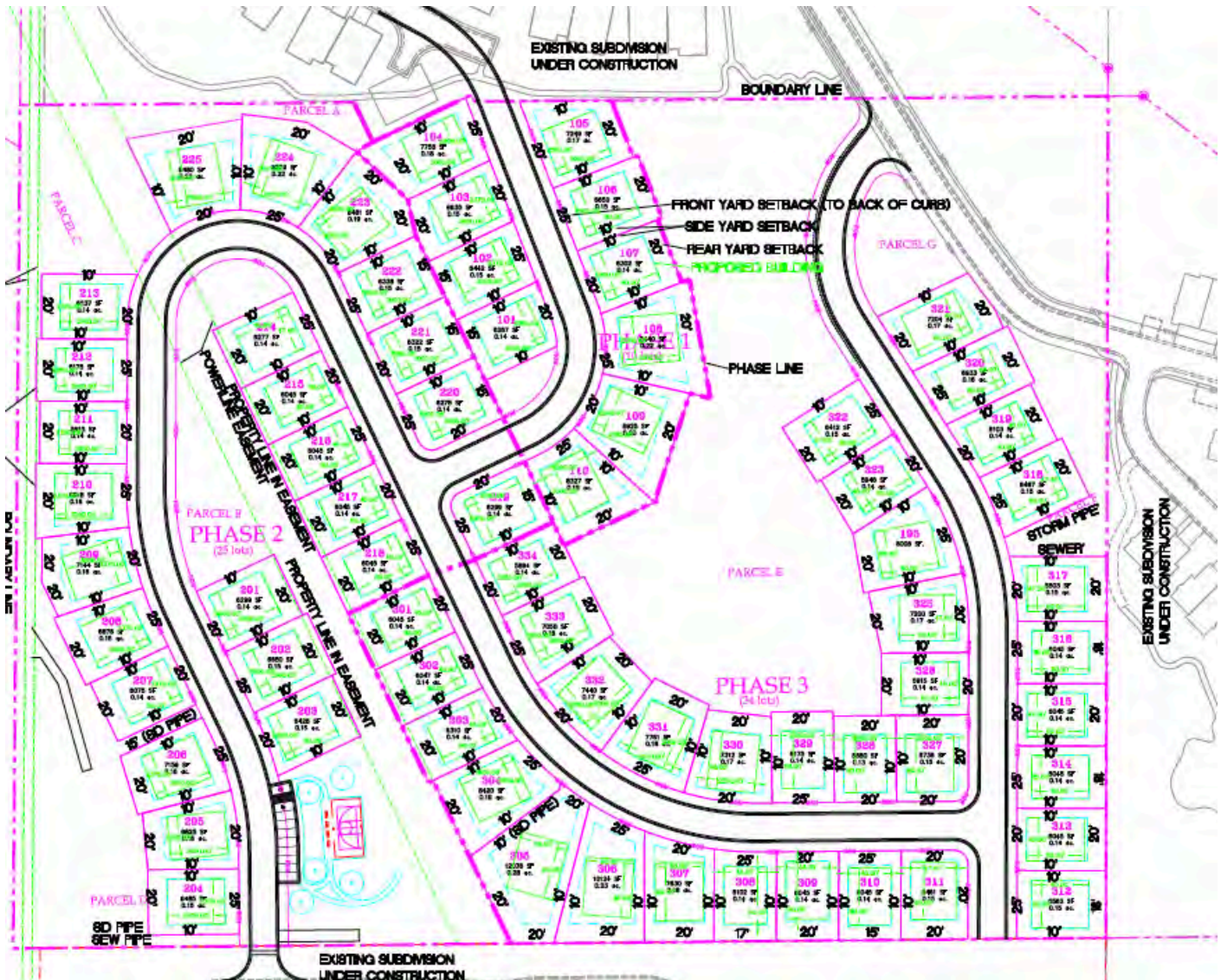


The proposed development is located south of Deer Waters and north of Shoreline (Phase 2).



Approved Full Site Subdivision Layout (Submitted in August 2020 and Favorably Recommended by the Planning Commission and Approved by the Town Council in Fall 2020)

North





General Site and Subdivision Requirements

Layout, Design and Setbacks:

- The new proposal includes +/- 65' wide x 100' deep lots
- This equates to a building envelope of +/- 45'+ wide x 60' deep
- Prior to the revised design for the full subdivision in late 2021, the original approval at the Planning Commission approved a plan set with deed restrictions that required varied front setbacks of 30' (with some 25' setbacks)
 - The new proposal has alternating 20' and 25' setbacks from back of curb and gutter (the *minimum* front yard setback for the RMD zone is 20' as measured from the back of curb and gutter).
 - Applicant to confirm the deed restriction has been updated, approved, and signed.
 - The reduced rear yard setbacks are only permitted subject to a required staggered front building setback throughout the neighborhood. This necessitates the reduction of the 20' rear yard setback to 15' (or 17' or 18') to create the desired variation in the streetscape building wall for the following lots:
 - Lot 219 – 15' rear yard setback
 - Lot 221 – 15' rear yard setback
 - Lot 222 – 15' rear yard setback
 - Lot 308 – 17' rear yard setback
 - Lot 310 – 15' rear yard setback
 - Lot 314 – 18' rear yard setback
 - Lot 316 – 18' rear yard setback
- The original plan indicated 10' side yard setbacks; these preliminary plats will adhere to those minimum required setbacks.

Details and/or Conditions Relative to the Site Plan Set

Parks & Open Space

- A minimum of 20% of the total subdivision will be dedicated to open space.
- Lots 224 and 225 are limited to one-story in height.
- The active open space area has been pushed downslope from Deer Waters Phase 2 to the area along the Public Utility Easement (PUE) that bisects the Lakeview Estates neighborhood.



- What is proposed in the active open space where the half-basketball court is proposed. A detailed plan shall be submitted.
- The stairwell proposed between Lots 317 and 318 to connect Lakeview Estates to the park/pickleball courts in Deer Waters will have an easement with a sloping trail/stairs and railing. Lighting should be provided.
- Park and open space amenities, as originally approved, are to be constructed simultaneously with Phase 2.
- The dog wash in Phase 2 must have all final construction details provided for building review.
- Trail locations and typology (materials) must be included on the final set of plans. The trail under the powerlines, within the PUE, should be paved. Clarification of the trail proposed along the north side of Phase 2 (where it intersects with Phase 1 and the Deer Waters development) – how close is the trail to the houses? Will the existing Gambrel Oak groves be protected? Planning Commission recommended coordination with the nearby homeowners.

Land Dedication to the Town

- To ensure future trail access to the State Recreation Land – Jordanelle State Park – the Applicant will dedicate a small area (10' x 10' or 20' x 20') contiguous to the west boundary with the State Park to the Town so that there is 'public' land on either side of the boundary line. This is a requirement for future trail connectivity between Hideout and the State Park. This connection point is located in the far northwest corner of the subdivision plan.

Snow Storage

- The Applicant must illustrate snow storage areas on site; these areas must be located outside of proposed Lot boundaries.

Retaining Walls

- The Applicant confirmed the newly proposed plan reduced the number and size of the retaining walls. Based on the plan, the wall at the property line (service road) is about 10' high, the next one upslope is about 8' high, and the top two walls range from 6' to 10' high. The Applicant must include the exact locations of these walls and provide sections of all proposed retaining walls. Additionally, proposed wall type, materials, should be provided (stacked boulders are required per Town Ordinance).

Detention Basin

- The Applicant shall provide the location and submit an updated design with associated details to ensure a seamless relationship to the natural characteristics of the area.



- No embankment shall be greater than a 3:1 slope and no rock or concrete material may be used in the storm water basin.
- The natural storm water basin shall be planted with native vegetation and this must be provided as part of an overall Landscape Plan (plant species, locations, sizes, etc.)
- Any proposed fencing must be approved by the Town Planner.

Sensitive Lands (11.06.117(O))

All sensitive lands should be identified on the proposed subdivision plan – steep slopes, wetland areas, natural drainage ravines, poor soils, etc.

Recommendation

The Planning Commission favorably recommended the subdivisions at the October meeting. Staff recommends the Town Council review and approve the proposed final plats for Phases 2 and Phase 3 of the Lakeview Estates subdivision based upon the implementation of the site plan details and conditions outlined in this Staff Report.

LAKEVIEW ESTATES, PHASE 2
THE TOWN OF HIDEOUT, WASATCH COUNTY, UTAH
 LYING AND SITUATE IN THE NORTHWEST QUARTER OF SECTION 17,
 TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN

N89°33'19"E (RDS 1608) **BASIS OF BEARING**
 N89°36'36"E 5328.77' (Meas.)
 S89°36'52"W 2619.54' (Meas.)
 1309.68'

DEER WATERS
RESORT PHASE 1
1st AMENDED

VICINITY MAP

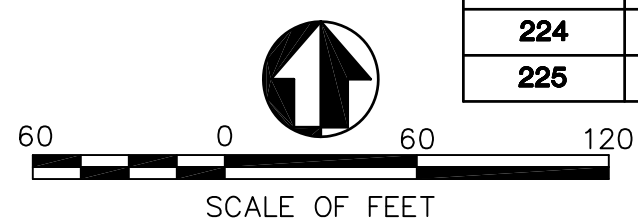


SHORELINE DRIVE

ADDRESS TABLE

LOT	ADDRESS
201	392 EAST KAYAK DRIVE
202	386 EAST KAYAK DRIVE
203	382 EAST KAYAK DRIVE
204	369 EAST KAYAK DRIVE
205	375 EAST KAYAK DRIVE
206	383 EAST KAYAK DRIVE
207	389 EAST KAYAK DRIVE
208	395 EAST KAYAK DRIVE
209	401 EAST KAYAK DRIVE
210	405 EAST KAYAK DRIVE
211	411 EAST KAYAK DRIVE
212	415 EAST KAYAK DRIVE
213	421 EAST KAYAK DRIVE
214	442 EAST KAYAK DRIVE
215	448 EAST KAYAK DRIVE
216	452 EAST KAYAK DRIVE
217	458 EAST KAYAK DRIVE
218	484 EAST KAYAK DRIVE
219	487 EAST KAYAK DRIVE
220	455 EAST KAYAK DRIVE
221	449 EAST KAYAK DRIVE
222	443 EAST KAYAK DRIVE
223	437 EAST KAYAK DRIVE
224	433 EAST KAYAK DRIVE
225	429 EAST KAYAK DRIVE

PLAT NOTES:
 1. All open space areas are Public Utility Easements.
 2. Lots 224 and 225 will be deed restricted to two stories above the front elevation.



LEGEND

- 29 28 = SECTION CORNER & SECTION LINE
- 32 33 = BOUNDARY LINE
- = LOT LINE
- = RIGHT OF WAY LINES
- = ROAD CENTER LINES
- = 50.00' POWER LINE EASEMENT
- = 15.00' UTILITY EASEMENT
- = 20.00' UTILITY EASEMENT
- = DIMENSION LINES
- = SET #5 REBAR AND CAP STAMPED "PLS 356548"
- = FOUND EVIDENCE AS NOTED
- OA = OVER ALL DISTANCE
- (R) = RADIAL BEARING

PREPARED BY:

Boundary Consultants
 Professional Land Surveyors

5554 West 2425 North,
 Hooper, Utah, 84315
 801-792-1569
 dave@boundaryconsultants.biz

WASATCH COUNTY SURVEYOR

Approved as to form
 this _____ day of _____ 2022
 by the Wasatch County Surveyor.
 Record of Survey Number 2888

Wasatch County Surveyor

SURVEYORS CERTIFICATE

I, David E. Hawkes, certify that I am a Professional Land Surveyor holding license number 356548 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act and that a survey of the described tract of land has been completed by me in accordance with Section 17-23-17 and that I have verified all measurements, have placed monuments as shown hereon.

NARRATIVE

See Record of Surveys #2698 and 2888 filed with the Wasatch County Surveyor.

BOUNDARY DESCRIPTION

A parcel of land lying and situate in the Northwest Quarter of Section 17, Township 2 South, Range 5 East, Salt Lake Base and Meridian. Comprising a 8.98 acre portion of Wasatch County Tax Parcel 00-0021-8159 described in that certain Warranty Deed recorded as Entry #467738 of the Wasatch County Records. Basis of Bearing for subject parcel being GEODETIC NORTH as determined by GPS or North 89°36'36" East 5328.77 feet measured between the Northwest and Northeast Corners of said Section 17. Subject parcel being more particularly described as follows:

Commencing at the BLM 1994 aluminum cap monument monumentalizing the North Quarter Corner of said Section 17, Thence South 89°36'52" East 1309.68 feet coincident with the north line of the Northwest Quarter of said Section 17 to a point on the west sixteenth section line; Thence South 00°29'05" West 880.53 feet coincident with said sixteenth section line to a number five rebar and cap stamped "PLS 356548" and the True Point of Beginning; Thence North 89°31'55" East 348.45 feet coincident with the south boundary of Deer Waters Phase 1 Subdivision; Thence South 25°35'00" East 45.77 feet coincident with the west boundary of Deer Waters Phase 1 1st Amended; Thence the following six (6) courses coincident with Lakeview Estates, Phase 1, 1) South 59°42'22" West 19.86 feet; 2) South 46°55'49" East 73.40 feet; 3) South 12°27'05" East 38.46 feet; 4) South 25°35'54" East 210.23 feet; 5) South 26°16'25" East 51.00 feet; 6) South 25°35'00" East 70.00 feet; Thence South 64°25'00" West 90.67 feet; Thence South 71°23'03" West 51.38 feet; Thence South 64°25'00" West 93.00 feet; Thence South 25°35'00" East 195.00 feet; Thence North 64°25'00" East 5.00 feet; Thence South 25°35'00" East 188.57 feet to a number five rebar and cap stamped "PLS 356548"; Thence South 89°26'52" West 519.86 feet to a number five rebar and cap stamped "R POHL"; Thence coincident with the West Sixteenth Section Line North 00°29'05" East 879.16 feet to the point of beginning.

Contains 391,291 sq. ft. or 8.98 acres and 25 Lots.



OWNERS DEDICATION

Known all men by these presents that we, the undersigned owners of the above described tract of land having caused the same to be subdivided into lots and streets as shown on this plat and name said tract LAKE VIEW ESTATES, PHASE 2, and hereby dedicate, grant and convey to The Town of Hideout, Utah, Parcel H and all those parts or portions of said tract of land designated as streets. All OPEN SPACE is dedicated as easements for public utility, drainage purposes, trails, and HOA amenities. All trails are dedicated for public use. All open space parcels are dedicated to the HOA. In witness we have hereunto set our signatures.

Signed this _____ day of _____ 2022.

Holmes Lakeview Estates, L.L.C.
 BY:

ACKNOWLEDGMENT

STATE OF UTAH
 COUNTY OF _____ } S.S.

On the _____ day of _____ 2022, personally appeared before me, the undersigned Notary, in and for said County of _____, in said State of Utah, the signers of the above Owner's Dedication, _____ () in number, who duly acknowledged to me that they signed it freely and voluntarily for the purposes therein mentioned.

Notary Public _____ My Commission Expires _____

CONSENT TO RECORD

As the adjacent land owner, UNITED STATES OF AMERICA BUREAU OF RECLAMATION concurs with the survey and common property line shown on this plat and consents to recording.

Signed this _____ day of _____ 2022.

United States of America Bureau of Reclamation

BY: _____

TITLE: _____

WASATCH COUNTY RECORDER

ENTRY NUMBER _____

FEE PAID _____
 FILED FOR RECORD AND RECORDED THIS

DAY OF _____ 2022, IN BOOK _____, AT PAGE _____ OF THE
 OFFICIAL RECORDS.

DEPUTY COUNTY RECORDER _____

APPROVAL AS TO FORM

Approved this _____ day of _____ 2022
 by the Hideout Town Attorney

Attorney, The Town of Hideout

THE TOWN OF HIDEOUT ENGINEER

Approved this _____ day of _____ 2022.
 with the following conditions _____

Director, Engineering Department

**THE TOWN OF HIDEOUT
 PLANNING COMMISSION APPROVAL**

This is to certify that this subdivision plat was duly
 approved by the Hideout Town Planning Commission on
 the _____ day of _____, 2022.

Chairman, Planning Commission

ADMINISTRATIVE APPROVAL

The Town of Hideout approves this subdivision and hereby
 accepts the dedication of all easements for public purposes for
 the perpetual use of the public.

this _____ day of _____, 2022.

Subject to the following conditions: _____

Attest: _____ Mayor: _____

LAKEVIEW ESTATES, PHASE 3
THE TOWN OF HIDEOUT, WASATCH COUNTY, UTAH
 LYING AND SITUATE IN THE NORTHWEST QUARTER OF SECTION 17,
 TOWNSHIP 2 SOUTH, RANGE 5 EAST, SALT LAKE BASE AND MERIDIAN

BASIS OF BEARING
 N89°36'36"E 5328.77' (Meas.)
 S89°36'52"W 2619.54' (Meas.)
 1309.68'

Northwest Corner Section 17,
 Township 2 South, Range 5
 East, Salt Lake Base and
 Meridian.
 Fnd. Alum. Cap Monument
 BLM 1994.

PLAT NOTE:
 All open space areas are Public
 Utility Easements.

7 8
 18 17 1309.86'

S00°29'05"W
 860.53'

Fnd. & Accepted
 #5 Bar and Cap
 Stamped "PLS 356548"

20.00' Wide
 Utility Easement
 Entry #248032
 Book 573
 Page 737

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 Utility Easement
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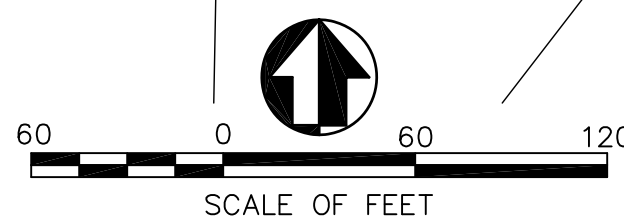
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 ○ = FOUND EVIDENCE AS NOTED
 -OA = OVER ALL DISTANCE
 (R) = RADIAL BEARING

LINE	LENGTH	BEARING
R1	20.00'	S58°28'44"W
R2	24.00'	N58°28'44"E
R3	22.00'	S57°25'30"W
R4	24.00'	N52°51'20"E
R5	22.00'	S52°51'20"W
R6	24.00'	N15°45'47"E
R7	22.00'	S15°45'47"W
R8	25.50'	N51°31'16"W
R9	25.50'	N51°31'16"W
R10	25.50'	S57°17'22"E
R11	20.00'	S57°17'22"E
R12	25.50'	S57°28'06"W
R13	25.50'	N57°28'06"E
R14	25.50'	S57°28'06"W
R15	25.50'	N57°28'06"E
R16	25.50'	N89°51'27"W
R17	25.50'	S89°51'27"E
R18	25.50'	N89°51'27"W
R19	25.50'	N89°51'27"W
R20	25.50'	S00°33'08"E
R21	25.50'	N00°33'08"W
R22	25.50'	N00°33'08"W
R23	25.50'	S00°33'08"E
R24	25.50'	N64°25'00"E
R25	25.50'	S64°25'00"W

LINE	BEARING
R26	N61°44'11"E
R27	N50°08'55"E
R28	N38°56'50"E
R29	N32°27'10"E
R30	N21°09'49"E
R31	N08°47'50"E
R32	S57°28'06"W
R33	S77°56'52"W
L34	S61°15'04"W
L35	S73°10'08"W
L36	S76°43'24"W
L37	S88°43'38"W

**LAKEVIEW ESTATES
 PHASE 1**

**LAKEVIEW ESTATES
 PHASE 2**

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 PHASE 3**

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**DEER WATERS
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**DEER WATERS
 PHASE 31**

**DEER WATERS
 PHASE 32**

N89°36'26"E 2709.23' (Meas.)
 N89°33'19"E 2709.14' (ROS 1544)
 N89°33'17"E 2709.14' (ROS 2041)
 N89°36'14"E 2709.06' (ROS 2696)

North Quarter Corner Section 17,
 Township 2 South, Range 5 East,
 Salt Lake Base and Meridian.
 Fnd. Alum. Cap Monument, BLM 1994.

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North Quarter Corner Section 17,
 Township 2 South, Range 5 East,
 Salt Lake Base and Meridian.
 Fnd. Alum. Cap Monument, BLM 1994.

North Quarter Corner Section 17,
 Township 2 South, Range 5 East,
 Salt Lake Base and Meridian.
 Fnd. Alum. Cap Monument, BLM 1994.

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 Township 2 South, Range 5 East,
 Salt Lake Base and Meridian.
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 Salt Lake Base and Meridian.
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 Township 2 South, Range 5 East,
 Salt Lake Base and Meridian.
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 Salt Lake Base and Meridian.
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 Township 2 South, Range 5 East,
 Salt Lake Base and Meridian.
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North Quarter Corner Section 17,
 Township 2 South, Range 5 East,
 Salt Lake Base and Meridian.
 Fnd. Alum. Cap Monument, BLM 1994.

CURVE	LENGTH	RADIUS	DELTA
C1	24.44'	20.00'	70°00'00"
C2	217.51'	175.50'	71°00'38"
C3	185.91'	150.00'	71°00'38"
C4	170.80'	150.00'	65°14'32"
C5	15.10'	150.00'	04°46'06"
C6	143.54'	124.50'	66°03'29"
C7	40.04'	20.00'	114°42'52"
C8	6.48'	123.00'	03°01'15"
C9	79.63'	123.00'	37°05'32"
C10	21.49'	325.50'	03°46'58"
C11	67.71'	325.50'	11°55'04"
C12	20.19'	325.50'	03°33'16"
C13	68.19'	325.50'	12°00'14"
C14	8.04'	325.50'	01°24'55"
C15	23.74'	15.00'	90°41'41"
C16	23.38'	15.00'	89°18'19"
C17	58.42'	274.50'	12°11'40"
C18	98.12'	274.50'	20°28'47"
C19	80.18'	274.50'	16°44'06"
C20	97.21'	274.50'	20°17'29"
C21	97.21'	274.50'	20°17'29"
C22	36.66'	274.50'	07°39'05"
C23	15.23'	325.50'	02°40'49"
C24	65.83'	325.50'	11°35'15"
C25	63.64'	325.50'	11°12'05"
C26	36.90'	325.50'	06°29'40"
C27	64.13'	325.50'	11°17'21"
C28	70.26'	325.50'	12°21'59"
C29	53.12'	325.50'	09°20'58"

LINE	LENGTH	BEARING
L1	22.46'	S38°28'44"W
L2	22.46'	S38°28'44"W
L3	49.91'	S89°26'52"W
L4	5.00'	N00°33'08"W
L5	5.04'	N00°33'08"W
L6	5.08'	N16°10'57"E
L7	5.08'	N36°28'26"E
L8	5.00'	N56°45'55"E
L9	4.33'	N64°25'00"E
L10	38.42'	N25°35'00"W
L11	5.00'	S57°28'06"W
L12	4.94'	S78°50'41"W
L13	43.55'	N25°35'00"W
L14	65.00'	N25°35'00"W
L15	25.68'	S89°31'55"W
L16	28.01'	N89°31'55"E
L17	25.50'	S89°51'27"E
L18	25.50'	N89°51'27"W
L19	25.69'	S71°23'03"W

When Recorded Return To:

TOWN OF HIDEOUT
Attn: Town Clerk
10860 N. Hideout Trail
Hideout, Utah 84036

Ent 516850 Bk 1402 Pg 244-248
Date: 21-MAR-2022 10:53:32AM
Fee: \$42.00 Check Filed By: TC
MARCY M MURRAY, Recorder
WASATCH COUNTY CORPORATION
For: HOLMES LAKEVIEW ESTATES LLC

Tax Parcel No.:

AMENDED DEED RESTRICTION

This *Deed Restriction* ("**Restriction**") is made with respect to the Property, as identified below, for the benefit of the Town of Hideout, a political subdivision of the State of Utah ("**Town**"), by Holmes Lakeview Estates, LLC ("**Owner**").

RECITALS

A. Owner owns certain real property ("**Property**") located in Wasatch County, known as Wasatch County Tax Parcel No. 00-0020-8159, and more particularly described on **Exhibit A** hereto.

B. On July 9, 2019, the prior Owner entered into a Deed Restriction entry number 465529, Bk 1257, Pg. 491-499 with a tax parcel number of 00-0020-8159, in exchange for a rezone the property from "Mountain" to the "Residential Medium Density" classification identified in Section 11.07.143 of the Town's code.

C. Owner voluntarily entered into this Restriction for the express benefit of the Town in connection with the rezone of the Property.

D. Owner and Town agree to amend the Deed Restriction to reduce the front yard setback and the driveway lengths from twenty-five (25') to twenty feet (20').

E. The Parties agree that the intent of this Amendment is to allow for adjacent structures to have a staggered or alternating pattern of driveway lengths and setbacks of twenty feet (20') or twenty-five feet (25') or greater if applicable.

F. This Amendment results in a better subdivision layout, overall design, a reduced site and number of retaining walls, less density, and the proposed 20' front setback meets the requirements of the current zone.

RESTRICTION

For valuable consideration, acknowledged and received, Owner agrees as follows for the benefit of the Town:

1. Building Height. No residential structure, home, building, or improvement on the Property will exceed a height of thirty-five (35) feet above the natural grade of the Property as measured from the lowest exposed portion of such structure.

2. Front Setback. The front setback for each residential structure within the Property will be at least twenty feet (20').

3. Minimum Driveway Length. Residential structures will have a minimum driveway length of twenty feet (20'). Adjacent structures should generally have a staggered or alternating pattern of driveway lengths of twenty feet (20') or twenty-five feet (25') or greater if applicable.

4. Front Elevations. To encourage a non-uniform feel of structures on the Property, the front elevation of each residential structure will vary from the residential structure on either side as follows: either (a) such front elevation will have an offset of at least five feet (5') from adjacent residential structures relative to the distance to the edge of payment; or (b) the vertical plane of such front elevation will vary at least fifteen degrees (15°) from the vertical plane of adjoining structures.

5. Density. The density for development on the Property will be limited to six (6) residential lots per acre. No more than one (1) detached single-family residence may be constructed on each lot within the Property. Attached residences or multi-family dwellings are not permitted on the Property.

6. Application of Restrictions. The restrictions set forth in this Restriction shall apply to development of the Property; provided, however, that if any applicable zoning ordinance or regulation is modified or amended to provide for more restrictive terms or conditions (i.e. lower building height, increased setbacks and driveway length, additional elevation requirements, or lower density) and such modification or amendment becomes effective prior to the date a completed development application has submitted to the town, the more restrictive terms or conditions will apply.

7. Run with the Land. This Restriction and the terms and conditions hereof will run with the land and be binding on Owner's successors, assigns, beneficiaries, and grantees. The Restriction will survive subdivision of the Property and will apply in full force to each lot created on the Property.

8. Enforcement by the Town. The Town may enforce this Restriction against Owner, and any successor, assign, beneficiary, or grantee having, or claiming, any interest in the

Property. The Town may enforce this Restriction through any applicable procedure or proceeding including, without limitation, actions in law or equity. The Town may deny any development application or permit request which fails to comply with the terms and conditions of this Restriction. In the event of any proceeding to interpret or enforce this Restriction, the prevailing party shall be entitled to an award of costs and fees incurred, including reasonable attorneys' fees. The Town's right to enforce this Restriction does not create a right of enforcement in any third parties.

DATED the 8th day of March 2022.

OWNER

Holmes Lakeview Estates, LLC

By its General Manager / Manager / President, Inc.

By: _____

Name: DARON SMITH

Title: TREASURER

STATE OF UTAH)

ss:

COUNTY OF Salt Lake)

The foregoing AMENDED DEED RESTRICTION was acknowledged before me this 8 day of March, 2022, by Daron Smith as Treas. of Holmes Homes, Inc. of Holmes Lakeview Estates, LLC.
general manager

[Seal]



M M M
NOTARY PUBLIC

Ent 516850 Bk 1402 Pg 247

TOWN
Town of Hideout


Mayor Phil Rubin

Attest:


Town Clerk



STATE OF UTAH)
COUNTY OF Wasatch)
ss:

The foregoing AMENDED DEED RESTRICTION was acknowledged before me this 17th day of March, 2022, by Phil Rubin as Mayor of the Town of Hideout, a political subdivision of the State of Utah, and that said instrument was signed on behalf of the Town by authority of its Town Council. _____

[Seal]



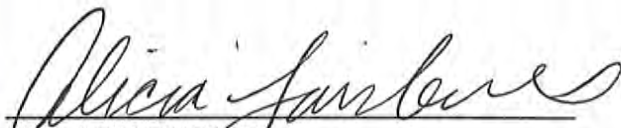

NOTARY PUBLIC

EXHIBIT A**(Legal Description of Property)**

A parcel of land lying and situate in the Northwest Quarter of Section 17, Township 2 South, Range 5 East, Salt Lake Base and Meridian. Comprising a 2.23-acre portion of Wasatch County Tax Parcel 00-0020-8159 described in that certain Warranty Deed recorded as Entry #467738 of the Wasatch County Records. Basis of Bearing for subject parcel being GEODETIC NORTH as determined by GPS or North 89°36'36" East 5328.77 feet measured between the Northwest and Northeast Corners of said Section 17. Subject parcel being more particularly described as follows:

Commencing at the BLM 1994 aluminum cap monument monumentalizing the North Quarter Corner of said Section 17, Thence South 89°36'52" West 1309.68 feet coincident with the north line of the Northwest Quarter of said Section 17 to a point on the west sixteenth section line; Thence South 00°29'05" West 880.53 feet coincident with said sixteenth section line; Thence North 89°31'55" East 617.04 feet to a number five rebar and cap stamped "PLS 356548" and the True Point of Beginning;
 Thence South 21°12'35" East 63.50 feet to a number five rebar and cap stamped "PLS 356548";
 Thence North 68°47'25" East 5.00 feet to a number five rebar and cap stamped "PLS 356548";
 Thence South 21°12'35" East 70.00 feet to a number five rebar and cap stamped "PLS 356548";
 Thence South 68°47'25" West 5.00 feet to a number five rebar and cap stamped "PLS 356548";
 Thence South 21°12'35" East 70.00 feet to a number five rebar and cap stamped "PLS 356548";
 Thence North 68°47'25" East 8.57 feet to a number five rebar and cap stamped "PLS 356548";
 Thence South 10°00'39" East 125.81 feet to a number five rebar and cap stamped "PLS 356548";
 Thence North 77°08'51" West 22.09 feet to a number five rebar and cap stamped "PLS 356548";
 Thence South 18°02'55" West 119.39 feet to a number five rebar and cap stamped "PLS 356548"; Thence South 64°38'28" West 103.90 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 25°35'00" West 96.58 feet; Thence North 26°16'25" West 51.00 feet; Thence North 25°35'54" West 210.23 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 12°27'05" West 38.46 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 46°55'49" West 73.40 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 59°42'02" East 19.86 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 64°13'40" East 96.96 feet to a number five rebar and cap stamped "PLS 356548"; Thence North 89°31'55" East 161.51 feet to the point of beginning.

Contains 97,177 sq. ft. or 2.23 acres and 10 Lots.

Resolution 2022-R-15**A RESOLUTION APPROVING THE LAKEVIEW SUBDIVISION (PHASES 2 AND 3)
LOCATED IN HIDEOUT, UTAH**

WHEREAS, owners of the property known as Lakeview Subdivision, located in Hideout, Utah, have petitioned the Town Council for approval of a final subdivision plat; and

WHEREAS, legal notice of the public hearing was published on the Town of Hideout's website on October 6, 2022 and October 31, 2022 according to the requirements of the Hideout Municipal Code; and

WHEREAS, the Planning Commission held a public hearing on October 20, 2022 to receive input on the proposed subdivision plat; and

WHEREAS, the Planning Commission, on October 20th conducted a public hearing and forwarded a favorable recommendation to the Town Council; and

WHEREAS, on November 10th, 2022 the Town Council held a public hearing on the subdivision plat; and

WHEREAS, it is in the best interest of Hideout, Utah to approve the Lakeview Subdivision plat for Phases 2 and 3 given that this subdivision plat is intended to comply with the Hideout Municipal Code, the Deed Restrictions, 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 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. The Phases 2 and 3 subdivisions, as currently presented, are the final two phases for the overall Lakeview subdivision that originally received Final Subdivision approval on October 8, 2020.
2. The subdivision was not recorded within a six-month period and, per the Town of Hideout code, was resubmitted for review and approval by Town Council. The Town Council voted to approve the Lakeview Subdivision on December 9, 2021.
3. Phase 1 was recorded within the six-month period, but Phases 2 and 3 were not recorded in a timely manner and were again resubmitted for review and approval in September/October 2022.
4. Pursuant to Hideout Code 11.06.36, "the Final Plat shall expire and be subject to revocation if the Final Plat is not recorded within six (6) months from the date of approval." Although the applicant can submit for a 6-month extension prior to the 6 month expiration date, no request for an extension was received.
5. The property is located within the Town of Hideout along SR248, on the west side, and situated between Shoreline Subdivision (Phases 2 and 3/3A) and the Deer Waters Subdivision (all phases).

6. For all Lakeview phases, as proposed, the total plat area is approximately 22.40 acres.
7. The total number of lots in all three phases of Lakeview is 69 single-family lots. 25 units are proposed for Phase 2 and 34 units are proposed for Phase 3.
8. Zoning for the property is Residential Medium Density (RMD).
9. There has been no change to the submittal from what was approved on December 9, 2021.
10. The Town of Hideout required a set of Deed Restrictions, upon rezoning to RMD, that essentially ensure Residential Single Family (RSF) height standards within the RMD designation. These Deed Restrictions were recorded on July 9, 2019 and amendments were recorded on March 21, 2022 which allowed for variation in driveway length to reduce retaining walls and adds more visual variation to the project.

Conclusions of Law

1. The subdivision plats, as conditioned, comply with Hideout Municipal Code, Title 12.
2. The subdivision plats, as conditioned, are 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 plat as conditioned.
4. Approval of the subdivision plat, 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 plats, 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 plat 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 plat 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. A financial guarantee, in a form and amount acceptable to the Town and in conformance with these conditions of approvals, for the value of any required public improvements, such as water, sewer, landscaping, fire hydrants, etc. shall be provided to the Town prior to building permit issuance for new construction. All public improvements shall be completed according to Town standards prior to release of this guarantee. An additional ten (10) percent of the public improvement value shall be held by the Town for the warranty period and until such improvements are accepted by the Town.
4. The Applicant shall provide a final set of updated construction plans, and address all engineering and planning comments prior to the signing of the plat.
5. The Applicant agrees to complete the subdivision construction permit, pay all required fees and post all required bonds before starting construction.
6. The recorded plat shall include, but is not limited to, the following plat notes:
 - a. These plats are subject to the conditions of approval in Resolution 2022-R-15.
 - b. Non-exclusive public utility easements shall be indicated on the plats prior to recordation as approved by the Town Engineer and JSSD and consistent with the utility plan, including drainage easements. All existing and required easements, based on review by the Town Engineer and JSSD will be shown and recorded on the plat, including utilities, storm drainage, access (public, utility and

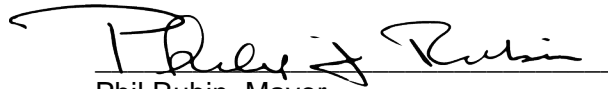
- emergency), snow storage, etc. All existing recorded easements and agreements shall be referenced on the plats, including entry number, book and page.
- c. All approved public trails, consistent with the Master Development Agreement and the Parks Open Space & Trails (POST) Plan, shall be shown on the plats or include a note indicating that 'all trails are open to the public and all trails can be located on any common area or open space area or within the dedicated public utility easement per review and approval by the Town Planner and Town Engineer.'
 - d. All trails must be maintained by the HOA.
 - e. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lots and not within public right of way.
 - f. A fire protection and emergency access plan shall be submitted and approved by the Wasatch County Fire District and Emergency Management Services (EMS) prior to the issuance of any building permits.
 - g. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
 - h. This development is part of a common plan development and a MS4 storm water permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance.
7. The Applicant agreed to meet the current Town Code requirements (26'-0" of asphalt plus curb and gutter) for road construction; and a paved bike lane shall be incorporated into all new streets per Town code.
 8. The construction plan set includes all retaining wall locations and sizes (including top of wall/TW and bottom of wall/BW elevation points) that were reduced in height by the Town Council in exchange for some allowances for reduced front setbacks:
 - a. The reduced rear yard setbacks are only permitted subject to a required staggered front building setback throughout the neighborhood. This necessitates the reduction of the 20' rear yard setback to 15' (or 17' or 18') to create the desired variation in the streetscape building wall for the following lots:
 - i. Lot 219 – 15' rear yard setback
 - ii. Lot 221 – 15' rear yard setback
 - iii. Lot 222 – 15' rear yard setback
 - iv. Lot 308 – 17' rear yard setback
 - v. Lot 310 – 15' rear yard setback
 - vi. Lot 314 – 18' rear yard setback
 - vii. Lot 316 – 18' rear yard setback
 9. Snow storage areas must be delineated on the plats.
 10. Trails: Proposed trails (and surface type) to be designed and submitted for approval by the Town Planner. This submittal shall include all outdoor recreational amenities.
 11. Streetscape amenities; lighting, signage, etc. shall be provided – construction details, sign type (if proposed), and materials/colors.
 12. A Landscape Plan shall be provided for all of phases prior to commencement of any construction (and prior to issuance of any Building Permits). This plan shall include street trees, common area and yard landscaping, entry features, and slope stabilization plantings where necessary – slopes greater than 50%. This plan must be approved by the Town Planner.
 13. The Applicant shall submit a Construction Mitigation Plan (CMP) that must be approved by the Town Planner and Town Engineer.
 14. A subdivision construction permit, improvement agreement, and all fees and bonds will be required prior to any construction.

15. The final plat (mylar) is subject to review may require additional notes and corrections.
16. 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.
17. All exterior lighting within the project, all phases, must be 'dark skies' compliant – meet the requirements of the International Dark Skies Association – and adhere to the Dark Skies Ordinance language that has been adopted by the Town of Hideout.
18. On or before the date when Phases 2 and 3 are recorded, Developer will be required to dedicate to the Town or to JSSD, as applicable, all water rights, water shares, or other water credits required by the applicable ordinances, regulations, or rules of the Town or JSSD in force as of the date of the recordation of such plat.
19. Developer shall provide to the Town written confirmation from JSSD that water provided is adequate for the number of units proposed.
20. CCRs shall be recorded along with the Mylar.
21. When the Town takes over the roads (accepted by the Town), the developer will help with the costs of snow plowing and maintenance until that phase is 50% occupied. The Town is only responsible for the phase under construction.
22. The elevations for all structures must come to the Town's Design Review Committee (DRC) for final review and approval.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon passage.

PASSED AND ADOPTED this 10th day of November 2022

TOWN OF HIDEOUT


Phil Rubin, Mayor

ATTEST:


Alicia Fairbourne, Recorder for Hideout



Town of Hideout - General Fund FY22 (7/1/2021 - 6/30/2022) Actual				
Revenue	FY21 Actual	FY22 Actual	B/(W) \$	B/(W) %
Total Taxes	\$359,829	\$547,858	\$188,028	52.3%
Total License and Permits	\$807,683	\$995,304	\$187,621	23.2%
Total Grant Revenue	\$0	\$56,695	\$56,695	NA
Total Charges for Service	\$16,697	\$10,626	(\$6,070)	-36.4%
Other Income	\$13,689	\$39,731	\$26,042	190.2%
Total General Fund Revenues	\$1,197,898	\$1,650,214	\$452,316	37.8%
Expense	FY21 Actual	FY22 Actual	B/(W) \$	B/(W) %
Total Administration	\$208,904	\$264,317	(\$55,413)	-26.5%
Total Professional Services	\$585,519	\$759,103	(\$173,583)	-29.6%
Total Public Safety	\$23,599	\$79,927	(\$56,328)	-238.7%
Total Streets	\$214,561	\$438,865	(\$224,304)	-104.5%
Total Parks	\$530	\$2,876	(\$2,346)	-442.6%
Total Miscellaneous	\$0	\$3,438	(\$3,438)	NA
Total Debt Service	\$25,631	\$30,306	(\$4,675)	-18.2%
Total General Fund Expenditures	\$1,058,745	\$1,578,832	(\$520,087)	-49.1%
Surplus/(Deficit)	\$139,153	\$71,382	(\$67,771)	-48.7%

Town of Hideout- Water Utility Fund FY22 (7/1/2021 - 6/30/2022) Actual				
Revenue	FY21 Actual	FY22 Actual	B/(W) \$	B/(W) %
Total Revenues	\$1,178,978	\$1,251,308	\$72,330	6.1%
Expense				
Total Expenses	\$906,208	\$1,478,149	(\$571,942)	-63.1%
Surplus/(Deficit)	\$272,770	(\$226,841)	(\$499,611)	-183.2%

ORDINANCE #2022-O-07

ORDINANCE AMENDING TITLE 8, CHAPTER 4 "OBSTRUCTIONS OF PUBLIC
STREETS AND PROPERTY.

WHEREAS, the Hideout Council ("Council") previously enacted ordinances prohibiting obstructing public streets; and

WHEREAS, debris and other objects have interfered with storm drainage, street clearing, sweeping, and snow removal of public streets within Hideout; and

WHEREAS, the Council desires to amend the existing code to prohibit debris and other objects that interfere with maintaining public streets during the winter weather months of the year.

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

SECTION I: The Hideout Municipal Code Title 8, Chapter 4 is amended as indicated in the attached Exhibit 1.

SECTION II: Effective Date. These amendments shall take effect upon publication.

PASSED AND ADOPTED by the City Council of Hideout, Utah, this 10th day of November in the year 2022.

CITY OF HIDEOUT



Phil Rubin, Mayor

ATTEST:



Alicia Fairbourne, Recorder for Hideout



Exhibit 1

8.04 OBSTRUCTIONS OF PUBLIC STREETS AND PROPERTY

8.04.010 DEFINITIONS - OBSTRUCTIONS OF PUBLIC STREETS AND PROPERTY

8.04.020 REGULATIONS AND REQUIREMENTS

8.04.030 NOTICE TO REMOVE

8.04.010 DEFINITIONS - OBSTRUCTIONS OF PUBLIC STREETS AND PROPERTY

The following words and phrases used in this chapter shall have the following meaning unless a different meaning clearly appears from the context:

OBSTRUCTION: Any condition or use of premises or of building exteriors which are deleterious or injurious, noxious or unsightly, which includes, but is not limited to, keeping or depositing on, or scattering over any of the following:

- A. Lumber, junk, trash, or debris
- B. Abandoned, discarded or unused objects or equipment such as furniture, stoves, refrigerators, freezers, cans or containers
- C. Abandoned, discarded or unused vehicles, trucks or trailers.

PUBLIC STREET: means the entire width of a roadway, owned by Hideout, including the shoulder and gutter.

STORAGE OF PERSONAL PROPERTY: Unsheltered storage of old, unused, stripped and junked machinery, implements, equipment or personal property of any kind which is no longer safely usable for the purpose for which ~~is no longer safely usable for the purpose for which~~ it was manufactured, for a period of thirty (30) days or more (except in licensed junk yards) within this Town, is hereby declared to be an obstruction and dangerous to the public safety.

8.04.020 REGULATIONS AND REQUIREMENTS

- A. It shall be unlawful for any person to put, place or leave upon any public street, parking lot or sidewalk, or any property owner to suffer or permit to remain upon or leave such obstruction on a public street, parking lot or public property for more than seventy-two (72) hours, any automobile, lumber, wood, fencing or other building materials.
- B. It shall be unlawful for any person or property owner to put, place or leave upon any public street any automobile, lumber, wood, fencing, other building material or any obstruction, for the months of October ~~31st~~ through ~~May~~ April 15th.
- C. No person owning, leasing, occupying or having charge of any premises shall maintain or keep any obstruction thereon, nor shall any such person keep or maintain such premises in a manner causing substantial diminution in the value of the other property in the neighborhood in which such premises are located.

8.04.030 OBSTRUCTIONS IN STREETS, GUTTERS AND SIDEWALKS:

It is unlawful for any person owning, occupying or having control of any premises to place, or permit to be placed, upon or in the sidewalk, parking area, gutter or on the half of the street next to such premises any permanent or temporary structure, mechanism, device, object or other thing

of any kind or character (for example, but not limited to: bridges or ramps), for the months of October 31st through April 15th.

8.04.~~030~~040 NOTICE TO REMOVE

Any obstruction, as set forth in this section, which shall have remained on the public street, parking lot, sidewalk or public property for more than twenty four (24) hours after notice of the violation of this section shall have been given to the owner of such obstruction by attaching a copy of such notice to the obstruction or delivered to the property owner, will be deemed abandoned and worthless, and the Town may at its option remove such obstruction at the expense of the owner thereof or at the expense of the Town without liability for such removal to any such owner.

The Notice to Remove shall comply with the Notice of Abatement procedures described in Hideout Code Title 13 “Administrative Code Enforcement Hearing Program.”

Minutes
Town of Hideout
Town Council Regular Meeting and Continued Public Hearings
April 14, 2022

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting and Continued Public Hearings on April 14, 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 Rubin called the meeting to order at 6:03 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 Sheri Jacobs
 Council Member Carol Haselton
 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 Clerk Alicia Fairbourne

Others Present: Todd Amberry, Jacob McHargue, Jack Walkenhorst, Kirsta Albert, Amy Davies, Garrick Peterson, Bret Rutter, Lindsey Ferrari, Andrew Moran, Kim Dickerson, Carol Tomas, Clint Neerings, 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. January 13, 2022 Town Council Meeting Minutes DRAFT

There was a correction on page 1, line 34, which was a correction to Mayor Rubin's name.

Motion: Council Member Jacobs moved to approve the January 13, 2022 Town Council Meeting Minutes with the noted correction. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs,

1 *and Council Member Severini. Absent from voting: Council Member Nadelberg. None*
2 *opposed. Motion carried.*

3 **IV. Discussion of Meeting Follow Up Items**

4 Council Member Severini inquired if structures with more than ten thousand (10,000) square feet
5 required sprinkler systems. Mayor Rubin confirmed and noted the State had chosen to relax that
6 requirement. The Town could encourage fire suppression systems but could not require it.

7 **V. Public Hearing Items**

8 **1. Discussion and possible approval of subdivision/lot amendment to Hideout Canyon lot 37**
9 **(parcel 00-0020-7851)**

10 Town Planner Thomas Eddington presented a request for an amendment to lot 37 in Hideout
11 Canyon Phase 1 which included surrounding common area and was zoned as Resort Specially
12 Planned Area (RSPA) within a Residential Medium Density Pod. The owner was requesting a
13 change to the single driveway which connected and serviced two homes. The proposal was to
14 create two separate driveways and two independent entrances with common space between the
15 two driveways.

16 Mayor Rubin clarified this was in the Overlook Village area.

17 Mr. Eddington reviewed the conditions in which the Hideout Planning Commission
18 recommended, which included:

- 19 • Both driveways were to remain completely separated with common land between and the
20 plat would be revised to reflect the change
- 21 • The driveways themselves were limited common for the homeowners
- 22 • Retaining walls would match the retaining walls in the Hideout Canyon Phase 1 area and
23 would not be taller than eight (8) feet in height with two, four (4)-foot stacked and
24 terraced retaining walls
- 25 • The back-out area originally proposed for Lot 37 was removed
- 26 • Approval by Council must be reviewed and approved by the Homeowners Association
27 (HOA) Design Review Committee (DRC)
- 28 • The property owner to the north of Lot 37 should provide input stating they had no
29 objections to the proposal (an email from the property owners was included in the
30 meeting materials)

31 Council Member Baier inquired about the grade of the driveways, to which Mr. Eddington
32 confirmed it was at approximately ten percent (10%) with a flat area before the garage and a flat
33 area for access to the road.

34 There being no further questions from Council, Mayor Rubin opened the floor for public
35 comment at 6:21 p.m.

There was no input from the public, and therefore, Mayor Rubin closed public comment at 6:22 p.m. and asked for a motion to approve the amendment to Hideout Canyon Lot 37 as presented.

Motion: Council Member Baier moved to approve the driveway amendment to Hideout Canyon Lot 37 as presented. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

2. Continued discussion and possible approval regarding an amendment of the official Town of Hideout Zoning Map to rezone parcels 00-0020-8181, 00-0020-8182, 00-0020-8184, and 00-0020-8185 (the “Boulders at Hideout Development”) from Mountain (M) zone to Neighborhood Mixed Use (NMU), R20 (Residential 20), R6 (Residential 6), and R3 (Residential 3)

****Note: This item will be continued to May 4, 2022 at 6:30 p.m.***

3. Continued discussion and possible approval of a Master Development Agreement (MDA) regarding the Boulders at Hideout Development

****Note: This item will be continued to May 4, 2022 at 6:30 p.m.***

The applicants of the Boulders at Hideout Development requested items 2 and 3 be continued to May 4, 2022 at 6:30 p.m.

Because the public hearing was noticed as such, Mayor Rubin opened the floor for public input at 6:25 p.m.

Carol Tomas – Ms. Tomas wished to speak but had technical difficulties. Town Attorney Polly McLean suggested allowing Ms. Tomas to speak at a later time during the meeting if the technical difficulties were resolved.

Applicant Todd Amberry noted an open house would be held for residents to get questions answered on Wednesday, April 27th. Discussion was had regarding the Town sending a survey via email to residents shortly thereafter.

There being no further questions from Council and no other comments from the public, Mayor Rubin closed public input at 6:45 p.m. and asked for a motion to continue the discussion to a date certain of May 4, 2022 at 6:30 p.m.

Motion: Council Member Severini moved to continue the discussion regarding an amendment of the official Town of Hideout Zoning Map to rezone the Boulders at Hideout parcels and the possible approval of a Master Development Agreement regarding the Boulders at Hideout to May 4, 2022 at 6:30 p.m. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

Council Member Baier inquired if the wording in agenda item #2 would be updated to reflect the intended zoning. Ms. McLean confirmed the language would be changed to reflect a Neighborhood Mixed Use (NMU) and Planned Performance Development (PPD). It was also requested to have materials delivered to Council and available to the public on the Tuesday of the week prior to the meeting to allow time for review.

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

2 General public input was combined with the open public input during the Boulders at Hideout
3 discussion. There were no other public speakers and therefore, public input was closed at 6:45
4 p.m.

5 **VII. Agenda Items**

6 **1. Presentation by Wasatch County School District regarding the Future Schools Project**
7 **planning process**

8 Kim Dickerson, a member of the Wasatch County School District Board representing the
9 Jordanelle area, and Wasatch County School District Directors Garrick Peterson and Kirsta
10 Albert joined the meeting to answer any questions regarding the Future Schools Project Plan.

11 Lindsey Ferrari, a public involvement consultant, introduced the Plan and explained her role was
12 to ensure the community's input was part of the process of creating a Master Facilities Plan
13 which would give the Board the information they needed to make decisions regarding the
14 facilities over the next twenty (20) years. She explained the first step was understanding the
15 community's vision through conducting a survey last fall. The second step was working with
16 three (3) committees to create guiding principles. The third step was to look at the District's
17 current facilities and compare how those facilities measured up to the guiding principles. They
18 looked at options for how to address future growth, which included year-round schools, school
19 boundaries, online offerings, et cetera. An open house was held where results of those meetings
20 were shared and further input from the community was received. A future meeting was scheduled
21 and final recommendations would be made to the Board.

22 Mayor Rubin addressed the growth around the Jordanelle area, with fifteen thousand (15,000)
23 approved units within a small section of Wasatch County. Ms. Ferrari stated the growth data was
24 taken into consideration as part of the process.

25 Ms. Ferrari presented additional options for remedying overcrowding of schools and the pros
26 and cons of each. She indicated the recommended actions were to use the boundary adjustment
27 and portable classrooms as temporary measures for the first several years and rebuild or remodel
28 schools that needed it most. The Planning Team suggested planning to construct a new
29 elementary school for occupancy in 2027. The decision would be made by the Board in
30 approximately two (2) years, at which time the location of the school would be determined.

31 Future committee meeting were to be held at which time the needs of the high school would be
32 discussed.

33 Mayor Rubin proposed asking developers to provide land for future schools in their
34 developments. Mr. Peterson suggested Mayor Rubin discuss the possibility with the school
35 Superintendent.

36 The demographics of Hideout were discussed. Ms. Dickerson invited any members of the
37 Council to attend the committee meeting held in the following week in order to address any other
38 concerns.

39 Mayor Rubin thanked the presenters for their time and discussion.

2. Review of annual municipal audit performed by Child Richards

Mayor Rubin introduced Amy Davies who gave a financial activity overview for the year ending 2021. She noted the current year added a Capital Projects Fund account and reviewed the balances, expenditures, and revenue of the various funds.

The audit findings which were reported to the State Auditor were presented. Ms. Davies reviewed several items on the schedule. Several concerns had been addressed and responded to by Town Administrator Jan McCosh and Mayor Rubin. Proposed journal entries to correct the statements made were presented and discussed.

There being no questions from Council, Mayor Rubin thanked Ms. Davies for her work and patience with the progression of the Town.

3. Presentation and discussion of the fiscal third quarter financials

Jacob McHargue presented the budget report for the first three (3) quarters of the fiscal year. He noted he had made an adjustment to the sales tax number from the General Ledger report because of a thirty-thousand-dollar (\$30,000) invoice which had not been received by the Town as of the date of the meeting.

Mr. McHargue presented a summary of the Town's budget and discussed the various revenues and expenditures. He also presented and reviewed the projected year-end revenue and expenditures and discussed the various overages and under-budgeted funds. He stated he and Ms. McCosh would collaborate and present a budget adjustment to the Council in a future meeting to address some of the overages and deficits.

Mayor Rubin thanked Mr. McHargue for his work on the budget and how easy the report was to understand. Mayor Rubin excused Mr. McHargue at 8:19 p.m.

4. Discussion and possible adoption of an Ordinance which will adopt the 2006 Wildland/Urban Interface Code and its Appendix C

Ms. McLean introduced the Wildland/Urban Interface (WUI) Code and explained the WUI Code as presented was a copy of the 20006 version, which was the only version the State of Utah would allow municipalities to adopt. The Ordinance as adopted would read "is hereby adopted as amended as shown in Exhibit A" since amendments were made based on input from residents. Assistant Town Attorney Cameron Platt discussed the amendments made.

Mayor Rubin confirmed the WUI had been presented and discussed with the Town's various Homeowner's Associations (HOA's) and each were given the opportunity to ask questions, get clarification, and provide feedback.

After a brief discussion and Council Member Baier expressing her support of adopting the Ordinance, Mayor Rubin asked for a motion.

Motion: Council Member Baier moved to adopt Ordinance 2022-O-03 adopting Title 10, Chapter 10 Section 05 of the Utah 2006 Wildland/Urban Interface Code and its Appendix C as hereby amended and shown in Exhibit A. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs,

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

5. Discussion and possible adoption of an agreement related to the settlement of impact fees due to JSSD

Ms. McLean stated a modification was made to the settlement of impact fees due to Jordanelle Special Service District (JSSD). The entities (GCD, JSSD, and Hideout) would pay one third (1/3) each. Ms. McLean and JSSD's attorney had discussed the impact fees owed by the Town, and it was agreed that all impact fees related to Deer Waters and GCD (beyond those limited fees pertaining to the settlement agreement) were resolved. An agreement was also made that the Town could speak with JSSD's accounting department regarding any outstanding amount due.

Ms. McLean noted the agreement would not be executed until all issues were resolved, which would be in the forthcoming week. Council Member Baier expressed her support.

Motion: Council Member Baier moved to authorize the Mayor to finalize and sign the agreement to JSSD related to the settlement of impact fees due to JSSD. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

6. Discussion and possible adoption of a Public Infrastructure District (PID) policy

Ms. McCosh explained the Economic Development Committee had met with attorney Aaron Wade with Gilmore and Bell, and changes were made to the PID Policy which was distributed during the March 29, 2022 and March 10, 2022 meetings. It was determined ten (10) Mills should be implemented, which were reflected in the Policy presented during this meeting.

Ms. McCosh explained there was a provision which capped the Policy to ten (10) Mills; however, the rate could be amended per development based on need.

Discussion was had regarding what a Mill Rate amounted to. It was determined one Mill equated to one dollar (\$1) per thousand dollars (\$1,000). The rate could be assessed annually for thirty (30) years.

Mayor Rubin explained Section III.B.8 stated if the PID was used, the Town could not collect impact fees on the property as well. He further explained this was not an Ordinance or Resolution, but rather, a policy for Development Staff to use when evaluating building proposals.

There being no further questions from Council, Mayor Rubin asked for a motion to adopt the PID Policy as presented.

Motion: Council Member Severini moved to adopt the PID Policy as presented. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

7. Discussion regarding the Conflict of Interest Policy and Disclosure Form

(Clerk's note: Items 7 and 8 were discussed and adopted together)

8. Discussion and consideration of adopting an Ethics Policy

Ms. McLean explained the purpose of the Ethics Policy was to establish standards of conduct for municipal officers and employees, and noted it was created by the Utah League of Cities and Towns (ULCT).

The Conflict of Interest Policy should be completed by all Council Members annually or when changes were made in order to disclose potential conflicts.

Ms. McLean recommended both policies be completed annually by all Staff, Council Members, contracted employees and Planning Commissioners. Council Member Baier supported the Policies and stated the Town should be as transparent as possible. Mayor Rubin agreed.

Mayor Rubin asked for a motion to combine agenda items 7 and 8 and support the adoption of the Conflict of Interest Disclosure Policy and Ethics Policy Pledge.

Motion: Council Member Haselton moved to adopt the Conflict of Interest Disclosure Policy and Ethics Policy Pledge. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

9. Discussion and possible adoption of Resolution 2022-R-XX regarding restricting fireworks

(Clerk's note: Items 9 and 10 were discussed and adopted together)

10. Discussion and possible approval of Ordinance 2022-O-XX amending chapter 6.08 Fireworks and Ignition Sources to restrict ignition sources from May to November

Mr. Platt presented the Resolution and explained the need for both the Resolution and the Ordinance. The State Legislature had prohibited municipalities from restricting fireworks around certain holidays unless a municipality passed a Resolution finding there were hazardous environmental conditions in two (2) out of the previous five (5) years. The Resolution would need to be passed and recorded with the County before May 1. Once that was accomplished, the Town could restrict fireworks year-round. The Resolution would need to be passed each year with a letter attached from the Wasatch County Fire District noting the hazardous conditions and a map of the prohibited area.

Mr. Platt explained the purpose of the Ordinance was to restrict open fires from May 1 through November 30. Enclosed grills and gas fire pits were permitted so long as proper clearance from flammable materials was adhered to. By passing the Ordinance, the language would be codified and would not require Council approval each year. He noted this was a general restriction, and exceptions could be made if a permit were granted by the Town. Council Member Haselton inquired if the State Park were included since it fell within Hideout's boundaries. Mayor Rubin stated it was not included but the State Park issued its own restrictions which followed closely with Hideout's restrictions.

There were no further questions from Council. Mayor Rubin asked for a motion to adopt the Resolution and Ordinance restricting fireworks and to amend Hideout Municipal Code 6.08.

Motion: Council Member Baier moved to adopt Resolution 2022-R-04 Restriction of Fireworks and adopt Ordinance 2022-O-04 amending Hideout Municipal Code Chapter 6.08 Fireworks and Ignition Sources. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.

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

There was no need for an executive session.

IX. Meeting Adjournment

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

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

The meeting adjourned at 9:23 p.m.

Alicia Fairbourne, Town Clerk

Minutes
Town of Hideout
Town Council Regular Meeting and Public Hearing
May 12, 2022

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting and Public Hearing on May 12, 2022 at 6:00 p.m. electronically via Zoom Conference call due to the ongoing COVID-19 pandemic.

Regular Meeting and Public Hearing

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:03 p.m. and reminded those attending there was no physical anchor site for this meeting due to the ongoing COVID-19 pandemic.

II. Roll Call

Present: Mayor Phil Rubin (*excused at 7:08 p.m.*)
 Council Member Chris Baier
 Council Member Sheri Jacobs
 Council Member Carol Haselton
 Council Member Bob Nadelberg
 Council Member Ralph Severini

Staff Present: Town Attorney Polly McLean
 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: Katie Shepley, Carol Tomas, Jonathan Gunn, Sumner and Dylan Brandt, Rob Sant and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. January 27, 2022 Town Council Meeting Minutes DRAFT

The minutes were deferred to the next meeting.

Mayor Rubin noted he would be excusing himself from the meeting early and would like to reorder the agenda from what was originally published to the public. He stated the discussion regarding debris in the dumpsters and the Dark Skies Ordinance update would be pushed to the end of the meeting. The regular Public Input section would be heard after the Public Hearing item, the reallocation of funds discussion, and the tentative budget adoption items.

IV. Public Hearing Items

1. Discuss and possibly approve a lot amendment to combine lots 74 and 75 in the Soaring Hawk subdivision

Town Planner Thomas Eddington presented the Staff Report for a lot combination in the Soaring Hawk Subdivision and provided Council with an explanation of the proposed terms to combine lots 74 and 75. He noted each lot was approximately one quarter (1/4) acre and currently zoned as Resort Specialty Planned Area (RSPA) with a Resort Village Density (RVHD) pod overlay. The lots would be combined to construct a single-family dwelling unit. He noted the Planning Commission gave a favorable recommendation with the conditions outlined in the Staff Report, which included:

- The dwelling would primarily be constructed on what was currently Lot 75, and Lot 74 would generally remain as open space
- There would be no driveways or accessory structures permitted on the open area and no additional landscaping (must remain in its natural vegetative state)
- The house size could be increased up to one-hundred and twenty-five percent (125%)
- All design guidelines of the Master Homeowner's Association (HOA) and Covenants, Conditions and Restrictions (CCR's) would apply
- Prior to issuing a building permit, confirmation would need to be made that no utility lines were buried in the six (6)-foot utility easement which ran down either side of the center property line

Council Member Baier expressed her support of the lot combination and asked the applicants if the home design increased to the full one-hundred and twenty-five percent (125%). Applicant Sumner Brant stated the home design was slightly less and the interior was approximately four thousand (4,000) square feet. Ms. Brandt mentioned she was concerned the Design Review Committee (DRC) would not approve the home's "L" shape. If that were the case, the home would be modified and could cross into Lot 74. Mr. Eddington stated he would work with the applicants and DRC but could amend the Resolution to include a provision which would allow up to a twenty five percent (25%) crossover into Lot 74 if needed. Council supported the additional language added.

There being no further questions from Council, Mayor Rubin opened the floor for public comment at 6:24 p.m. and reviewed the procedure for commenting for the public.

There were no comments from the public, and therefore, Mayor Rubin closed public comment at 6:25 p.m. and asked for a motion.

Motion: Council Member Nadelberg approved the lot amendment to combine Lots 74 and 75 in the Soaring Hawk Subdivision with the following modification to number four (#4) of the Conditions of Approval:

The primary dwelling unit will generally be constructed on what is currently delineated as Lot 75. Lot 74, as currently delineated, will generally be used as open space. There is an allowance

for an encroachment of up to 25% for the house footprint on Lot 74 if needed per HOA Design Review Committee (DRC) review.

Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. None opposed. Motion carried.

V. Agenda Items

1. Reminder of Jordanelle Clean Up Day

Council Member Baier presented the annual Jordanelle Community Clean-up Day, which was to be held on Saturday May 14 from 10 am to 12 p.m. She encouraged residents and community to attend and reviewed the process to sign up. The dumpster would be located at the Public Works building for the trash collected during the cleanup. Public Works Director Daniel Allen reminded residents that no metal, concrete or hazardous materials could not be deposited in the dumpster.

2. Discussion and possible approval of a reallocation of funds for the budget ending fiscal year 6/30/2022

Mayor Rubin explained that although the Fiscal Year ending June 30, 2022 had not closed, there was enough projected data to realize a reallocation of funds was necessary. He explained in municipal accounting, budget numbers could not be significantly out of alignment with what was allocated and what was actually spent. He further explained this was an accounting process and there was no change in actual spends.

Katie Shepley presented the Fiscal Year 2022 Budget Amendment and explained there were excess funds of fifty-four thousand, eight hundred forty dollars (\$54,840) which was proposed to move into a Capital Fund to be used for one-time adjustments or one-time expenses in the following year. She further explained the reasons for the deficits and overages as presented on the Budget Amendment spreadsheet (*included in the materials*), which included a decrease in the projected number of building permits, additional employees, increase of cost in street repairs and maintenance, et cetera. Mayor Rubin explained the deficit regarding street repair was due to a fairly large street project which did not get billed for until the current fiscal year.

Council Member Baier inquired if some funds could be allocated to the Parks and Trails budget for a redesign of the two (2) signs which were temporarily placed by the bench dedicated to Doug Egerton on the Keetley West Trail, where it meets Perimeter Trail and Wada Way West Trail. Ms. Shipley explained if it were a one-time expense, a portion of the surplus money could be used for that purpose, however, it would need to be requested prior to June. Otherwise, the request would need to be submitted for Fiscal Year 2023.

There being no further questions from Council, Mayor Rubin asked for a motion to approve the reallocation of funds.

Motion: Council Member Nadelberg moved to approve the reallocation of funds for Fiscal Year ending 6/30/2022. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. None opposed. Motion carried.

1 **3. Possible adoption of Resolution 2022-R-XX to adopt the Town of Hideout Tentative Budget**
2 **for Fiscal Year 2022-2023 and setting a Public Hearing for the Final Budget to be held on**
3 **June 9, 2022**

4 Ms. Shepley reviewed the tentative budget for Fiscal Year 2022-23. She stated there was an
5 increase of property taxes as well as municipal energy taxes, which was driven by an increase in
6 occupancy. She further detailed the increase in building permits and the increase in funds due to
7 the percentage collected of the projected construction costs.

8 The additional budget line items were reviewed. Ms. Shepley noted as of April, 2022, the Fiscal
9 Year ending in 2023 was projected to end in a deficit, however, a tax increase for Fiscal Year
10 2023 was a possibility. She would also investigate other ways to conserve funds.

11 Ms. Shepley reviewed the Water Fund and noted the increase in revenue, which was based on
12 occupancy, was due to the increase in cost of the connection fees and water and sewer services.
13 Because Jordanelle Special Service District (JSSD) was raising rates, an eight percent (8%)
14 increase in water rates beginning in January, 2023 would be assessed. There was also an increase
15 in the cost of meters, which contributed to the additional revenue.

16 Mayor Rubin noted there were several projects in the water and sewer systems which had been
17 postponed due to lack of funds. He stated some of those projects could be completed with the
18 excess funds in order to make the system more efficient but would hold off until there was
19 confirmation the excess funds were available.

20 There being no questions from Council, Mayor Rubin asked for a motion to adopt the Resolution.

21 ***Motion: Council Member Severini moved to adopt Resolution 2022-R-06 to adopt the Town***
22 ***of Hideout's tentative budget for Fiscal Year 2022-2023 and set a public hearing date for the***
23 ***final budget on June 9, 2022. Council Member Nadelberg made the second. Voting Yes:***
24 ***Council Member Baier, Council Member Haselton, Council Member Jacobs, Council***
25 ***Member Nadelberg and Council Member Severini. None opposed. Motion carried.***

26 Mayor Rubin excused himself at 7:08 p.m. and appointed Council Member Baier as Mayor Pro
27 Tempore for the remainder of the meeting.

28 **4. Discussion regarding the overflow of construction debris in the dumpsters**

29 Council Member Haselton expressed concern regarding excess trash, which included water
30 bottles, food cartons, et cetera, piled up next to the construction dumpsters. She stated the
31 dumpsters were overflowing and debris and cardboard boxes were littered about the streets.
32 Mayor Pro Tempore Baier inquired if Hideout had an Ordinance in place for nuisances which
33 would include excess debris and overflowing dumpsters. Ms. McLean stated there was an
34 Ordinance in place and issuing a citation would be the next step. Director of Engineering and
35 Public Works Timm Dixon confirmed the Public Works Staff was aware of the issues and were
36 assisting in picking up debris as they were driving around Town. He confirmed he was in contact
37 with the developers and superintendents of the construction sites, and they were aware of the
38 debris and were doing what was necessary to mitigate it.

39 Council Member Haselton suggested requiring additional dumpsters. Mr. Dixon stated he would
40 ask the developers to provide them. Ms. McLean stated the Town had adopted the Administration
41 Code Enforcement (ACE) process, which allowed for civil citations for nuisance and non-

1 criminal types of violations. The fines would accumulate until the violation was corrected and if
2 left ignored, could result in a tax lien. Ms. McLean stated she would work with Mr. Dixon and
3 Assistant Town Attorney Cameron Platt to follow up on the enforcement of the ACE process.

4 **5. Update regarding the Dark Skies Ordinance**

5 Mayor Pro Tempore Baier reviewed the discussion of the proposed Dark Sky Ordinance, which
6 was last discussed during the June 10, 2021 Council meeting. She noted former Council Member
7 Dwinell was concerned of overburdening residents and wanted to conduct a survey of the current
8 lighting conditions. During that meeting it was also discussed the Master Homeowner's
9 Association (HOA) had its own design standards that were dark skies compliant. She thought the
10 Town may not currently be too far out of alignment with the requirements of the Dark Skies
11 Ordinance.

12 Mr. Eddington stated a Request for Proposal (RFP) was submitted, to which there were no
13 responses. He also stated the University of Utah Professor Daniel Mendoza was not available to
14 assist with a study. The Town had purchased a light meter and Mr. Dixon used it to conduct a
15 baseline measurement in March. Mr. Eddington stated further light readings could be had in the
16 summer.

17 Mayor Pro Tempore Baier asked Council if they were still interested in adopting the Dark Skies
18 Ordinance, in which case further studies and measurements could be assessed. The Council
19 expressed support of the Ordinance and would like to see it passed prior to the holiday season.

20 Council Member Jacobs inquired who would enforce compliance at night. Ms. McLean stated a
21 code enforcement officer could be hired to patrol. She also mentioned it was not a legal
22 requirement to have the baseline readings Mr. Dixon conducted in order to be dark skies
23 compliant. The Town would not be striving for the Official International Dark Skies Association
24 Certification, but rather, to model lighting conditions with other communities' Night Sky
25 Ordinances. Council Member Nadelberg stated he did not want Code Enforcement to cite
26 residents unless the violation were to be a continuous problem. He expressed concern of interior
27 lighting being a violation. Ms. McLean noted interior lights were not typically enforced as a
28 violation, however, outside string lights could be regulated under the Ordinance. Mayor Pro
29 Tempore asked for language to be added to the Ordinance regulating string lights to be allowed
30 as temporary lighting for gatherings.

31 Council Member Severini stated the lighting in the older HOA's should also be surveyed and all
32 HOA's should be provided with the proposed Ordinance and results of the study done in those
33 areas. He expressed concern of moving forward with the Ordinance until a proper survey was
34 conducted and all HOA's had been notified. Mr. Eddington agreed and noted there was a five-
35 year grace period to come into compliance. Council Member Severini expressed his desire to have
36 the proposed Ordinance published on the Town's website.

37 **VI. Follow Up Discussion Items - Status on Previous Action Items**

38 Because there were no Council minutes to review, there were no follow up items to discuss.
39 Council Member Severini inquired if an action item register could be created. Town Clerk Alicia
40 Fairbourne noted she had created a document which she would share with the Council. Council
41 Member Severini mentioned it should be each Council Member's responsibility to review the
42 document.

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

Mayor Pro Tempore Baier opened the floor for public input at 7:51 p.m.

Carol Tomas – Ms. Tomas lived on Stargazer Circle adjacent to Lakeview Estates. She expressed concern of orange spray painted lines indicating where a bike path would be constructed, and stated it was within close proximity to her house. She wondered when the relocation of the bike path was approved and what the minimum setback from a structure was. Mr. Eddington offered to view the location of the bike path and review it with the developer. He would follow up with Ms. Tomas on his findings.

Council Member Nadelberg – inquired how much of the dirt was projected to be moved in the Shoreline development. Mr. Dixon explained the developer was moving dirt for future phases of the development and was constructing a park and retention pond area. The existing lift station was also being reconstructed and new overflow ponds were being dug out, which were other contributing factors.

Council Member Nadelberg asked if there were Ordinances in place which regulated the disruption of natural vegetation. Mr. Eddington explained the Ordinance passed in 2020 included those regulations, however, the Shoreline Development preceded that Ordinance and were subject to the code when they were approved.

There being no further comments from the public, Mayor Pro Tempore Baier closed public input at 8:09 p.m.

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

At 8:09 p.m., Mayor Pro Tempore asked for a motion to move into Executive Session.

Motion: Council Member Haselton moved to close the public meeting and reconvene into Executive Session. Council Member Nadelberg made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg and Council Member Severini. None opposed. Motion carried.

After a short recess, the Executive Session was called to order at 8:18 p.m.

Present: Council Member Chris Baier
Council Member Sheri Jacobs
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Ralph Severini

Excused: Mayor Phil Rubin

Staff Present: Town Attorney Polly McLean

At 9:00 p.m., Mayor Pro Tempore adjourned the Executive Session and asked for a motion to move into public meeting.

Motion: Council Member Haselton moved to adjourn the Executive Session and reconvene into public meeting. Council Member Nadelberg made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg and Council Member Severini. None opposed. Motion carried.

IX. Meeting Adjournment

At 9:00 p.m., Mayor Pro Tempore asked for a motion to adjourn the public meeting.

Motion: Council Member Nadelberg moved to adjourn. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg and Council Member Severini. None opposed. Motion carried.

The meeting adjourned at 9:00 p.m.

Alicia Fairbourne, Town Clerk

Minutes
Town of Hideout
Town Council Regular Meeting and Public Hearing
June 09, 2022

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting and Public Hearing on June 9, 2022 at 6:00 p.m. electronically via Zoom Conference call due to the ongoing COVID-19 pandemic.

Regular Meeting and Public Hearing

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:00 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 Sheri Jacobs
 Council Member Carol Haselton
 Council Member Bob Nadelberg
 Council Member Ralph Severini

Excused: Council Member Chris Baier

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
 Town Clerk Alicia Fairbourne

Others Present: Patrick Todd, Katie Shepley, Jonathan Gunn, Ted Barnes, Dennis Gonzales, Carol Tomas, Grey Garza, and others who may have logged in using a partial name or using only a phone number.

III. Agenda Items

1. Presentation regarding water rights by Ted Barnes

Mayor Rubin introduced Ted Barnes who was an attorney with Clyde Snow & Sessions law firm, which specialized in water rights. Mr. Barnes had worked with Hideout over the previous year regarding the water contract with Jordanelle Special Service District (JSSD). Mr. Barnes was asked to provide an overview of how water rights operated within Hideout and the State of Utah.

Mr. Barnes stated all water within the State of Utah belonged to the State. It was available to use based on water rights. Water rights had a number of attributes, which included a point of

1 diversion, the place of use, the nature of the use (irrigation, stock watering, municipal or culinary),
2 and place of use. The State Engineer held records which stated where the water right came from,
3 how it could be used, who owned the rights, and where it could be used. He explained Hideout's
4 water rights and sewer were held through JSSD, which entitled Hideout to a certain amount of
5 water.

6 Mr. Barnes explained there was enough water for the existing homes in Hideout, however, the
7 calculations showed a deficit once the Town had reached full buildout. Additional water supplies
8 would need to be recognized in the contract with JSSD, or additional water would need to be
9 contributed to JSSD for use within the Town. He explained JSSD had several sources of water
10 which could be used, including negotiating the contract made between JSSD and the Town, or
11 through developer contributions. He recommended developers contribute to JSSD for the Town's
12 sufficient water supply of that development. He further noted additional water rights could be
13 purchased by the Town, however, JSSD was oversubscribed and did not have additional water to
14 sell or lease. Exaction Standards was a fourth option, which allowed the Town to ask the
15 developer for an amount of water for internal use and for irrigation use. He explained the use of
16 the Exaction Standard, which meant if the Town were to require less water per unit but had the
17 same amount of water, it would furnish more units. Hideout's Exaction standard was .45-acre feet
18 for internal use and .45-acre feet for external use per equivalent domestic unit (EDU).

19 Mayor Rubin explained the Klaim, Deer Waters, and Deer Springs developers had brought their
20 own water shares in with the respective developments. He was working with JSSD to clarify the
21 amount which JSSD is committed to providing to the Town. The Town would need to work on a
22 process for a timeline to obtain water shares in the future.

23 Council Member Severini inquired if a report showing the current usage and future deficit could
24 be distributed to Council. Mr. Barnes explained there was not a report, although Mayor Rubin
25 had made some calculations on his own. He further noted a final report might be created regarding
26 predictive issues, which could be distributed at a later time. Mayor Rubin offered to share the
27 JSSD contract language with Council.

28 Discussion regarding purchasing, selling, and forfeiting water shares ensued. Mr. BARNED ensured
29 the Council municipalities could hold water shares without forfeiting them if they were not used.

30 Council Member Jacobs inquired how the threat of a drought affected the water shares. Mr.
31 Barnes explained in Western Water Law the shareholder who held the oldest water right was
32 entitled to use all their shares of the water first before the next shareholder was able to use any of
33 theirs. He noted the State Engineer could curtail water use, but instead encouraged water
34 conservation. He further mentioned other ways in which water conservation measures could be
35 taken.

36 Council Member Nadelberg asked for clarification if the future phases of GCD could be platted
37 if water rights had not been secured. Mayor Rubin explained he and Mr. Barnes were investigating
38 what shares GCD presently had and what was needed.

39 Council Member Nadelberg asked for clarification of how the drinking water was obtained. Mr.
40 Barnes explained drinking water rights mostly came from wells rather than stream diversion.
41 JSSD had four (4)-to five (5) new wells planned. He stated Hideout's rights came from
42 groundwater and seepage from the Provo River Basin which was due to the snowpack from Deer
43 Valley and Mayflower. He mentioned this would put additional strain on JSSD's capacity.

Council Member Nadelberg inquired if the Outlaw Golf Course had its own wells to water the grass with, and if, in the event of a drought, could be restricted from watering. Mr. Barnes stated the immediate drought response would be dictated by JSSD, and if the demands of the golf course could not be met, restrictions and enforcements would be applied by JSSD.

Discussion regarding the impacts of a drought continued. Council Member Severini asked if a Frequently Asked Questions (FAQ) page concerning water and water rights could be posted on Hideout's website. Mayor Rubin stated he would take that into consideration, however, details regarding the State's approach to water management on the Town's website should not be included. Council Member Severini suggested including links to the State's website.

Mayor Rubin thanked Mr. Barnes for attending the Meeting and discussing regarding water rights with the Council.

IV. Approval of Council Minutes

1. January 27, 2022 Town Council Meeting Minutes DRAFT

There were no corrections to the minutes.

Motion: Council Member Haselton moved to approve the January 27, 2022 Town Council Meeting Minutes as presented. Council Member Severini made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, Council Member Severini. Absent from voting: Council Member Baier. None opposed. Motion carried.

V. Follow up items from Council Minutes

There were no follow up items from the minutes, and therefore, no discussion was had.

VI. Public Hearing Items

1. Consideration of possible approval of Phase 2A and 2B of the Deer Springs Subdivision

Town Planner Thomas Eddington explained Phase 2A and 2B of the Deer Springs Subdivision had been approved on May 13, 2021 which allowed six (6) months for the plat to be recorded. There were delays in the recordation of the plat, and a one-time six (6)-month extension was granted by Council on November 10, 2021. There were further delays, which resulted in the expiration of the plat approval. Mr. Eddington noted there were no changes to the subdivision since first approval was granted and had received a favorable recommendation from Planning Commission.

He reviewed the details of the subdivision, which included fifty (50) lots in phase 2A and twenty-four (24) lots in phase 2B. The park would be constructed during Phase 3, which was formerly presented as Phase 4, and would be brought to Planning Commission and Council later in the year. He noted the subdivision was vested under current code and he recommended approval.

Council Member Nadelberg asked what the advantages to grouping up to four (4) units per building were. Mr. Eddington explained when the overall subdivision Master Development Agreement (MDA) was approved in 2017, the allowed density was two hundred eighty (280)

units for all phases. Eightplexes were considered at that time. Over the course of Phases 1, 2, and 3 final subdivision reviews with Planning Commission and Town Council, the developer agreed

to reduce the connectivity of the dwellings to duplexes, triplexes and fourplexes. Single family dwellings would be developed in a future phase.

Council Member Nadelberg asked if the elevation of the units had been determined. Mr. Eddington explained he was working with the developer and was discussing a mix of modern/contemporary and traditional styles.

There being no further questions from Council, Mayor Rubin opened the floor for public input at 6:58 p.m.

Carol Tomas – Ms. Tomas stated she did not have a specific question but wanted to state that she appreciated the Council and Planning Commission for working to make Hideout a better community.

There were no further comments from the public, and therefore, Mayor Rubin closed public input at 7:00 p.m. and asked for a motion to approve the subdivision.

Motion: Council Member Severini moved to approve the final plat of Phase 2A and 2B of the Deer Springs Subdivision. Council Member Haselton made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, Council Member Severini. Absent from voting: Council Member Baier. None opposed. Motion carried.

2. Discuss, with possible approval, the Town Budget for the fiscal year ending June 30, 2023

Katie Shepley presented the budget and discussed the changes from what was discussed during the May 12, 2022 Council Meeting. She noted during the May Meeting, the projected deficit was calculated at fifty-one thousand dollars (\$51,000) but was now shown as a deficit of one hundred ten thousand dollars (\$110,000). She explained with the calculations presented in May, there was an expectation of assets which would be sold in Fiscal Year (FY) 2023. Those assets were sold in FY 2022, which lead to the deficit increase. She further noted she was more conservative when estimating project fees, planning and subdivision fees, and occupancy due to the softening economy and rising building costs. Ms. Shepley explained there were favorable changes proposed between the General Fund and Water Fund, which would roll into FY 2023.

She reviewed the revenue increases to the budget since it was presented in May and detailed the various costs associated with each item.

Council Member Severini inquired if employee salary and wages would level off. Ms. Shepley replied two new employees would be hired in the Engineering Department and external professional services would be reduced gradually over the next several years.

Discussion regarding the various costs and budget make up ensued. Mayor Rubin presented options to make up for the budget deficit, which included:

- Additional income would need to be generated through a tax increase
- Services would need to be cut

Mayor Rubin supported the presented budget and suggested a tax increase to offset the deficit. He reminded Council and meeting participants Hideout had not increased taxes for several years and had deferred a tax increase during the COVID-19 pandemic. He asked Council if they were supportive of holding a Truth in Taxation Hearing. Town Attorney Polly McLean reminded

Council they were not adopting the budget at this meeting if they were to be in favor of a tax increase. Council expressed support in holding a Truth in Taxation Hearing in August.

There being no further questions from Council, Mayor Rubin opened the floor for public comment at 7:29 p.m. There were no comments from the public, and therefore, Mayor Rubin closed the public hearing at 7:30 p.m. and asked for a motion.

Motion: Council Member Nadelberg moved to continue the budget process and hold a Truth in Taxation Hearing in August, 2022 per State requirements. Council Member Severini made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. Absent from voting: Council Member Baier. None opposed. Motion carried.

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

Mayor Rubin opened the floor for public comment at 7:30 p.m. for any items not listed on the agenda. He reminded residents a survey was sent regarding the future development of Hideout and informed Council approximately 250 responses were received as of the date of the meeting. The survey was open for residents until June 14, 2022, at which time the results would be compiled and shared with the public.

There being no further comments, Mayor Rubin closed public input at 7:34 p.m.

VIII. Agenda Items (continued)

1. Discussion and announcement of upcoming concert planned by Hideout's Vision Committee

Council Member Sheri Jacobs discussed a town-sponsored event on June 24, 2022 from 6:00 p.m. to 9:00 p.m. She mentioned there was to be a concert held and food trucks available at the Hideout Public Works building during that time. Residents could purchase tickets for ten dollars (\$10) each.

2. Consideration and possible approval for Mayor to appoint Jonathan Gunn as regular Planning Commissioner

Mayor Rubin discussed the resignation of Planning Commissioner Bruce Woelfle and asked Council to support the move of Alternate Planning Commissioner Jonathan Gunn to a voting member of Planning Commission. Council expressed their support and thanked Mr. Gunn for stepping into the roll for the Town.

3. Consideration of adopting Resolution 2022-R-XX to amend the Fee and Rate Schedule to include a water rate increase of 4% beginning July 1, 2022 as well as eliminate the reservation fees and charge a flat rate stand-by fee. Also make technical wording corrections.

Mayor Rubin presented the Fee and Rate Schedule as proposed. Town Administrator Jan McCosh explained the water rate increase, which was to be four percent (4%) beginning on July 1, 2022. Further increases would continue based on increases from JSSD.

Assistant Town Attorney Cameron Platt explained there was a duplicate water connection fee line item in Section 1.1 and Section 6.2. The Council could opt to eliminate the duplicate line in Section 1.1, or modify the wording in Section 1.1 to refer to Section 6.2. Mr. Platt recommended to eliminate the line in Section 1.1. Mayor Rubin agreed.

Motion: Council Member Severini Moved to adopt Resolution 2022-R-08 to amend the Fee and Rate Schedule to include a water rate increase of 4% beginning July 1, 2022, eliminate the reservation fees and charge a flat rate stand-by fee, and make technical wording corrections to eliminate the duplicate line in Section 1.1. Council Member Nadelberg made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. Absent from voting: Council Member Baier. None opposed. Motion carried.

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

There being no further public business, Mayor Rubin asked for a motion to close the public portion of the meeting and reconvene in Executive Session.

Motion: Council Member Severini moved to close the public portion of the meeting and reconvene in Executive Session. Council Member Jacobs made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. Absent from voting: Council Member Baier. Motion carried.

At 7:46 p.m., the public portion of the meeting was closed.

After a short recess, Mayor Rubin called the Executive Session to order at 7:55 p.m.

Present: Mayor Phil Rubin
Council Member Sheri Jacobs
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Ralph Severini

Excused: Council Member Chris Baier

Staff Present: Town Attorneys Polly McLean and Cameron Platt

X. Meeting Adjournment

At 8:30 p.m., Mayor Rubin asked for a motion to close the Executive Session and adjourn the Town Council Meeting.

Motion: Council Member Nadelberg moved to close the Executive Session and adjourn the Town Council Meeting. Council Member Jacobs made the second. Voting Yes: Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. Absent from voting: Council Member Baier. None opposed. Motion carried.

The meeting adjourned at 8:30 p.m.

Alicia Fairbourne, Town Clerk

Minutes
Town of Hideout
Town Council Regular Meeting
July 14, 2022

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on July 14, 2022 at 6:00 p.m. electronically via Zoom due to the ongoing COVID-19 pandemic.

Regular Meeting

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:02 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 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
 Town Clerk Alicia Fairbourne
 Town Building Administrator Carol Kusterle

Others Present: Bret Rutter, Glenn Seymour, Katie Shepley, and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. February 10, 2022 Town Council Minutes DRAFT

There were no corrections.

Motion: Council Member Haselton moved to approve the February 10, 2022 Town Council Meeting Minutes as presented. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Severini. Abstaining from voting: Council Member Jacobs and Council Member Nadelberg. None opposed. Motion carried.

IV. Follow up Items from Council Minutes

Council Member Severini asked if any education regarding noxious weeds was posted on the website. Town Building Administrator Carol Kusterle stated there had been education articles in the Town Newsletter beginning in January.

Council Member Severini inquired if there was a possibility of an ordinance amendment to require dogs be on-leash at all times. Mayor Rubin stated Staff had not received enough feedback from residents to suggest amending the Code, although if Council wanted to investigate further, he was open to the suggestion. Council Member Severini expressed desire to include an article in the newsletter or on the website regarding reporting aggressive animals to Heber Valley Animal Services.

Council Member Haselton suggested photos on the website to identify the more prevalent weeds located within the Town. She noted it was difficult to make the distinction between natural vegetation or plants and noxious weeds, and photos would be helpful. Mayor Rubin noted the weed remediation companies could identify the various types of noxious weeds and would only spray those.

Council Member Haselton inquired if Town Planner Thomas Eddington could provide a map of adjoining properties to Hideout and identify vacant lots where small commercial development could be constructed. Council Member Severini asked for a descriptive table showing acreage as well.

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

Mayor Rubin opened the floor for public input for any items not listed on the agenda at 6:19 p.m.

Bret Rutter – Mr. Rutter inquired if a notice could be issued stating the dumpsters and sanitation facilities were meant for the use of construction workers and were not for public use. He also agreed photos of noxious weeds and education materials posted on Hideout's website would be useful. Mayor Rubin asked Director of Engineering and Public Works Timm Dixon to post signage informing the public the dumpsters and restroom facilities were not for public use.

There being no further public comments, Mayor Rubin closed the floor at 6:24 p.m.

VI. Agenda Items**1. Discussion regarding the appropriate usage of outside water**

Mayor Rubin explained comments were made by residents who were concerned about irrigation water being used irresponsibly during the drought. Council Member Severini asked if there were any guidelines the Town could adhere to. Assistant Town Attorney Cameron Platt noted Jordanelle Special Service District (JSSD) recommended watering twice per week, but noted it was solely a recommendation and not a requirement. He noted other municipalities limited the time of the day watering could take place, and others who regulated the day of the week watering was permitted. Town Administrator Jan McCosh noted Summit County had adopted an ordinance which temporarily raised the water rates during a drought. Mr. Platt would research other municipalities' ordinances and provide a draft ordinance for the August Meeting.

2. Discussion and consideration of adopting Ordinance 2022-O-XX regarding Dark Skies Lighting

Mr. Dixon provided information regarding the lighting study which was conducted by members of the Staff. He and Mr. Eddington would conduct further studies during the summer months and provide the findings to Council. He noted the majority of the Town was in compliance aside from some street lighting. He noted one portion of the Rustler development was out of compliance.

Mayor Rubin stated some of the bulbs in the lighting fixtures exposed the sides of the lightbulbs. In order to become dark sky compliant, the light shade would be required to cover the sides of the lightbulb so the light would be directed downward.

Mr. Eddington agreed some of the lighting in Rustler and Shoreline may not be in compliance. He reiterated Mr. Dixon's statements, noting the majority of the Town was within compliance and further studies in early August would take place. He noted comments had been received from residents of the Rustler subdivision, which mentioned retrofitting the houselights to shield the sides of the bulb. Mr. Eddington explained the Dark Skies Ordinance imposed a three (3)-year timeline for which the homeowners and Homeowners Association (HOA)'s could replace those light fixtures.

Mr. Eddington mentioned other comments were received regarding the use of string or café lights, which the Dark Skies Ordinance did not address. He recommended adding language in the Ordinance which would permit string lighting except during the hours of 12:00 a.m. and 6:00 a.m. Council expressed their support.

Council Member Baier commented on Section 10.16.02 Purpose, which addressed the events to educate the public. She asked for the language to be changed from "...events will be held two times a year to educate the community ..." to "... may hold events to educate the public..." since Hideout was not committed to obtaining certification from the International Dark Sky Association. Mayor Rubin agreed.

Council Member Baier addressed the holiday lighting period noted in Section 10.16.04, which permitted holiday lighting between December 1 through March 31. She inquired if Council agreed with those dates. Discussion ensued. Mr. Eddington pointed out holiday lighting was prohibited between the hours of 12:00 a.m. and 6:00 a.m. It was determined holiday lighting would be permitted between November 15 through March 1. Council agreed with the amendment.

Bret Rutter asked for clarification between holiday lighting and string lighting. Council Member Baier stated clarification would be made in the Ordinance as not to contradict itself.

Glenn Seymour suggested permitting non-holiday string lights during times of entertainment. Mr. Eddington noted Mr. Rutter and Mr. Seymour's suggestions and would draft concise definitions for the next meeting.

Council Member Baier noted Section 10.16.06 mentioned the Kelvin temperature of outdoor recreation facilities. She researched typical standards of outdoor recreation facilities which indicated between five thousand (5000) and six-thousand five hundred (6500) kelvins was standard. Mr. Eddington would do further research to ensure three thousand (3000) kelvin temperature would be sufficient and present his findings at the next meeting.

3. Update regarding Transportation/Regional Planning

Ms. McCosh provided an update of Transportation and Regional Planning Meetings she had attended with Council Member Haselton. She noted the Utah Department of Transportation (UDOT) updated its Regional Transportation Plan every five (5) years. The renewal was in process this year and Ms. McCosh was able to meet with UDOT Region II to discuss Hideout's Trails Plan and other items she felt needed to be included in the Regional Transportation Plan.

Ms. McCosh indicated she had discussed creating a Transportation Committee with Council Member Haselton. Council Member Haselton agreed and offered to move from the Infrastructure Committee to chair the Transportation Committee. Ms. McCosh mentioned another Transportation Planning Meeting was to be held in the forthcoming week and she and Council Member Haselton would attend. She would also include an invitation to residents to become members of the Transportation Committee in the upcoming Town Newsletter.

Council Member Haselton added she had attended several Interlocal Meetings with members in Wasatch County, which primarily focused on issues related to the bypass in Heber and Highway 40. She and Ms. McCosh submitted comments stating State Road 248 needed to be addressed as well. They also made comments of the need for regional public transportation and parking in Hideout. Ms. McCosh noted Wasatch County had recently passed a Transportation Tax, which would provide funding for these types of needs.

4. Noxious weed process update

Ms. Kusterle provided an update regarding the Town's noxious weed process. She noted various Staff and a contracted weed abatement company had surveyed the various properties in Hideout which indicated there was an increased infestation of noxious weeds which could pose a problem if left untreated. She had sent out approximately two-hundred sixty (260) notices of abatement to residents, developers, and HOA's. At the time of this meeting, she indicated approximately one hundred (100) properties had not responded and were out of compliance. Mr. Platt explained what further measures could be taken toward non-compliant property owners and HOA's.

Ms. Kusterle noted Hideout Municipal Code Section 5.04.110 Standards for Weed Control stated weeds could be rototilled and could be buried under soil. She discussed with the head of the Wasatch Weed Board if rototilled weeds could continue to reproduce if buried, and he confirmed they could. She suggested the Code be amended to describe weeds should be removed completely from the property. She also noted Code should indicate there may be more than one treatment required for full remediation. Mayor Rubin recognized the Code language may need to be amended and asked the Town Attorneys to investigate the change.

Mayor Rubin stated he had discussed the excess noxious weeds at the State Park with the head of the Wasatch Weed Board. Council Member Baier stated the State Park did not have the personnel to spray for weeds though they would provide the chemicals and equipment to volunteers. Ms. Kusterle suggested making an appeal to the Wasatch Weed Board to coordinate volunteers to spray.

It was discussed to possibly implement a weed abatement fee similar to stand-by fees to each resident and lot owner in the Town and have professional weed abatement companies contracted to spray multiple times each year. Mayor Rubin would discuss with the Town Attorneys to explore the possibility.

Council Member Baier thanked Ms. Kusterle for the progress she had made in the weed abatement process. She would like for the Code to be reviewed and amended where necessary prior to starting the process in the following year. Other Council Members agreed and thanked Ms. Kusterle for her hard work. Council Member Haselton suggested having a community weed pulling day.

5. Discussion of June, 2022 survey results

Mayor Rubin presented the results from the survey which was sent to residents in June, 2022 and explained the Boulders development project had been withdrawn. Although the survey had focused primarily on the Boulders development, there were insights as to what the residents were supportive of in regard to the overall development of the Town.

Mayor Rubin provided a brief summary of the results and asked Council to review the results in detail and email him the top three (3) to four (4) takeaways for future goals. He suggested another survey and discussion around the end of the year to address future goals. Council Member Severini suggested highlighting specific questions and gathering additional feedback from the residents in order to provide clarification and additional discussion in a regular, quarterly update.

6. Discussion of nightly rentals

Mayor Rubin explained there were some developments within Hideout in which nightly rentals were permitted. There was language which required nightly rentals be managed by a professional property management company. However, there was not a mechanism currently in place to enforce that standard. Mayor Rubin wanted to discuss how the nightly rental properties could be identified, and if the Town was receiving revenues from the Transient Room Tax (TRT).

Ms. McLean suggested requiring a business license for each nightly rental in which the property management company would be detailed during the application process. She mentioned Granicus was a software company which scanned the addresses of nightly rentals and could provide those addresses to the municipality. Council Member Severini stated such software could prove to be quite costly and may not be worth the expense.

Ms. McCosh mentioned there had been discussion within communities to involve the Chamber of Commerce in the enforcement of nightly rentals, in which case, municipalities would be better equipped to respond legally if necessary.

Mayor Rubin would explore options for enforcement and present findings at a future Council Meeting.

7. Discussion and possible approval of Resolution 2022-R-XX regarding the Emergency Operations Plan

Mr. Platt reminded Council an Emergency Operations Plan (EOP) and order of succession had been adopted in November 2021. The EOP listed Wasatch County's order of succession in the document. The proposed Resolution would make an amendment to the EOP detailing the order of succession specific to Hideout.

Council Member Baier asked that training be provided to Council and Staff. Mr. Platt stated online training videos would be provided and distributed.

There being no further questions from Council, Mayor Rubin asked for a motion to approve the Resolution.

Motion: Council Member Nadelberg moved to adopt Resolution 2022-O-09 amending the Emergency Operations Plan as outlined. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. None opposed. Motion carried.

8. Poly Platform update

Mayor Rubin provided an update regarding the Poly Platform and noted Town Clerk Alicia Fairbourne had worked with the developers of the Application to review and update the functionality and design of the Application. The developers submitted the changes to Android and iOS for approval, however, because it was for governmental use, there were security measures which delayed the approval. The developers expected to gain approval in the following week. Ms. Fairbourne would contact the developers and provide links to the beta test for Staff and Elected Officials to use when it was available.

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

There was no need for an Executive Session.

VIII. Meeting Adjournment

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

Motion: Council Member Nadelberg moved to adjourn the Meeting. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Nadelberg, and Council Member Severini. None opposed. Motion carried.

The meeting adjourned at 8:31 p.m.

Alicia Fairbourne, Town Clerk