



HIDEOUT, UTAH TOWN COUNCIL REGULAR MEETING AND CONTINUED PUBLIC HEARING

September 14, 2023

Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of Hideout, Utah will hold its Regular Meeting and Continued Public Hearings electronically for the purposes and at the times as described below on Thursday, September 14, 2023.

This meeting will be an electronic meeting without an anchor location pursuant to Mayor Rubin's August 18, 2023 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 Continued Public Hearings
6:00 PM

I. Call to Order

1. No Anchor Site Determination Letter

II. Roll Call

III. Approval of Council Minutes

1. May 4, 2022 Hideout Special Meeting and Public Hearing Minutes DRAFT
2. March 9, 2023 Hideout Town Council Minutes DRAFT
3. August 10, 2023 Town Council Regular Meeting Minutes DRAFT
4. August 10, 2023 Truth in Taxation Public Hearing Minutes DRAFT

IV. Follow Up Items from Presented Council Minutes

V. Update of Golden Eagle Subdivision

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

1. Public comment letter from Karleen Callahan and Donald Blumenthal regarding building code violations in Soaring Hawk
2. Public comment letter from Kara Byrne regarding speeding and distracted driving

VII. Continued Public Hearing Items - ***These items will be continued to a date certain of October 12, 2023***

1. Discussion and possible approval of a new zoning designation of Residential Casita (RC)
2. Discussion and possible adoption of Ordinance 2023-O-XX to approve Chapter 12.25 Short Term Rental Overlay (SRO) Zone which is an overlay zoning designation that would allow short-term rentals

VIII. Agenda Items

1. Presentation from the Summit Land Conservancy
2. Presentation of quarterly Wasatch County Sheriff's Office report
3. Discussion and possible approval of adopting Ordinance 2023-O-XX to repeal and replace Hideout Municipal Code 1.26 regarding campaign finance to comply with Utah State Code 10-3-208 and 10-3-209
4. Consideration of an approval to adopt Ordinance 2023-O-XX to amend Hideout Municipal Code 4.07.02 to require a Health Department inspection and Fire Department inspection prior to receiving a business license for short-term rentals
5. Discussion of the establishment of a Water Commission for the Town of Hideout
6. Discussion of Governor's Initiative regarding "Disagreeing Better"
7. Consideration and possible approval to amend the MDA for the KLAIM Subdivision to require the subdivision's trails be maintained by the HOA
8. Discussion and possible approval of an RFP/RFI for the Town-owned land at Ross Creek

IX. Committee Updates

Planning Commission - TBD

Community Engagement Committee - *Council Member Jacobs*

Design Review Committee - *Thomas Eddington*

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

Transportation Committee - *Council Member Haselton*

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

Phone: 435-659-4739

Posted 09/13/2023



August 18, 2023

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 Resolution 2022-R-17. The facts upon which this determination is based include: The seven-day number of positive cases has been, on average, 95.4 per day since August 16, 2023.

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>

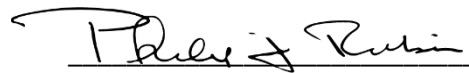
To join by telephone dial: US: +1 408-638-0986

Meeting ID: 4356594739

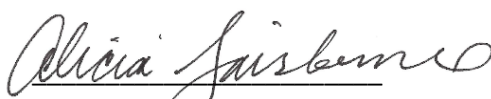
Additionally, comments may be emailed to hideoututah@hideoututah.gov. Emailed comments received prior to the scheduled meeting will be considered by Council and entered into public record.

This determination will expire in 30 days on September 17, 2023.

BY:


Phil Rubin, Mayor

ATTEST:


Alicia Fairbourne, Town Clerk



Minutes
Town of Hideout
Town Council Special Meeting and Continued Public Hearing
May 04, 2022

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting and Continued Public Hearing on May 04, 2022 at 6:00 p.m. electronically via Zoom Conference call due to the ongoing COVID-19 pandemic.

Regular Meeting and Continued Public Hearing

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:32 p.m. and reminded participants there was no physical anchor site due to the ongoing COVID-19 threat.

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 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 Engineer Ryan Taylor
 Town Engineer Dillon Bliler
 Town Clerk Alicia Fairbourne
 Deputy Town Clerk Kathleen Hopkins

Others Present: Harrison Littledyke, Mary Freeman, Rachel Cooper, Todd Ambery, McKay Christensen, Jack Walkenhorst, Sean Philipoom, Carol Tomas, Lars Anderson and others who may have logged in using a partial name or using only a phone number.

III. Continued Public Hearing Items

- 1. Continued discussion and possible approval regarding an amendment of the official Town of the 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), and R6 (Residential 6) in accordance with the proposed zoning map**

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

4 *Clerk's note: Agenda items #1 and #2 were discussed together in a broad overview of The Boulders*
5 *project.*

6 Mayor Rubin announced the discussion was a continued Public Hearing from the March 29, 2022
7 Special Meeting which was further continued at the April 14, 2022 Regular Meeting, and potential
8 approval of an amendment to the Official Zoning Map related to the proposed development of
9 The Boulders. There was also a discussion and possible approval of a Master Development
10 Agreement (MDA) for the Boulders Development.

11 Town Planner Thomas Eddington initiated the discussion and presented the staff report. Updates
12 were provided, indicating that the applicants were still preparing requested materials for Council's
13 review, some completed while others were in progress. The opportunity was presented to review
14 the project and address any inquiries or provide direction. Mr. Eddington also noted that an open
15 house had been held on April 27, 2022 introducing the project to the community and external
16 parties with successful attendance.

17 The process of finalizing a community survey was highlighted, aimed at gathering general
18 planning input unrelated to this specific project. The intention was to obtain insights on the future
19 direction of land use within the community. Mr. Eddington suggested the Town provide the
20 community with a clear timeline for upcoming meetings, mentioning the possibility of a meeting
21 on May 12, 2022, and the importance of communicating any changes promptly. He noted the
22 applicants had prepared a 3D model, which was presented during the April 27 open house. He
23 gave the option to present and discuss it further during the meeting if Council desired.

24 Mayor Rubin and Mr. Eddington discussed the relevance of the 3D model in addressing identified
25 topics. Mr. Eddington suggested moving forward with it if the model aided the discussion.
26 Following this, he presented a map outlining existing subdivisions, approvals, and entitlements
27 within the community. This map encompassed various projects, including the Hideout Canyon
28 MDA (Shoreline, Golden Eagle, and Soaring Hawk), Deer Waters, Deer Springs, Lakeview, and
29 Klaim, accounting for around twenty-five hundred (2500) units in total. The spatial layout of
30 these developments, both recent and older, was explained, highlighting their distribution across
31 the Town.

32 Mr. Eddington also noted the Richardson Flats annexation proposal from 2019-2020, which
33 covered about three-hundred fifty (350) acres, one hundred thousand (100,000) square feet of
34 commercial space, and six-hundred twenty-five (625) units, and showed the location of the
35 Boulders Development, which proposed one-hundred twelve (112) acres, approximately six-
36 hundred ten (610) residential units, hotel, bed and breakfast, and commercial development.

37 A fiscal analysis was prepared by the applicants during the prior meeting, which had been updated
38 at the Council's request to include expenditures, expenses, and revenues. The updated analysis
39 had been presented to the Economic Development Committee (EDC), and Council Member
40 Severini prepared and presented a summary of the analysis, outlining key points and revenue
41 distribution. The analysis projected that in the sixth year of the project, approximately \$1 million
42 in additional taxes could be generated for the Town. These taxes were expected to come from
43 property tax (32%), sales tax (23%), and transient room tax (40%).

1 The analysis also discussed the estimated costs associated with maintaining the Boulders within
2 the Town, including road maintenance, amounting to about \$380,000 annually. This expense was
3 factored into the financial calculations. The net increase in net revenue for the Town, after
4 deducting expenses, was projected to be around \$660,000 if The Boulders were approved.

5 There was a discussion about whether the developer fees were a revenue stream or an offset for
6 associated development costs. It was emphasized that these fees were directly related to the cost
7 of permits.

8 The presentation also addressed the potential impact of further development on the analysis. The
9 financial implications for homeowners were considered based on assessed home values, and
10 questions were raised about how these estimates might change with the growth of additional
11 homes.

12 Overall, the presentation provided a summary of the financial analysis, highlighting the projected
13 additional taxes and their potential effects on the Town's budget. The Council Members expressed
14 the need for more details and a deeper dive into the assumptions and formulas behind the analysis.
15 The analysis was expected to be further discussed in future meetings to ensure a comprehensive
16 understanding of its implications.

17 There was a discussion about the commercial development component of the proposed project.
18 Mr. Eddington introduced the topic, highlighting the importance of understanding the amount and
19 timing of commercial development, especially in relation to potential tax revenues.

20 The commercial development plan included various components such as a restaurant and retail
21 spaces within the hotel, retail space in the renovated bed and breakfast house, a proposed
22 clubhouse, and a retail pad. Additionally, there was a recommendation for additional commercial
23 square footage in the Big House Condos.

24 The Council Members discussed the significance of having a hotel on the site and the potential
25 impacts if a hotel could not be secured. Concerns were raised about the financial model and
26 whether it would collapse without a hotel, given that the transient room tax was a significant
27 revenue generator. The Council expressed a need for strict, measurable performance requirements
28 to ensure the hotel's presence within a certain timeframe.

29 Questions were raised about the potential timeline for achieving a hotel development and the
30 possibility of the land remaining vacant if a hotel wasn't built. The concept of the town potentially
31 intervening to take ownership of the land if no hotel development materialized was also discussed.

32 There were concerns about the financial implications if the commercial component didn't generate
33 the expected tax revenues. It was highlighted that the financial model depended on generating
34 additional revenue to help offset the increasing costs associated with the Town's growth.

35 The discussion emphasized the need for specificity in terms of the commercial development,
36 timelines, and revenue expectations. The potential impact on the Town's budget and identity were
37 considered key factors in determining the appropriate course of action.

38 The Council Members discussed the importance of having clear expectations and requirements
39 for the commercial development component of the project, especially in relation to generating tax
40 revenues that would support the Town's financial needs and growth plans.

41 The discussion centered around the phasing plan for the proposed development. Mr. Eddington
42 introduced the idea of having a phasing plan in the MDA to outline the timeline for different

1 aspects of the project's completion. The Council Members agreed having a clear phasing plan in
2 the MDA was important, as it provides certainty and expectations for both the Town and the
3 Developer. The concept of having a completion date and a rough timeline for the hotel and other
4 components of the project was emphasized.

5 The idea of modifying the fiscal analysis based on different completion timelines was mentioned,
6 as well as the need to adjust the revenue generation projections if the phasing plan changed. The
7 Council Members expressed interest in discussing the phasing plan in more detail and receiving
8 input from the Developers regarding their perspective on the timeline and phasing.

9 It was noted that the initial proposal showed nine (9) phases, but it was important to have more
10 specific details, and Council Member Haselton stated the hotel should be part of one of the early
11 phases. Council Members emphasized the need for transparency and clear expectations in the
12 MDA regarding the phasing of different project components.

13 The developers expressed their concerns about the feasibility of implementing a strict phasing
14 plan that mandated the construction of an \$80 million hotel by a specific timeline. Developer
15 McKay Christensen emphasized that the market conditions and demand for hotel properties play
16 a significant role in determining the feasibility of such a project.

17 Mr. Christensen highlighted that the financial investment required for land acquisition, water,
18 infrastructure, amenities, and other aspects of the development added up to around \$100 million.
19 He explained that the ability to repay this debt and equity relied on the revenue generated by the
20 hotel, which would require proper market demand to operate successfully. He questioned the
21 practicality of securing financing and investors for a project that imposed such strict requirements
22 without considering market conditions.

23 Council Members raised concerns about the changing narrative from the initial proposal, where
24 the hotel and commercial components were emphasized. Mr. Christensen clarified that they were
25 not opposed to the hotel, but that its viability is subject to market demand and the financial
26 feasibility.

27 Council Member Jacobs pointed out that the Council's concerns stemmed from wanting to ensure
28 a clear timeline and commitment to the hotel's construction, rather than completely dismissing
29 the hotel component.

30 Council asked the developers to provide a more detailed estimation of the phasing timeline and
31 their considerations for constructing the hotel. They sought a better understanding of the potential
32 timeline that took into account current economic conditions and market dynamics.

33 The conversation revolved around the developers' perspective on the project's phasing plan,
34 specifically regarding the hotel and other components. Developer Todd Ambery clarified that the
35 phasing plan mentioned in the recent communications was specifically related to the Public
36 Infrastructure District (PID) infrastructure, and there was a distinction between the timing of
37 infrastructure installation and the construction of various residential and commercial components.

38 Town Attorney Polly McLean raised a question about the clarity of the phasing plan and pointed
39 out that the Letter of Intent referred to a phasing plan in the MDA, but there was a lack of detail
40 in that regard. She inquired about the specific phasing for different components of the project,
41 such as the condo, single-family homes, townhomes, and bed and breakfast. Town Engineer
42 Timm Dixon stated an updated plan set had been received but needed further clarification
43 regarding the timeline.

1 Council Member Severini requested the developers to provide insights into their financial
2 projections for the next five (5) to seven (7) years, focusing on how they envisioned the project's
3 cash flow, given various assumptions and conditions. He emphasized the importance of
4 understanding how the developers foresee the development unfolding over time.

5 Messrs Christensen and Ambery responded by reiterating the crucial role that residential sales
6 play in driving demand for amenities and creating a sense of place, which in turn attracts the
7 interest of hotel operators. They highlighted that success begets success, with amenities being the
8 anchor that fuels the project's appeal and drives demand. They explained that they needed some
9 flexibility in the timeline for the hotel's development to ensure they secured the right operator.
10 They further noted a certain amount of infrastructure would need to be in place prior to vertical
11 development.

12 Mayor Rubin acknowledged the developers' explanations and encouraged them to further analyze
13 their phasing plan and come back with a more concrete timeline for various project components,
14 considering the expectations of homebuyers who were attracted to specific amenities and
15 offerings. He also emphasized the importance of delivering on promises to potential buyers.

16 Council Member Severini echoed the need for more details in the developers' financial analysis
17 and assumptions, which would help Council better understand their perspective and approach to
18 the project's development timeline.

19 In response, Mr. Christensen expressed willingness to work with the Town and hotel operator to
20 assess a realistic timeline for the hotel's development. He suggested that a collaborative effort
21 between the developers and the hotel operator could yield a more feasible and accurate timeline
22 projection.

23 Mayor Rubin acknowledged that there was still more to discuss and that the Council had received
24 valuable input and feedback. Mr. Eddington reiterated the need for an overall phasing plan that
25 would connect the timing of development with the implementation of amenities. Mayor Rubin
26 noted as part of the infrastructure, the developers would need to invest in obtaining enough water
27 shares for the project.

28 The discussion then shifted to the proposal's inclusion of an amphitheater. Mr. Eddington noted
29 there were two other amphitheaters proposed in the Deer Springs and Shoreline developments.
30 Mayor Rubin expressed the need to evaluate these plans and ensure that the recreational
31 components would be diverse and aligned with the Town's needs.

32 Council Member Haselton emphasized the need for a community center and Town Hall,
33 mentioning the challenges of holding virtual meetings and the lack of a suitable gathering space.
34 She questioned the continued reliance on Zoom meetings and called for attention to be given to
35 constructing a proper Town Hall.

36 The conversation evolved to touch on concerns about safety and wildlife corridors, with Council
37 Member Baier and others expressing the importance of addressing these issues within the
38 proposed development. The term "pavilion" was used to describe a building intended to serve as
39 a meeting space but not dedicated exclusively to the Town. Some Council Members expressed
40 the need for a true community center and Town Hall.

41 Messrs Ambery and Christensen responded by highlighting their efforts to address various
42 concerns and suggesting that the proposed pavilion could be used for a Town Hall if desired. They
43 mentioned they were donating \$2.5 million to the Town which could be used for a dedicated

1 Town Hall, or for an over or under pass on SR-248. They reiterated the financial commitment
2 they were making to ensure the project's success and encouraged a balanced and reasonable
3 approach to addressing the Town's needs within the development.

4 Mayor Rubin acknowledged the need for a more holistic review of existing agreements to ensure
5 that the development's amenities and commitments aligned cohesively with the Town's overall
6 vision. He emphasized that various parties, including the Council, developers, and other
7 stakeholders, would collaborate to achieve an integrated approach.

8 Council Member Severini brought up the idea of conducting a survey to gather input from the
9 community about trade-offs between connectivity and investing in a Town Hall or a more
10 controlled pavilion. He acknowledged that choices come with trade-offs and emphasized the
11 importance of community input, especially since the Town has been evolving with new
12 developments.

13 Council Member Haselton inquired about the design of the proposed pavilion, expressing her
14 understanding that it might be an outdoor building with a roof, possibly suitable for events like
15 weddings. Mr. Christensen acknowledged that they had not adequately illustrated the pavilion's
16 design. He reiterated that they had a 3D model with images that could help convey their
17 architectural direction and purpose for the building.

18 Council Member Jacobs also expressed interest in viewing the images but mentioned difficulty
19 in accessing the files previously sent. She asked for the renderings to be sent again in a different
20 format. Mayor Rubin thanked everyone for their input and directed the discussion back to the
21 main agenda.

22 The discussion moved to the topic of the developer's need for an exemption of public space,
23 specifically related to the current Hideout Municipal Code requirement of providing three (3)
24 acres of public space per one hundred (100) units of density. Mr. Eddington pointed out the need
25 to ensure that the proposed development adhered to this requirement, considering the higher
26 density of the development in question (about 600 units) and the related need for eighteen (18)
27 acres of public space in addition to the trail connections.

28 Ms. McLean clarified the Hideout Municipal Code Section 10.08.34 that outlined the
29 requirements for public space and recreational amenities. She explained that the term "public
30 space" encompasses areas like parks, playgrounds, and recreational spaces, which needed to be
31 reserved and marked on the plat as such. Mr. Christensen mentioned that they had planned for
32 more open space and amenities than the code required. However, there was a need for clarity on
33 how the proposed amenities fit into the requirement of eighteen (18) acres of public space.

34 Mayor Rubin highlighted the importance of designating areas like the pond, amphitheater, and
35 the pavilion building as public space and ensuring that it aligned with the Town's requirements.
36 The conversation focused on clarifying the different categories of space and their compliance
37 with the Code's stipulations. It was agreed that further discussions and adjustments would be
38 made to ensure that the proposed development met the necessary criteria for public space.

39 Mr. Eddington introduced item number five, requesting relief from certain requirements in the
40 Code. Mr. Christensen was asked to explain the specifics. The requested waivers included various
41 aspects like road rights-of-way, sensitive land development, stormwater basins, retaining wall
42 heights, visitor and bicycle parking, and setback requirements.

1 Council Member Severini expressed concerns about three specific aspects. First, he raised
2 questions about road width, considering the importance of emergency safety standards and
3 vehicle access. Second, he discussed retaining wall heights, questioning the need for taller walls
4 when lower walls with breaks could be aesthetically pleasing and less disruptive. Finally, he
5 voiced reservations about setback requirements, noting that maintaining adequate view sheds and
6 preventing a loss of sight had been a priority for the Town.

7 Mr. Christensen addressed Council Member Severini's concerns by providing further
8 explanations. He explained that the proposed road cross sections aimed to balance road width
9 requirements, emergency vehicle access, and minimizing disturbance to open spaces. The design
10 involved variations in utility easements on the sides of the roads. In terms of retaining wall
11 heights, he emphasized that the goal was to reduce ground disturbance by using taller walls with
12 step backs rather than extensive grading. He presented the concept that taller walls with breaks
13 would disturb less ground and contribute to a reduced footprint. This concept aligned with the
14 Town's goals of preserving natural areas, however, was not cohesive to the current Town Code,
15 which only allowed for a maximum height of ten (10) feet with a terraced step back at five (5)
16 feet.

17 Council Member Severini acknowledged the trade-offs involved with retaining wall heights and
18 expressed interest in finding a possible compromise. He suggested exploring alternatives that
19 might involve wall heights between six (6) and ten (10) feet with appropriate setbacks.

20 The main points of discussion were related to proposed changes to the Town's code, specifically
21 regarding retaining walls, road cross sections, and setbacks. The developers expressed their need
22 for modifications to the code to accommodate their development plans due to the site's
23 topography. They argued that the current Code's limitations would hinder their ability to
24 responsibly develop the site and achieve the desired density.

25 Key points of the conversation included:

- 26 1. The developers' request for modifications to retaining wall heights, road cross sections, and
27 setbacks to, from the developer's standpoint, allow for more flexible and responsible
28 development.
- 29 2. Discussion around the height of retaining walls, where the developers expressed that the
30 current Town Code's ten-foot (10') limit for retaining walls was inadequate for their plans.
- 31 3. Concerns about maintaining safe conditions for vehicles and addressing potential issues with
32 cars protruding onto roads due to steep driveways.
- 33 4. Differences of opinion on the necessity and design of curb and gutter, as well as drainage
34 swales, with the developers indicating they preferred alternatives.
- 35 5. A reminder that any changes to the Code would likely require going through the Planning
36 Commission for review and potential approval.
- 37 6. Input from Town Engineers Timm Dixon and Ryan Taylor, about the importance of
38 addressing issues related to steep slopes, drainage, and erosion.

39 The conversation indicated that both sides acknowledged the need for further discussions and
40 potential adjustments to specific aspects of the proposed development and Code modifications. It
41 was also suggested that the developers provide more detailed information about the proposed
42 variations in retaining walls, road sections, and setbacks, along with their rationale.

1 The Council Members expressed the need for a more detailed review of the proposed changes,
2 potential impacts, and potential alternatives before making any decisions.

3 Discussion ensued regarding design standards for a development project. The issue of submitting
4 design guidelines and standards was raised, which had been a customary practice for the Town
5 Council in past similar projects. It was mentioned that these standards were usually requested
6 along with the submission of an MDA, and the involvement of the Town Planner, Planning
7 Commission, or Council Member as part of the Design Review Committee (DRC) was
8 anticipated. However, it was noted that no design guidelines or standards had been submitted for
9 the current project.

10 Mr. Christensen shared that creating architectural design guidelines is a comprehensive process
11 that involved architects, marketing teams, branding teams, and architectural teams working
12 together to establish the theme and style of the development. This process was usually extensive
13 and expensive and was integrated into the Covenants, Conditions, and Restrictions (CC&R's) of
14 the project. He indicated that, at the current stage, they hadn't delved into this aspect of the project
15 due to the time and complexity involved.

16 Mr. Eddington proposed the idea of making the submission of architectural guidelines a condition
17 of MDA approval. This would ensure that the design standards were established before
18 proceeding with the project's further stages, such as preliminary or final plat approvals. Mr.
19 Christensen then suggested making the submission of these guidelines a condition for recording
20 the first plat. He explained that this would mean the development couldn't proceed until the
21 architectural guidelines were in place, giving the Council control over plat approvals.

22 The Council Members expressed their perspectives. Some highlighted the importance of having
23 a clear understanding of design standards upfront, while others mentioned that it need not be
24 detailed architectural rendering but could include precedent images and simplified concepts.
25 There was a discussion about the timing of the submission and a need for clear definitions.
26 Council Member Severini emphasized the necessity of establishing a timeline that allowed for
27 adequate review by the Council, given the late submission of the materials from the developers.

28 Mr. Eddington agreed that providing a timeline for upcoming meetings and material presentations
29 was essential for transparency and community involvement. He also acknowledged the need to
30 include the designer in discussions.

31 The discussion moved on to the topic of developer contributions to the Town. The proposal
32 involved contributing \$2.5 million for a pedestrian tunnel, with \$500,000 to be paid annually for
33 the first five years. In addition to this, consideration was given to the conveyance of rights of way
34 to the community, which would come with commitments for Town Staff, such as snowplowing,
35 maintenance, and road repair. The developer suggested a commitment of five hundred dollars
36 (\$500) of every building permit to be set aside for snow maintenance and snowplow equipment.

37 Mr. Eddington sought Council's input on whether they found this proposal acceptable and a
38 potential compromise. Clarifications were made regarding the \$500 payment per building permit
39 and the intention of this fee to offset maintenance costs. The conversation touched on the need to
40 address maintenance expenses upfront, the potential for private road maintenance, and the
41 ongoing nature of maintenance costs over the years. Council members raised concerns about the
42 calculation of the proposed numbers and how they align with the Town's needs.

1 Mr. Dixon shared his concerns about playing catch up with maintenance expenses after roads
2 were installed. Ms. McLean emphasized the possibility of having the HOA take over maintenance
3 responsibilities to alleviate costs for the Town.

4 The discussion continued with considerations about the formula for affordable housing and the
5 percentage of units dedicated to this purpose. Mr. Eddington explained the lack of a specific
6 requirement for affordable housing but indicated that twenty-eight (28) affordable housing units
7 out of five hundred ninety-nine (599) units seemed reasonable based on a percentage comparison.
8 It was agreed to refine the numbers and provide a clearer breakdown of unit types and their
9 allocation in the project.

10 Mr. Eddington addressed an issue concerning undisturbed land. He clarified that undisturbed land
11 referred to land that remained untouched, with vegetation, grading, and landscaping intact. He
12 highlighted that there had been some confusion regarding the definition of undisturbed land and
13 the need for further grading due to the proposed density. The conversation led to a discussion
14 about open space versus undisturbed land. Mr. Christensen, in response, acknowledged the
15 confusion and explained that they had provided necessary documentation, including a concept
16 map and rezoning application, as per the public notice requirements. He described their plans for
17 preserving undisturbed land at approximately fifteen percent (15%) of the site and addressed the
18 mistaken impression that forty-five percent (45%) of the site would be undisturbed. Mr. Ambery
19 further clarified the distinction between undisturbed land and traditional open space and noted
20 that their plans had been adapted to meet Planning Commission and Council requests. Mr.
21 Eddington acknowledged the misunderstanding caused by the map and invited Council members
22 to provide input regarding the lower percentage of undisturbed land than originally thought.

23 Council Member Baier expressed the need to return some details, particularly those related to
24 undisturbed land and other planning aspects, to the Planning Commission for further
25 consideration. She believed that certain issues were more suitable for the Planning Commission
26 to handle and didn't want these discussions to hinder the Council's regular business. Council
27 Member Severini and Council Member Haselton shared their agreement with this approach and
28 mentioned interactions with Planning Commission members who felt the same. Council Member
29 Jacobs also supported seeking Planning Commission's opinions on certain matters. Council
30 Member Nadelberg added that public opinion should be considered through a survey before
31 making any decisions and expressed his skepticism about the proposed development, suggesting
32 that it might not benefit the town.

33 The discussion shifted to polling the town constituents, with Town Administrator Jan McCosh
34 noting that a survey would be sent via SurveyMonkey soon. Council Member Severini
35 recommended waiting until after the next Planning Commission meeting to release the survey,
36 allowing their input to be factored in. Council Member Nadelberg emphasized the importance of
37 seeking the townspeople's opinions and suggested waiting to gather more clarity on the
38 Richardson Flats area's development before making a decision. Ms. McLean provided an update
39 on the Richardson Flats area, explaining that the annexation had been deemed void by the Fourth
40 District Court and that an appeal was planned after a final judgment was entered.

41 It was noted that at some point, Mayor Rubin had dropped off the call, and therefore, Council
42 Member Baier would be conducting as Mayor Pro Tempore.

43 Mr. Eddington concluded by summarizing the remaining points of discussion. He mentioned that
44 most of the report had been covered and would continue working on connectivity with Mr. Taylor,

1 who had to leave the call. There was a proposed connection to Golden Eagle, which involved a
2 main access road passing through private property, leading to challenges that needed resolution
3 with the collaboration of various parties. Regarding the delineation of housing types and numbers,
4 he noted that earlier discussions had addressed the breakdown of single-family lots, Casitas,
5 villas, and townhouses. Messrs Ambery and Christensen had committed to providing more
6 detailed figures for these housing types to the Town Council in the near future.

7 There being no further items on the staff report and no further questions from Council, Mayor Pro
8 Tempore Baier opened the floor for public input at 9:37 p.m.

9 *Carol Tomas* expressed several concerns during the meeting. She brought up the issue of
10 undisturbed land and questioned its definition, particularly in relation to the potential
11 masquerading of areas similar to Lakeview Estates and Deer Springs. She sought clarification on
12 the concept of undisturbed land and the impact of retaining walls. She also expressed worries
13 about water availability, considering the current state of the reservoir level and the water demands
14 posed by over six hundred (600) housing units. She questioned the necessity of multiple
15 amphitheaters and suggested that some areas might be better suited for open space. The topic of
16 the hotel was also raised, with Ms. Tomas referencing the Black Rock Resort Hotel off SR-248
17 and inquiring about its occupancy rates and potential implications for the proposed development.

18 Mr. Eddington clarified Ms. Tomas' concern about undisturbed land. He explained that
19 undisturbed land referred to untouched and native landscape where the vegetation remained
20 intact. He assured that the definition would be defined clearly and indicated on a map in
21 collaboration with Messrs Ambery and Christensen.

22 Ms. Tomas expressed her concern about the potential impact of reducing undisturbed land from
23 forty-five percent (45%) to five to fifteen percent (5-15%). She mentioned her personal
24 experience with an area designated as open space but rendered unusable due to its steep grade.
25 She worried that if undisturbed land was reduced and replaced with artificial grass that may not
26 thrive in the local drought conditions, it could affect the natural appearance of the environment
27 and the appeal of the area to residents. She urged everyone to consider these factors when making
28 decisions.

29 There being no further public comment, Mayor Pro Tempore Baier closed the public input portion
30 at 9:43 p.m.

31 Mr. Christensen shared his perspective on the open house held in April, noting that the event
32 received a positive response from attendees who expressed enthusiasm about the project. He
33 mentioned that the project's vision might become clearer when viewing the site in person. Mr.
34 Ambery added that the open house had gone well, and the feedback received was largely positive.

35 Council Member Severini expressed his desire for more diverse public input and mentioned that
36 any positive responses might have been influenced by the audience at the open house. He also
37 emphasized the significance of hearing from a broader range of residents.

38 Council Member Nadelberg provided a contrasting viewpoint, stating that while the project might
39 seem attractive in isolation, there were concerns about its overall benefits and density for the
40 Town.

41 Council Member Haselton shared the concerns she had heard from residents at the open house,
42 which included worries about water availability, the density of the development, access to
43 amenities, and the impact on the Town's character.

1 The Council proposed a schedule for further deliberations and decision-making regarding the
2 development project. Council Member Baier suggested that the Planning Commission should
3 review the current plan during their next meeting, which was on May 19, 2022. After that, the
4 Council would aim to have a follow-up meeting on June 2, 2022 to continue discussing the
5 project. The Council agreed on the idea of having the Planning Commission review specific
6 sections and changes related to planning aspects during their next meeting. The goal was to ensure
7 that the Planning Commission's and Council's reviews would align and provide clarity for further
8 decision-making.

9 At 9:50 p.m., Mayor Rubin rejoined the call.

10 Council Member Severini emphasized the need for specificity in the project's details and
11 requested that the Planning Commission review the specific variances and changes being
12 proposed. Council Member Baier agreed and suggested that the Council should focus on specific
13 Code sections, and Section five (5) and eight (8) of the staff report, and potentially others relevant
14 to the proposed changes. Mayor Rubin noted the importance of having the Planning Commission
15 focus on planning-related aspects during their review.

16 Council Member Severini raised questions about the legal aspects of the MDA, and whether Ms.
17 McLean needed specific clarifications and responses to her comments in the MDA before
18 proceeding. He expressed concern about the potential complexity of the MDA discussions and
19 wanted to ensure that the Planning Commission's focus would be on key points.

20 Council Member Baier supported the idea of focusing on specific sections for the Planning
21 Commission's review and agreed that highlighting the relevant changes and differences for the
22 Planning Commission would be helpful.

23 Mayor Rubin suggested that the Planning Commission Chair should be informed of the specific
24 sections that they need to focus on to avoid any confusion or unnecessary discussions. The goal
25 was to streamline the Planning Commission's review and ensure that their recommendations
26 aligned with the Council's intentions.

27 Council Member Severini also asked about the timing of sending materials to the Planning
28 Commission. Polly McLean mentioned that it would be ideal to provide the materials as soon as
29 possible to give the Planning Commission adequate time for review before their next meeting on
30 May 19. She suggested sending the relevant sections of the Council packet that related to the
31 Planning Commission's focus areas, along with any necessary explanations.

32 Council Member Severini inquired about the process of voting on the project and related actions.
33 He sought clarification on whether these actions would be voted on together or separately. Ms.
34 McLean explained that the current plan involved three separate actions: approving the MDA,
35 approving the zone change, and approving the Letter of Intent for the PID. Each of these actions
36 would have its own resolution associated with it.

37 Council Member Severini also asked about the order of these actions. Polly McLean suggested
38 that it would likely make sense to discuss and vote on the MDA first, followed by the Letter of
39 Intent and the zone change. The conversation indicated that these actions are interconnected and
40 needed to be addressed separately but as part of a comprehensive process.

1 **IV. Meeting Adjournment**

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

3 ***Motion: Council Member Nadelberg moved to adjourn the meeting. Council Member Severini***
4 ***made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council***
5 ***Member Jacobs, Council Member Nadelberg, Council Member Severini. None opposed. The***
6 ***motion carried.***

7 The meeting adjourned at 10:19 p.m.

8
9
10
11
12 _____
13 Alicia Fairbourne, Town Clerk
14

Minutes
Town of Hideout
Town Council Regular Meeting and Public Hearing
March 09, 2023

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting and Public Hearing on March 09, 2023 at 6:00 p.m. electronically via Zoom due to the ongoing COVID-19 health concerns.

Regular Meeting and Public Hearing

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 for the meeting due to the ongoing COVID-19 health crisis.

II. Roll Call

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

Excused: Council Member Bob Nadelberg

Staff Present: Town Administrator Jan McCosh
 Town Attorney Polly McLean
 Town Planner Thomas Eddington
 Director of Public Works Daniel Allen
 Director of Engineering Timm Dixon
 Recorder for Hideout Alicia Fairbourne
 Administrative Assistant Carol Kusterle

Others Present: Ed Orourke, Jason Boal, Planning Commissioner Tony Matyszczyk, Damian Taitano, Planning Commissioner Donna Turner, Patrick McLearn, Jamie MacKay, Jack Walkenhorst, and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. December 8, 2022 Town Council Meeting Minutes DRAFT

Council member Haselton had several grammar corrections, which she would send via email to Recorder Alicia Fairbourne after the meeting.

Motion: Council Member Haselton moved to approve the December 8, 2022 Town Council Meeting Minutes with corrections. 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. The motion carried.

IV. Follow Up Items from Approved Minutes

Council Member Severini addressed Town Administrator, Jan McCosh. The concern was about receiving examples from Randy regarding the community renewal agency discussed during the December meeting. The intention was to potentially share these examples with the Economic Development Committee (EDC). Council Member Severini asked whether the examples had been obtained, and Ms. McCosh responded stating that the examples had not been acquired due to the discussions being temporarily suspended after the meeting with bond counsel. She expressed willingness to resume those discussions and gather the examples. Council Member Severini acknowledged the response, emphasizing the usefulness of having those examples for future reference.

V. Update on Golden Eagle Subdivision

Mayor Rubin invited Director of Engineering Timm Dixon to provide information. Mr. Dixon reported that progress was being made in the subdivision, particularly in installing phase 2 utilities despite ongoing snow. Letters had been dispatched to lot owners outlining remaining tasks, along with recent emails to individuals with pending building permits. Discussion shifted towards water testing, and Town Attorney Polly McLean shared that no significant changes had occurred since the last letter was issued in February. She mentioned the need to confirm water pressure tests before the Town could approve it. She mentioned ongoing correspondence with the developers, outlining weekly updates and proactive communication efforts.

Mr. Dixon elaborated that they were in constant communication with the developers, urging completion of pending items. Ms. McLean inquired whether any items from the February 3 letter had been completed, to which Mr. Dixon responded negatively. Mayor Rubin inquired about additional pressure testing, and Mr. Dixon indicated uncertainty but noted the possibility of progress, especially regarding line inspections. Mayor Rubin requested Mr. Dixon to check with the relevant individuals and provide an update to him after the meeting.

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

At 6:11 p.m., Mayor Rubin opened the floor for public input on matters not listed in the meeting's agenda. He clarified that public input on the Annexation Policy Plan would be entertained during the subsequent discussion. Mayor Rubin instructed attendees to raise their hand via Zoom to make comments.

Ed Orourke was the first to speak. In his introductory statement, he mentioned that this was his first meeting after breaking ground in the Soaring Hawk community. He raised a concern regarding the Town's formal procurement policy. Specifically, he inquired if the Town had a policy for procurement uses that impacted the budget and residents. He mentioned the decision to change suppliers for water meters resulted in a quadrupled cost for a water meter compared to the previous one. Mr. Orourke expressed interest in understanding the reasoning behind this decision and requested information about the Town's procurement policy.

Mayor Rubin responded, confirming the existence of a formal procurement policy. He explained that this policy outlined approval levels and the number of bids required at different stages of procurement. He noted that higher procurement levels required Council approval. Ms. McLean added that the purchasing policy could be found in the Hideout Municipal Code under Chapter 1.16.

Mr. Orourke continued by questioning whether any procured products or services were marked up and passed on to residents to fund items beyond the specific product. He used the example of water meters. Mayor Rubin responded that water meters included both parts and labor for installation, and while there were associated costs, they did not constitute a markup to fund other items.

The discussion continued with Mayor Rubin explaining that the fees for services like water meter installation were specific to the service provided and were not used to move funds from one budget category to another. Mr. Dixon added that they had compared water meter costs in nearby cities and towns to ensure the charges were consistent.

Mayor Rubin concluded by offering to provide Mr. Orourke with detailed information about the elements that contributed to the total cost per installation and comparisons with costs in other locations.

There being no further comments from the public, Mayor Rubin closed public input at 6:20 p.m.

VII. Public Hearing

1. Discussion and consideration of amending the Town's Annexation Policy Plan to include additional acreage in Wasatch County, southeast of Hideout

Mayor Rubin introduced item seven on the agenda, which involved a public hearing, discussion, and consideration of amending the Town's Annexation Policy Plan to include additional acreage in Wasatch County, southeast of Hideout. He noted that since the matter had been reviewed by the Planning Commission, Staff had been working with Wasatch County and potential parties that might further expand the map, which could lead to changes. Due to this ongoing work, Mayor Rubin recommended not adopting the amendment until more information was available.

Town Planner Thomas Eddington provided an overview of the proposed Annexation Declaration Area (ADA) expansion. The map showed the current Town boundary, the existing ADA boundary, and the proposed expansion area. He mentioned the Benloch Ranch concept plan, which was the driving force behind this expansion, was presented to the Planning Commission on February 16, 2023. Mr. Eddington explained that although the concept plan had been submitted to the Planning Commission, no formal annexation petition had been filed. He detailed the concept plan's components, which included the potential for:

- 800 single family homes
- 300 condos and casitas
- 500 townhomes
- 30,000 square feet of golf course and lodge
- 35,000 square feet of community retail

1 Mr. Eddington noted these numbers were an estimate, which would be detailed once an
2 annexation petition was submitted and accepted.

3 Mr. Eddington continued by aligning the concept plan with the Town's General Plan goals,
4 emphasizing that while this discussion involved the expansion of the ADA and not the annexation
5 itself, the concept plan appeared to align with the Town's goals. He also discussed the goals of
6 the ADA plan, which focused on various aspects like infrastructure, schools, open space, and
7 balanced tax base.

8 The discussion was then opened to Council for input and questions regarding the proposed
9 annexation policy plan expansion and the related concept plan.

10 Council Member Baier raised concerns about the proposed expansion of the ADA, particularly
11 with the large physical separation between the current Town boundaries and the potential
12 annexation area due to Jordanelle Reservoir. She questioned the feasibility of the expansion
13 considering this distance and the limited opportunities for direct connectivity.

14 Mayor Rubin responded by noting that although the expansion area was not directly connected to
15 the existing Town, it still fell within the scope of what a municipality could annex from
16 unincorporated county land without crossing county lines. He also mentioned that the expansion
17 aligned with the Town's goals and vision, including the creation of diverse housing, recreational
18 amenities, and revenue growth opportunities.

19 Mr. Eddington emphasized that the Council's concerns were valid and that these aspects,
20 including the quality-of-life benefits, connectivity, infrastructure, and fiscal impact, would be
21 thoroughly explored during the annexation petition process. He also mentioned that a third-party
22 fiscal analysis would provide a clear understanding of the benefits and implications of the
23 proposed expansion.

24 Council Member Baier also discussed the existing boundaries and the potential for expansion on
25 the north and east sides of Hideout, inquiring about any consideration of including any additional
26 parts of Summit County. Mr. Eddington and Council Member Baier engaged in a discussion about
27 the complexities and opportunities associated with the proposed expansion and its alignment with
28 the Town's goals.

29 Council Member Severini expressed the importance of conducting a thorough economic analysis
30 before proceeding with the annexation expansion. He mentioned that while there were potential
31 benefits, the Town needed a clear understanding of the economic implications, including revenue
32 and expenses associated with the expansion. He emphasized the need for comprehensive data and
33 analysis to make informed decisions.

34 Council Member Severini also brought up the concerns raised by Jordanelle Special Service
35 District (JSSD) about non-contiguous land and the potential for including state land to establish
36 continuity. He suggested that sharing information about how the connectivity could be achieved
37 might alleviate some of their concerns.

38 Furthermore, Council Member Severini inquired about a specific cutout on the map and whether
39 it was part of Heber City's jurisdiction. Mr. Eddington clarified that the cutout was indeed within
40 Heber City's Annexation Plan boundaries, but it was permissible. Finally, Council Member
41 Severini mentioned that understanding Heber City's stance on the annexation could provide
42 insights into their concerns and decisions.

1 During the discussion, Council Member Haselton raised concerns about the environmental impact
2 of constructing additional golf courses all within the same area due to their high water
3 consumption. She expressed her reservations about water scarcity, even though the region had
4 experienced a hearty winter.

5 Council Member Haselton also echoed Council Member Baier's concerns regarding the physical
6 separation between the proposed annexation area and the current Town boundaries. She
7 questioned the practicality of residents traveling long distances to reach the new area for
8 commercial purposes and recreational activities. She discussed a possible site visit once the snow
9 melted.

10 Council Member Severini inquired about other potential annexation areas and whether there were
11 any viable options adjacent to the proposed boundaries. He suggested exploring contiguous open
12 land that could potentially accommodate concentrated commercial development to benefit the
13 Town.

14 Mayor Rubin and Mr. Eddington explained that the annexation expansion area was being
15 considered based on various factors, including available land, development opportunities, and the
16 existing legal framework. They acknowledged the potential for adjustments in the future and
17 emphasized that they were exploring different options to ensure the Town's growth and
18 development aligned with its goals and needs.

19 There being no further questions or comments from Council, Mayor Rubin opened the floor for
20 public input at 7:04 p.m.

21 *Damian Taitano* raised two questions. First, he suggested that the Town should consider making
22 the ADA as large as possible in order to avoid the need for repeated expansion in the future. He
23 emphasized that there were no legal repercussions for including more land within the ADA and
24 suggested that the Town plan for the long term by maximizing the size of the ADA at this point.

25 Second, Mr. Taitano inquired about the benefits that projects like Benloch Ranch would gain from
26 being annexed into the Town. He questioned whether there were advantages that these projects
27 would enjoy within the Town's jurisdiction that they wouldn't have in their current jurisdiction.
28 Mr. Eddington and Mayor Rubin discussed that projects might be interested in being annexed due
29 to alignment with the Town's vision, the ease of working with the Town's community, the
30 potential for different housing styles, or differences in codes and ordinances.

31 Mayor Rubin also responded to Mr. Taitano's point about making the ADA as large as possible.
32 He explained that while there may not be legal downsides to doing so, there could be challenges
33 in addressing the concerns of landowners within the expanded area who might fear being annexed
34 without their consent.

35 *Jamie Mackay*, representing Benloch Ranch, encouraged Council to move forward with the map
36 adoption for the ADA expansion. Mr. Mackay emphasized that Benloch Ranch was not a small
37 annexation and had undergone careful consideration in collaboration with the Town's Staff. He
38 explained that while the map adjustment was being discussed, the actual annexation process
39 involved detailed planning and may include workforce housing, open space, and sustainable
40 features.

41 Mr. Mackay expressed the urgency of moving forward due to limitations imposed by Wasatch
42 County and the need to ensure the economic viability of the project. He requested that the Council

adopt the map expansion now and proceed to the next steps, acknowledging that Benloch Ranch had worked diligently to align its plans with the Town's vision.

Mayor Rubin sought input from Town Staff, particularly Mr. Eddington and Ms. McCosh, on the feasibility of making potential adjustments to the ADA in the near future. Mr. Eddington and Ms. McCosh provided insights into the possibilities and challenges, indicating that while minor adjustments might be feasible without significant delay, major changes might necessitate additional public hearings and processes.

After further discussion, the consensus among the Council was to move forward with the map adoption for the ADA expansion now, and if there were potential opportunities for further expansion, these could be addressed later, even if it required subsequent map adjustments and additional public hearings.

Council Member Severini asked about potential costs associated with making changes to the ADA, and it was clarified that the primary cost would be Staff time, including mapping and coordinating, but there were no significant legal fees or filing costs.

Council Member Haselton raised concerns about potential repercussions from Heber City or the possibility of litigation due to the expansion of the ADA. She questioned whether there might be any costs involved in a potential lawsuit or legal action from Heber City.

In response, Mayor Rubin expressed his belief that there wouldn't be any significant legal issues or litigation stemming from the expansion of the ADA. He explained that having overlapping maps is legally permissible and that the purpose of the map adjustment was to indicate potential areas for future annexation if landowners and the Town come to an agreement. Mayor Rubin didn't anticipate the Town being sued over a map.

Ms. McLean and Ms. McCosh both shared the sentiment that the risk of litigation due to the ADA expansion was minimal. They indicated that there hadn't been any threats of legal action related to this matter. Ms. McCosh also mentioned that she reached out to the Heber City Manager, and he was supportive of the ADA expansion and didn't see it as a cause for concern.

There being no further questions from Council or the public, Mayor Rubin closed public input at 7:23 p.m. and asked for a motion.

Motion: Council Member Jacobs moved to amend the Town's Annexation Policy Plan to include additional acreage in Wasatch County, southeast of Hideout as shown on the map. Council Member Severini 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. The motion carried.

VIII. Agenda Items

1. Consideration to appoint alternate Planning Commissioner Rachel Cooper as a regular voting member of the Planning Commission

Mayor Rubin discussed the resignation of a member from the Planning Commission and the subsequent need to fill the vacancy. He informed the Council that Rachel Cooper, an alternate member of the Planning Commission, had been recommended by Tony Matyszczyk, the Chair of the Planning Commission, to move into a regular voting member position.

Mayor Rubin explained that appointments to the Planning Commission required the advice and consent of Council. He then sought the Council's support for the appointment of Ms. Cooper as a regular voting member of the Planning Commission. The mayor mentioned that there were also plans to recommend additional alternates to fill vacant positions on the Planning Commission.

No questions were raised, and therefore, Mayor Rubin asked for a motion to appoint Ms. Cooper as a regular voting member of the Hideout Planning Commission.

Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed.

2. Consideration of approving Ordinance 2023-O-XX amending Hideout Municipal Code regarding noxious weeds

Mayor Rubin discussed the efforts made in the previous year to control and address the issue of weeds within the Town. He praised the work of staff members and contractors who contributed to the progress achieved. He acknowledged the challenges faced in inspecting properties, contacting lot owners, and ensuring compliance.

The Staff's recommendation was presented to shift the responsibility of reporting weeds to landowners rather than relying solely on inspections. Ms. McLean explained the key alterations to the weed control process. The primary change was placing the responsibility on landowners to submit reports detailing their weed management efforts. Additionally, the requirement for a six-inch (6") height threshold was replaced by the need to remove the entire root system. The weed list would be based on the state weed list, and certain properties controlled by Homeowner Associations (HOA's) would be maintained by their respective HOA. There was a discussion regarding setting a specific deadline for reporting, with concerns raised about the variation in weather affecting weed growth. The possibility of using a flexible date range was discussed, and the idea of notifying property owners of any changes on the Town's website was considered. It was decided to amend the language to state "Lot owners must report to the Enforcement Officer in writing by no later than May 15th (unless otherwise notified) annually the following:".

Administrative Assistant Carol Kusterle highlighted the successful response from landowners in the previous year and mentioned efforts to collaborate with developers and HOA's for better compliance.

Ms. Kusterle discussed specific weed species and their eradication, addressing concerns about invasive plants like foxtail and yellow clover, even though they weren't classified as noxious weeds. Council Members expressed appreciation for the proposed changes, highlighting the need for public awareness and understanding of reporting deadlines. The issue of including additional invasive plants like foxtail and yellow clover in the ordinance was discussed, with the agreement to revisit the idea at a later time. The Council agreed that the proposed changes were in the right direction to address weed control and made suggestions to further refine the ordinance.

The need to address the issue of the white-topped plant in the Shoreline area was brought up, indicating that a discussion with the HOA was necessary. The inclusion of the noxious weeds photos into the Ordinance was discussed. It was decided they were not necessary due to the list potentially changing from year to year.

There being no further questions from Council, Mayor Rubin called for a motion to adopt Ordinance 2023-O-03 with amendments included in Exhibit 1.

Motion: Council Member Baier moved to adopt Ordinance 2023-O-03 amending Hideout Municipal Code regarding noxious weeds with the amendments as discussed. 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. The motion carried.

Mayor Rubin and Council thanked Ms. Kusterle and the rest of the Staff for their work and continual efforts to eradicate the noxious weeds within the Town. The Ordinance changes would be communicated to property owners, and the process would be implemented to ensure effective weed control and compliance with regulations.

3. Consideration of an approval of Resolution 2023-R-XX granting a one-time extension for the recordation of the KLAIM Phase 4 subdivision

Mayor Rubin mentioned that this was the second time the extension would be discussed, as the previous version had some typos and required corrections. Ms. McLean explained that after discussions with Ms. Fairbourne, they decided to use Resolutions for tracking extensions in the future, as it would make it easier to manage changes and explanations for extensions.

Mayor Rubin acknowledged that there was no significant difference from what was previously approved, and the Resolution simply put the extension in a formal document. Mr. Eddington confirmed that everything remained the same as approved, and the extension was for six months.

Council Member Baier suggested proceeding without further questions and getting the approval done quickly, which was agreed upon by Mayor Rubin.

There being no questions from Council, Mayor Rubin asked for a motion.

Motion: Jacobs moved to approve Resolution 2023-R-03, granting a one-time extension for the recordation of the KLAIM Phase 4 subdivision. 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. The motion carried.

4. Consideration of an approval of Resolution 2023-R-XX granting a one-time extension for the recordation of Overlook Village Lots 38 and 39 Driveway Amendment

Mayor Rubin explained that this was regarding the lots in the Overlook Village Subdivision located at the bottom of Hideout Canyon, specifically lots 38 and 39. He mentioned that the extension was needed due to typos and errors made during the previous discussion.

Mr. Eddington noted that this Resolution was similar to the previous agenda item, involving a six-month extension and the correction of typos. Mayor Rubin acknowledged the adjustment, which corrected the typos in Section 2, Findings of Fact #1 and #2 to Hideout Canyon (Overlook Village), from the previous error stating Soaring Hawk Subdivision.

Council Member Baier calculated the correct end date of the extension, which was September 8, 2023 as clarified by Mr. Eddington. It was mentioned that the extension was granted a month early due to anticipated needs.

A discussion arose regarding the title of the Resolution. Council Member Baier emphasized the importance of specifying "Overlook Village" instead of the broader term "Hideout Canyon" in the title. Mr. Eddington suggested adding "Overlook Village" in parentheses to clarify in the

Findings of Fact sections of the resolution. Both Mayor Rubin and Council Member Baier agreed to this change.

Mr. Eddington offered to send the corrected resolution language to Mayor Rubin and Ms. Fairbourne, ensuring the necessary changes were made. Mayor Rubin expressed agreement with this approach, and the discussion concluded with the Resolution being updated with the correct language for clarity.

There being no questions from Council, Mayor Rubin called for a motion.

Motion: Council Member Haselton moved to approve Resolution 2023-R-04, granting a one-time extension for the recordation of Overlook Village Lots 38 and 39 driveway amendment as corrected. 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. The motion carried.

5. Consideration of adopting Resolution 2023-R-XX authorizing Town Treasurer Jake McHargue access to the Town's Public Treasurer's Investment Fund (PTIF) account

Mayor Rubin presented Resolution 2023-R-05 which would authorize Town Treasurer Jake McHargue to access the Town's Public Treasurer's Investment Fund (PTIF) account. Mayor Rubin explained that this Resolution was required due to statutory obligations and clarified that there were two aspects to the Resolution: confirming participation in PTIF and granting Jake McHargue access to the account. Ms. McCosh confirmed the standard nature of this Resolution, mentioning that Treasurers are bonded and that procedures were in place to reduce the risk of fraud.

There was a brief discussion about the forms provided by the state and the distinction between confirming participation and authorizing access. The need to add Mayor Rubin's name to the authorization list was suggested, and it was agreed that the Mayor's name would be added alongside Jake McHargue's. Council Member Baier asked about the current authorized users. It was clarified that Mayor Rubin and former Treasurer Wes Bingham were the authorized users, however, Mr. Bingham was no longer working for the Town. This Resolution was the process for adding and removing authorized users.

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

Motion: Council Member Severini moved to adopt Resolution 2023-R-05, authorizing Town Treasurer Jake McHargue access to the Town's Public Treasurer's Investment Fund account. 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. The motion carried.

6. Discussion and follow up of action items discussed at the Council Retreat

Mayor Rubin began by mentioning the Council Retreat held in January, and his request for updates on action items from the discussion. The individuals primarily responsible for these items were Ms. McCosh, Financial Advisor Katie Shepley, Mr. Eddington, and Mr. Dixon.

Ms. McCosh provided an update on the progress regarding a five-year plan for capital improvements, public works, and infrastructure. The emphasis was on refining the plan and

1 understanding expenses, repairs, and necessary improvements. The plan's details were being
2 worked on, with involvement from various parties.

3 Mayor Rubin inquired about whether the progress would be part of the upcoming budget review,
4 which was confirmed by Ms. McCosh.

5 Mr. Eddington discussed the ongoing work related to the State Park entrance area. This involved
6 community visioning and a written plan being developed in collaboration with the EDC. The goal
7 was to address the entrance and explore mixed-use or commercial development opportunities. A
8 presentation to the Planning Commission was anticipated.

9 Ms. McCosh also highlighted the efforts made toward economic development. The focus was on
10 enhancing the Town's proficiency in economic development, including expanding the committee
11 to involve regional players who could contribute to the Town's goals.

12 The discussion then shifted to exploring funding sources. This included grants and gifts to
13 supplement necessary work and infrastructure expenses. Offers of assistance from the community
14 were being considered, and progress was evident, particularly in connection with the Town's five-
15 year plan and substantial infrastructure needs.

16 Another topic of discussion was determining the impact of providing space for public services
17 such as fire, emergency, and police. The context was that the fire district had expressed interest
18 in collaborating as the Town grows. The implications of such a collaboration were being explored,
19 including tax implications and potential costs. There was a consideration of the value of allowing
20 nearby services and how it might help offset costs. The potential use of a triangle parcel for fire
21 services and mixed-use development was discussed, along with its proximity to the Klaim area,
22 where a public trail network was being considered. Mayor Rubin highlighted the importance of a
23 holistic vision for any potential development, even in phases, to ensure efficient use of space and
24 infrastructure.

25 Ms. McCosh and Mr. Eddington elaborated on the possibility of utilizing space for public
26 services. The collaboration with the Wasatch County Manager was highlighted, and discussions
27 covered both the financial and planning aspects. Utilizing space for a multipurpose building was
28 discussed, potentially funded through CIB (Community Impact Board) funding.

29 Mayor Rubin assured the Council that work was ongoing on the retreat's action items. Regular
30 updates were planned to keep everyone informed, and eventually, outcomes would be brought to
31 the Council for review and approval.

32 Council Members expressed appreciation for the progress and hard work, emphasizing the
33 significance of planning for emergency services and community development.

34 **IX. Committee Updates**

35 **1. Planning Commission - Planning Commission Chair Tony Matyszczyk**

36 During the Planning Commission update, Planning Chair Matyszczyk expressed gratitude to the
37 Council for appointing Ms. Cooper to a Commission seat.

38 Planning Chair Matyszczyk provided an overview of recent discussions within the Planning
39 Commission and reported that the Planning Commission extensively reviewed the amendment
40 related to the annexation, which the Council had discussed and passed during this meeting. He
41 also mentioned the involvement of the Wasatch Fire Chief and discussions about a parcel of land

1 in Hideout which could be designated for a fire station. Planning Chair Matyszczyk had been
2 contacted by the architect regarding potential rezoning of the land, but no commitments had been
3 made.

4 Regarding a development project, Planning Chair Matyszczyk shared that they had received a
5 concept plan for the former "Boulders Development," which was proposed as the "Bloom in
6 Hideout" project. He offered to provide details about the project, but Mayor Rubin suggested that
7 the Planning Commission discuss it further during their next meeting.

8 Planning Chair Matyszczyk mentioned that Commissioner Jonathan Gunn would be attending a
9 Land Use conference in April on behalf of the Planning Commission. He indicated that due to
10 travel schedules, there might not be a Planning Commission meeting in April, but they would
11 accommodate any pressing matters if needed.

12 Mayor Rubin suggested submitting names of potential Alternate Planning Commissioners to the
13 Council prior to the April Council Meeting in order for Council to appoint the two alternate
14 members to ensure a quorum for a potential April Planning Commission meeting. Planning Chair
15 Matyszczyk mentioned that he was in touch with three potential candidates for the two roles of
16 Alternate Planning Commissioners, and he would reach out to them shortly.

17 Mayor Rubin thanked Planning Chair Matyszczyk for the Planning Commission's hard work.
18 Planning Chair Matyszczyk reciprocated the appreciation and acknowledged the efforts of Ms.
19 Fairbourne and Mr. Eddington, which contributed to the efficiency of the Commission's work.

20 Mayor Rubin reiterated the Council's appreciation for the Planning Commission's dedication and
21 the crucial role they play in the Town's development. Planning Chair Matyszczyk acknowledged
22 the teamwork between various parties, making their tasks more manageable. Mayor Rubin
23 expressed gratitude for everyone's collaboration.

24 **2. Design Review Committee (DRC) - Thomas Eddington**

25 Mr. Eddington provided an update on the Design Review Committee (DRC). He mentioned that
26 there were no meetings held during the current month, and as a result, he had no new
27 developments to report. He stated that he would provide a comprehensive update in the next
28 month's meeting, which would likely include information on the upcoming phase of the Deer
29 Springs project.

30 **3. Community Engagement Committee - Council Member Jacobs**

31 Council Member Jacobs provided an update on the activities of the Community Engagement
32 Committee. She highlighted the progress made during their recent meeting. One Committee
33 member was collaborating with Ms. Fairbourne to enhance communication with residents,
34 utilizing platforms such as the app and Facebook to engage them effectively. Another member,
35 Jan DeFazio, secured a \$1,500 grant from All West for summer events and was also exploring
36 potential funding from Rocky Mountain Power. The committee had organized its first summer
37 event scheduled for July 28, featuring a live band and food trucks. For the winter, they were
38 planning a snowshoe event, tentatively set for March 26 or April 2, with arrangements for a coffee
39 and hot chocolate truck. Additionally, the Committee was considering arranging a ski day for
40 residents with Deer Valley ski passes to come together for a shared skiing experience.

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

Council Member Chris Baier provided an update on the Parks, Open Space, and Trails (POST) Committee's recent activities. During their meeting on February 14, the Committee welcomed Jason Whittaker from Jordanelle State Park. Discussions encompassed a range of topics, including potential summer events, volunteer activities, and the possibility of a Jordanelle State Park pass for Hideout residents. Ms. Kusterle also joined the meeting to assist with website updates, communication strategies, and the formulation of a mission statement for the Committee.

Following the meeting, the Committee engaged in email correspondence to outline a set of projects categorized by short-term, mid-term, and long-term goals. The intention was to deliberate on the projects which could be initiated in 2023 during their upcoming meeting, fostering significant progress in the Committee's endeavors. Despite weather-related setbacks and the impact of snow, collaborations with Mr. Whittaker had proven beneficial to the Committee's work.

5. Transportation Committee - Council Member Haselton

Council Member Haselton reported on the status of the Transportation Committee. She indicated that there hadn't been any new developments on the transportation front and mentioned that decisions were not likely to be made until after the ski season concludes.

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

Ms. McLean stated there was no immediate need for a Closed Executive Session and that she would be sending an email to Council to provide general updates.

Ms. McLean informed Council that arguments were presented in the Supreme Court regarding the Richardson Flats Annexation and they now await the Court's ruling and opinion. Council Member Baier inquired about the expected timeline for the ruling, which Ms. McLean explained that the Supreme Court's timeline varies, ranging from a few months to a year for issuing a written ruling.

Mr. Dixon provided a follow-up regarding the Golden Eagle Subdivision pressure testing discussed earlier and mentioned that the Public Works Staff had not received any requests from Mustang for the testing. Mayor Rubin thanked Mr. Dixon for the update.

Mayor Rubin expressed gratitude towards Director of Public Works Daniel Allen, Mr. Dixon, and the Public Works Team for their exceptional efforts in managing the challenging task of plowing roads during severe winter conditions with high winds. He acknowledged that although some residents may have voiced concerns or complaints, overall, the Team's performance ensured that residents were not significantly hindered by the snow and that they were able to navigate the roads. He also mentioned that certain berms near HOA properties caused minor issues but emphasized that the Team's dedication was greatly appreciated. He noted plans for a debrief with the Public Works Staff to analyze lessons learned from the winter and ensure that the Town was adequately equipped for similar extreme weather events in the future.

XI. Meeting Adjournment

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

Motion: Council Member Baier moved to adjourn the meeting. 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. The motion carried.

The meeting adjourned at 9:01 p.m.

Alicia Fairbourne, Recorder for Hideout

Minutes
Town of Hideout
Town Council Regular Meeting - RESCHEDULED
August 10, 2023

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on August 10, 2023 at 5:00 p.m. electronically via Zoom due to the ongoing COVID-19 health concerns.

Regular Meeting

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 5:03 p.m. and reminded participants there was no physical anchor site for the meeting. He mentioned Staff was obtaining bids and pricing for electronic audio and visual equipment which would allow in-person participation at Town Hall and anticipated it would be set up for the October meeting.

II. Roll Call

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

Excused: Council Member Sheri Jacobs

Staff Present: Town Administrator Jan McCosh
 Assistant Town Attorney Cameron Platt
 Director of Engineering Timm Dixon
 Director of Public Works Daniel Allen
 Recorder for Hideout Alicia Fairbourne
 Financial Consultant Katie Shepley

Others Present: Jonathan Gunn, Andrea Spaulding, Christina Harris, Damian Taitano, Doug Silver, Candice Rydalch, Kim Black, Korey Walker, Polly Powell, Brad Mason, and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. February 9, 2023 Town Council Meeting Minutes DRAFT

There were no corrections to the minutes.

Motion: Council Member Nadelberg moved to approve the February 9, 2023 Town Council Meeting Minutes as presented. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Nadelberg, Council

Member Severini. Absent from voting: Council Member Jacobs. None opposed. The motion carried.

2. Follow up of items related to minutes

Mayor Rubin inquired if Town Engineer Timm Dixon had planned on conducting an emergency operations plan drill, which had been deferred due to weather conditions. Mr. Dixon assured Council that the drill's priority had been raised.

Council Member Severini raised the matter of the Communication Committee and asked if it had been integrated into another Committee. Recorder Alicia Fairbourne acknowledged her role in enhancing communication via the Town's mobile app. The focus was aimed for increased user engagement. She noted other plans for improving the Town's website were contingent upon budget approval.

Council Member Baier inquired about the possibility of using doorknob hangtags to bolster adoption rates for the app. Town Administrator Jan McCosh mentioned that there were reservations from some residents about introducing another app, while Council Member Baier expressed the importance of various communication mechanisms, including the app. A newsletter was also mentioned as an active communication channel, which she had contributed ideas for articles to.

Council Member Severini addressed concerns about the Town's communication methods and the need to define benefits regarding the Community Engagement Committee's activities. Mayor Rubin argued that the Town's reliance on apps was in line with modern practices. Suggestions to enhance content creation and sharing were raised by Mayor Rubin and Council Member Severini.

Council Member Severini mentioned unresolved topics in the Transportation Committee, including parking solutions and alternate transit options. Council Member Haselton provided updates on transportation matters, particularly discussions about Richardson Flats and potential transportation initiatives.

Mayor Rubin clarified that due to time constraints, the meeting needed to conclude by 5:59 p.m., as the Truth in Taxation meeting was scheduled for 6:00 p.m. Any unfinished agenda items would either be carried over to the next month's meeting or discussed in an additional meeting, depending on the Council's decision. The time adjustment was made to accommodate changes in state code regulations regarding meetings after the Truth in Taxation session. The aim was to address as much content as possible during the present meeting while acknowledging the potential for incomplete coverage.

IV. Update of Golden Eagle Subdivision

Mayor Rubin reported that building permits were being issued and construction was commencing on the homes. Despite questions arising about Certificates of Occupancy (CO's), it was clarified that CO's wouldn't be applicable until a later stage, as the construction process took approximately a year. Discussions were ongoing with Hideout Local District 1. These discussions aimed to determine whether the District would manage any infrastructure within the Golden Eagle subdivision.

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 at 5:18 p.m. and reviewed the process for commenting to those on Zoom and dialing in via telephone.

Damian Taitano expressed concerns about the Golden Eagle subdivision's infrastructure. He acknowledged the ongoing discussions with the District and sought clarity regarding the acceptance of infrastructure elements before the CO's stage. He highlighted the importance of proactive action to prevent potential issues that could arise later. He then addressed the topic of road construction and inquired about the status of the shoulders. Mayor Rubin clarified that the roads and water systems were in the process of being accepted, although certain issues persisted with the sewer system's design, particularly related to the distance between manholes.

Mr. Taitano further inquired about the status of the stormwater plan submitted by Mustang Development. Mr. Dixon informed him that one set of comments on the plan had been received by the Town and was returned with comments to the developer's engineer. No further updates had been received since then. Mr. Taitano appreciated the information provided and acknowledged the Mayor's transparency. Mayor Rubin assured that updates on infrastructure acceptance would be regularly communicated to the community.

There being no further comments, Mayor Rubin closed public input at 5:24 p.m.

VI. **Agenda Items**

1. **Consideration of an approval to adopt Ordinance 2023-O-XX to amend Hideout Municipal Code 4.07.02 to require a Health Department inspection and Fire Department inspection prior to receiving a business license for short-term rentals**

Assistant Town Attorney Cameron Platt presented proposed updates to the ordinance related to short-term rentals. The changes aimed to enhance safety and regulation by requiring inspections and approvals from the Health Department and Fire Department. Mr. Platt explained that the inspections would ensure compliance with health and safety standards for public accommodations, including fire safety measures. Questions were raised about the specific requirements of these inspections, as well as the annual timeframe for renewals.

Council Member Baier suggested that the details of the inspections be reviewed before passing the regulation. Council Member Severini also recommended adding an annual inspection requirement, as practiced in Park City. Mayor Rubin agreed with the addition of an annual inspection clause.

Council Member Baier questioned the urgency of voting on the regulation that night, considering the importance of other topics on the agenda and the need for further discussion and adjustments. Mayor Rubin and Mr. Platt confirmed there was no immediate urgency to vote on the ordinance, and adjustments could be made based on the discussed feedback and inspection details. It was noted that this ordinance was linked to the forthcoming discussion on the nightly rental overlay zone. The decision was made to delay the vote, incorporate the suggested changes, and gather more information about the inspection requirements from the Fire Department and Wasatch County Health Department. Mr. Platt agreed to make the adjustments and collect the necessary information for the next meeting.

2. **Discussion and possible approval to authorize the Mayor to execute an agreement with Asphalt Preservation in an amount not to exceed \$341,997.17 for the repair and maintenance of roads within Hideout**

The discussion revolved around a proposed road repair project, which was contingent on the approval of the budget. The bid for the project was \$342,000, while the budget allocated approximately \$327,000 for the project. Mayor Rubin and Mr. Dixon discussed the possibility of adjusting the project scope or expenses to bring it closer to the budgeted amount. Council Member Baier raised concerns about the limited number of bids received and suggested considering earlier timing for bidding in the future to attract more competitive bids.

Council Member Severini voiced his intention to move the project forward despite the budget concerns and the limited bidding response. The Mayor, Council Members Baier and Severini, and Mr. Dixon all discussed the importance of maintaining the roads before winter and addressing the issues related to previous road projects, such as avoiding damage to vehicles from newly applied materials.

Council Member Severini expressed his willingness to move the project forward, and a motion was proposed to authorize the Mayor to execute an agreement with the selected contractor for the road repair project within the budget amount.

Motion: Council Member Severini moved to authorize the Mayor to execute an agreement with Asphalt Preservation in an amount not to exceed \$341,997.17 for the repair and maintenance of roads within Hideout. Council Member Nadelberg made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Nadelberg, and Council Member Severini. Absent from voting: Council Member Jacobs. None opposed. The motion carried.

3. **Discussion regarding the speed bump location on Shoreline Drive and reinstating speed bumps in Deer Waters (Time permitting)**

Mayor Rubin presented differing viewpoints from residents who either wanted the speed bumps removed due to noise concerns during winter or wanted them to remain to address speeding issues. The discussion centered around the installation and potential removal of speed bumps in the Town.

Council Member Baier suggested involving traffic consultants to provide recommendations, potentially exploring alternative traffic calming measures like dividers or narrowing strategies. Mayor Rubin and Mr. Dixon mentioned that they have previously contracted with traffic experts and could consult them for advice on the best course of action. Council Member Severini proposed expanding the scope of the traffic consultant's review to consider other key roads in the town for potential speed bump installations.

Council Member Haselton expressed concerns about the noise caused by the speed bumps and suggested exploring different types of speed bumps that may generate less noise. She also asked whether placing speed bumps at the entrances and exits of neighborhoods would be more effective.

Overall, it was agreed that a more thorough investigation and consultation with traffic experts would be valuable before making a decision. The idea of widening the scope of the consultant's

review was also supported. The consensus was to continue discussing the issue in the next Council Meeting and possibly involve traffic experts for their recommendations.

4. Discussion of a new Water Committee (Time permitting)

This item was not discussed due to time constraints.

VII. Committee Updates (Time permitting)

1. Planning Commission

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

3. Transportation Committee - Council Member Haselton

These items were not discussed due to time constraints.

VIII. Continued Public Hearing Items These items will be continued to a date certain of September 14, 2023 at 6:00 p.m.

1. Discussion and possible approval of a new zoning designation of Residential Casita (RC)

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

Mayor Rubin indicated that public hearing items related to new zoning designation and a short-term rental overlay were deferred to a later date, specifically September 14, 2023 at 6:00 p.m.

The meeting was set to conclude, and a new meeting was scheduled to begin for the Truth in Taxation discussion.

IX. Meeting Adjournment

Mayor Rubin asked for a motion to adjourn.

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

The meeting adjourned at 5:55 p.m.

Alicia Fairbourne, Recorder for Hideout

Minutes
Town of Hideout
Truth in Taxation Public Hearing
August 10, 2023

The Town Council of Hideout, Wasatch County, Utah met in Truth in Taxation Public Hearing on August 10, 2023 at 6:00 p.m. electronically via Zoom due to the ongoing COVID-19 health concerns.

Truth in Taxation Public Hearing

6:00 PM

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:04 p.m. and reminded participants there was no physical anchor site for the meeting.

II. Roll Call

Present:

Mayor Phil Rubin
 Council Member Chris Baier
 Council Member Carol Haselton
 Council Member Bob Nadelberg
 Council Member Ralph Severini

Excused:

Council Member Sheri Jacobs

Staff Present:

Town Administrator Jan McCosh
 Assistant Town Attorney Cameron Platt
 Director of Engineering Timm Dixon
 Director of Public Works Daniel Allen
 Recorder for Hideout Alicia Fairbourne
 Financial Consultant Katie Shepley

Others Present: Jonathan Gunn, Andrea Spaulding, Christina Harris, Helen Sherman, Brad Mason, Robert Green, Candice Rydalch, Deb Oliver, Craig Sherman, Jaxi Gallagher, John Mark, Shaun Hicks, Deb Drain, Glen and Donna Frick, John Leone, Dori Schmalzle, Phil Blake, Jeff Schiff, Dale Aychman, Polly Powell, and others who may have logged in using a partial name or using only a phone number.

III. Agenda Items

1. **Public hearing to accept public comment regarding the proposed FY 2024 Budgets and proposed tax rate of .000465 and associated revenue estimated at \$278,436**

Mayor Rubin opened the meeting to discuss the proposed Fiscal Year 2024 budgets and the associated tax rate. Financial Consultant Katie Shepley began by explaining the budget details. Total taxes showed an increase of \$67,000 compared to the prior year, mainly due to higher property tax, sales tax, and energy tax revenues. Licenses and permits revenue also increased by \$263,000 due to an uptick in licenses and permits. The City had invested all excess funds and was earning interest between four and a half to five and a half percent (4.5 - 5.5%).

Ms. Shepley highlighted a new addition to the budget: \$189,000 allocated provided by the state for street repair and maintenance. This would help offset expenses in the street repair category, which amounted to \$297,000. Overall, the operating income for the Town was about \$573,000 better than the prior year.

Moving to expenses, there was an increase of \$227,000 in total professional services due to more building permits. Various other expenses were explained, including salary and benefit changes, administrative costs, and public safety expenditure increases. Mayor Rubin inquired about addressing the deficit and using excess funds, to which Ms. Shepley explained the plan to control expenses, capitalize street repairs where possible, and use capital funds.

Mayor Rubin emphasized the need to find alternatives to consistently using reserves to cover deficits and suggested looking into growth strategies. Ms. Shepley mentioned potential use of property and sales taxes from development districts, while acknowledging that major revenue from growth might not materialize until Fiscal Year 2026. Mayor Rubin and Ms. Shepley agreed that property taxes would likely need to increase to address the deficit.

Mayor Rubin encouraged challenging the budget further by deferring hiring, delaying certain projects, and reassessing professional service costs. He emphasized the importance of passing the budget and adjusting it later as needed.

Ms. Shepley continued with an overview of the Enterprise Fund, focusing on water services. She explained the operating income of \$1,005,061 and operating expenses of \$1,008,866, resulting in a \$304,000 deficit. She discussed revenue sources, including water and sewer services, storm services, and standby water fees. She noted that although there was an increase in revenue, the surplus from the previous year led to the current shortfall. There were expectations of increased revenue from water meter and connection fees due to anticipated increase of certificates of occupancy.

Expenses were highlighted next, particularly related to salaries and benefits, which showed an unfavorable change due to shifts from part-time to full-time employment, new employees, and family health benefits. The Public Works Department's expenses

1 increased due to sewer system maintenance, water line repairs, and various new charges
2 for maintenance and repairs. Administration costs also showed an increase primarily due
3 to inflation and website design.

4 Mayor Rubin inquired about addressing the shortfall, questioning the use of capital funds.
5 Ms. Shepley explained that the Water Fund had retained earnings and available cash to
6 cover the shortfall.

7 Council Member Baier asked about the fluctuations in state revenue for the Class C Road
8 funds, and Ms. Shepley explained it was based on a formula that took into account the
9 growth of roads throughout the state, with Utah's overall road growth outpacing the
10 Town's, leading to a proportionally smaller allocation of funds.

11 Mayor Rubin expressed his dissatisfaction with the ongoing deficits and the need to find
12 solutions that didn't deplete reserves. He challenged the Staff to find ways to address the
13 gaps while still maintaining necessary operations.

14 There being no further questions from the Council, Mayor Rubin opened the floor for
15 public input at 6:25 p.m.

16 *John Mark* raised a concern about the proposed budget's dependence on licenses and
17 permits income, especially in light of potential economic changes due to fluctuating
18 interest rates and reduced building activity. He highlighted the fixed nature of most
19 expenses and the reliance on variable income sources, expressing worries about a larger
20 shortfall if income projections don't materialize.

21 Ms. Shepley acknowledged the concern and mentioned plans to analyze the budget in
22 terms of fixed and variable expenses. She agreed with the need to reevaluate the Town's
23 tax structure and consider potential revenue sources like commercial development and
24 nightly rentals.

25 Mayor Rubin agreed with the concerns and outlined areas where adjustments could be
26 made, such as looking at timing for hiring, in-house engineering, snow removal
27 equipment, and spreading out street repair projects to reduce upfront costs. He mentioned
28 bringing professional services in-house may not help with the deficit because the cost of
29 some of those services were passed through to the developer.

30 Ms. Shepley emphasized the importance of addressing maintenance needs to avoid further
31 problems and provided insight into the Town's limited staff resources. Mayor Rubin
32 acknowledged the challenges faced by the small staff, mentioning instances where town
33 officials had to step in to help during extreme weather conditions.

34 *John Leone* began by offering his expertise in professional services and expressed interest
35 in discussing ways to reduce costs.

36 He then brought up concerns about the wear and tear on Town streets caused by
37 developers using heavy trucks for construction activities. He proposed the idea of charging
38 developers additional fees for using public streets as thoroughfares for transporting
39 materials, given the substantial impact on road infrastructure.

1 Mayor Rubin acknowledged Mr. Leone's concerns and expressed agreement, mentioning
2 that bonds are held from developers until roads are accepted and that other communities
3 impose fees based on vehicle weight. He agreed with Mr. Leone's observation about the
4 noise and disturbances from the heavy trucks.

5 Mr. Leone also suggested the Zoom meeting chat feature be enabled for participants to
6 submit questions. Council Member Baier mentioned the potential for abuse of the chat
7 feature and expressed support for verbal communication to ensure effective dialogue
8 during the meeting.

9 *Council Member Nadelberg* started by inquiring about whether the total tax revenue
10 mentioned earlier was solely from Hideout Town or also included Hideout Local District.
11 It was clarified that the mentioned revenue pertained only to Hideout Town and not the
12 District. He then shared his thoughts on property taxes in Hideout, pointing out that
13 compared to other municipalities, Hideout's property taxes were relatively low. He
14 acknowledged that a potential tax increase of around 30% might not have a significant
15 impact on individual homeowners. He expressed his support for being fiscally responsible
16 and maintaining essential services.

17 In response to a question about property valuation reassessments, it was discussed that the
18 county was on a plan to reassess all properties over a few years. The impact of property
19 valuations on tax revenues was explained, and it was noted that assessed value changes
20 might not directly translate to tax changes for Hideout due to complex factors involved in
21 property taxation.

22 Council Member Severini brought up changes in the tentative budget since it was
23 discussed in June and clarified some uncertainties. He asked about any other potential
24 changes that might affect the budget. Mayor Rubin and Ms. Shepley discussed changes in
25 the budget, including adjustments in the Water Fund due to changes in revenue estimates
26 and adjustments related to road maintenance.

27 Council Member Severini emphasized the importance of controlling expenses in the short
28 term and building revenue in the long term. He mentioned a spreadsheet comparing tax
29 rates in different towns and the need to find a balance between raising taxes and managing
30 expenses. Other Council Members shared their agreement that the proposed tax increase
31 was nominal and discussed their perspectives on the matter. It was generally agreed upon
32 that the proposed tax increase of 3.9% was reasonable and necessary.

33 There being no further public comments, Mayor Rubin closed public input at 6:58 p.m.

34 **2. Consideration and possible approval of Resolution 2023-R-XX to adopt a Final Tax**
35 **Rate of .000465 with Form PT-800**

36 Mayor Rubin asked for a motion to approve a resolution to raise the tax rate .000465.

37 ***Motion: Council Member Nadelberg moved to approve Resolution 2023-R-10 to adopt***
38 ***a Final Tax Rate of .000465 with Form PT-800. Council Member Severini made the***
39 ***second. Voting Yes: Council Member Baier, Council Member Haselton, Council***

Member Nadelberg, and Council Member Severini. Absent from voting: Council Member Jacobs. None opposed. The motion carried.

3. Discussion and possible approval to adopt Resolution 2023-R-XX adopting the FY24 budgets

Mayor Rubin mentioned that the next item to address was the adoption of a resolution to approve the Fiscal Year 2024 budgets. This was necessary to formalize the budget approval process. The adoption of the Resolution would encompass various subsets of the budget, allowing for the proper management and allocation of funds for the upcoming fiscal year.

Motion: Council Member Baier moved to adopt Resolution 2023-R-11 adopting the FY24 budgets. Council Member Nadelberg made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Nadelberg, and Council Member Severini. Absent from voting: Council Member Jacobs. None opposed. The motion carried.

Mayor Rubin expressed his gratitude to all participants in the meeting and reiterated his commitment to addressing the budget shortfall. He acknowledged that while it might not be possible to completely close the gap, he was confident that with the collaboration of the team, they could work to tighten the budget further. He also mentioned that unless unexpected circumstances arose, they should be able to bring the actual budget expenses lower than the projections presented during the meeting.

IV. Meeting Adjournment

There being no further business, Mayor Rubin asked 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 Nadelberg, and Council Member Severini. Absent from voting: Council Member Jacobs. None opposed. The motion carried.

The meeting adjourned at 7:01 p.m.

Alicia Fairbourne, Recorder for Hideout

Sept. 6, 2023

From Karleen Callahan and Donald Blumenthal, 11515 N. White Tail Ct, Soaring Hawk

Summary: At least 4 violations of the Hideout regulations regarding construction activities have recently occurred on White Tail Court in the Soaring Hawk subdivision:

Code 10.04.26 regarding containerization of construction debris

Code 10.04.28 regarding limits of disturbance

Code 10.04.32 regarding hours of operation

Code 10.04.34 regarding signage

Chronology of recent events that appear to have violated the aforementioned codes in Soaring Hawk subdivision of Hideout.

Monday, August 28th:

House on lot 98 is under construction:

Skid steer loader started moving excavation rocks from back of property of Lot 98 to the adjacent undeveloped lot 99 and dumping them at top where they were piling up near the street. Also some of them rolling down the hillside including onto our property lot 100 (11515 N. White Tail Ct).

Karleen called Kathleen Hopkins (neighbor across the street) as she could see the issue and works in the Building Department of Hideout. Kathleen said she would let Dan Allen (Public Works Dept) know. Karleen also tried to text Timm Dixon and Dan Allen but discovered on Tuesday morning that the first text she sent to them didn't go through.

Tuesday, August 29th:

Karleen sent an early morning text to both Timm and Dan showing 3 pictures of all the trash debris that had accumulated over several months from construction on lot 98 with no container as required by regulations. Dan promptly responded that "my guy that does code will go see and issue a ticket." The contractor did have a dump truck start removing all the rocks that had been piled up on the adjacent lot 99.

BUT....

Later that day, the skid steer operator starting pushing rocks down the hillside behind the house on lot 98. This debris was clearly past both the LOD and the property boundary for lot 98. Karleen again sent Timm and Dan a text with 2 pictures showing the skid steer way down the hillside. The response was "Thanks for letting us know" from Dan.

Karleen also e-mailed to Mayor Rubin the same 5 photos and descriptions as above.

Wednesday, August 30th:

Mayor Rubin responded to Karleen that the "Public Works is on it". And over the next couple of days, most (but not all) of the trash was picked up and removed.

However, the crew doing clean-up of excavation materials at the back of lot 98 property continued to push rocks and dirt down the hillside beyond the property line which has now clearly disturbed existing vegetation including a large stand of mature mountain junipers.

Thursday, August 31st:

A construction crew on the southern section of White Tail Ct completely blocked the street with a rig that was unloading sheet rock. A housecleaning service that had finished their job at a house below the rig around 10:00 was trying to drive up the street for their next appointment and was told that the road would be blocked for the next hour. Consequently, the 3 women in the housecleaning crew had to walk up the hill in order to make their next appointment in the neighborhood. But soon after that time, the construction crew was observed moving their equipment so that other contractors could move through the blockage. So clearly it was possible for the rig to allow the housecleaning crew to drive by and one wonders whether the fact that these cleaners were Hispanic and women made any difference in their failure to clear the street egress?

Dan was again texted by Karleen and he promptly responded that someone would come and talk to them. She asked whether some prior notification to residents if a long street closure is required isn't a requirement but apparently there is no such code at this time.

Saturday, Sept. 2nd:

Construction workers at the first house on the west side of White Tail Ct after the road splits continued to work outside past 7 pm. At 8 pm, I (Karleen) walked over and told them in Spanish that "no more work was allowed after 7 pm" so they discontinued making noise outside.

A designer on the property asked if I'd spoken with the owners but I responded that since there was no sign on the site, I didn't have any contact information.

At least 8 properties currently under construction do not have required signage. Others may have signage but it's often not visible as it is knocked over on the ground or propped at the side of the house.

Questions:

1. Are the existing homeowners expected to monitor construction activities and routinely report violations to the Building and Permit departments?
2. Are any contractors actively being warned and/or fined for building violations and held responsible for damages such as destruction of existing vegetation adjacent to their property?

3. Should there be notifications to homeowners in the neighborhood if there is a planned prolonged (more than 15 minutes) disruption to road traffic, water, electricity or other basic infrastructure?

Although most of the contractors follow the regulations, these recent violations are annoying and it seems like those at fault expect no consequences for their actions. We know that other homeowners have had similar situations. We appreciate that Dan is very responsive whenever contacted but don't know how often warnings result in any fines or stop work orders. As taxpayers in Hideout, we find these situations very frustrating. Any suggestions or guidance that can be offered by the Town Council will be greatly appreciated.

Karleen and Don

From: [K B](#)
To: [hideoututah](#); [Phil Rubin](#); [Chris Baier](#); [Ralph Severini](#); [Carol Haselton](#); [Sheri Jacobs](#); [Bob Nadelberg](#)
Subject: Caution: ExternalSpeeding and Distracted Driving
Date: Wednesday, September 6, 2023 9:54:21 AM

Some people who received this message don't often get email from **Redacted**. [Learn why this is important](#)

Good morning Mayor Rubin and our Hideout Council,

We appreciate your time serving on the Town Council. Your time and attentiveness to these matters are so important to us. Hideout is our home, where we have decided to lay our roots and start our family. But right now, we don't feel heard or supported as a neighbor with a small family.

I would like to share my concerns about distracted driving and speeding, which my family feels is an urgent and escalating matter in our community. As the mother of a 1 1/2 yr old living on Shoreline Drive, my concerns have accelerated to anxiety as I leave my house to take my daughter on a stroller walk. I have attempted to reach out to Mayor Rubin on this matter twice and have yet to receive a response. I have spoken with someone at Public Works, and I felt my concerns were dismissed.

The driving in our community has been an issue that has been troubling to our family for some time.

We do our best to best to play our part to help. My family is committed to driving safely and will continue to drive the speed limit and avoid distracted driving. We put out a turtle slow sign when we are playing in the driveway and acknowledge the drivers (with toddler waves) who are driving cautiously on our stretch of road. As I said before, I have reached out to Mayor Rubin twice and have yet to receive a response on how we can have a civil and constructive conversation about how we can approach this as a community. I have yet to receive any response for that matter. I am very open to being a part of a constructive and collaborative conversation around this.

Can we please add this to the agenda for the meeting on 9/14?

Thank you,
Kara Byrne
11865 Shoreline

Protecting open lands with conservation easements



Hideout Town Council
September, 2023

A Conservation Easement is...

A binding, perpetual agreement between a landowner and a conservation easement holder to protect conservation values.

A Conservation Easement Holder is...

A non-profit 501(c)3 organization, government agency, county or municipality

Conservation Easement Act (Title 57-18-1-7)

C.M. LANSCHÉ

Conservation Easement Myths

"If I put my land under conservation easement, I have to allow public access."

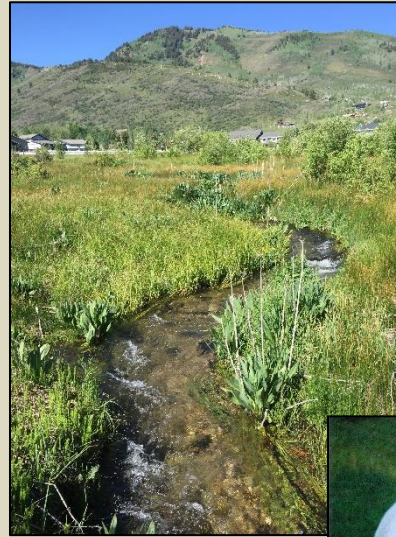
"If it put my land under conservation easement, the government can make me change what I do with it."

"A conservation easement is a government taking, by eminent domain."

What are Conservation Values?

Item # 1.

- Wildlife Habitat
(aquatic and terrestrial)
- Water Quality
- Agricultural Productivity
- Scenic View Sheds
- Public Recreation



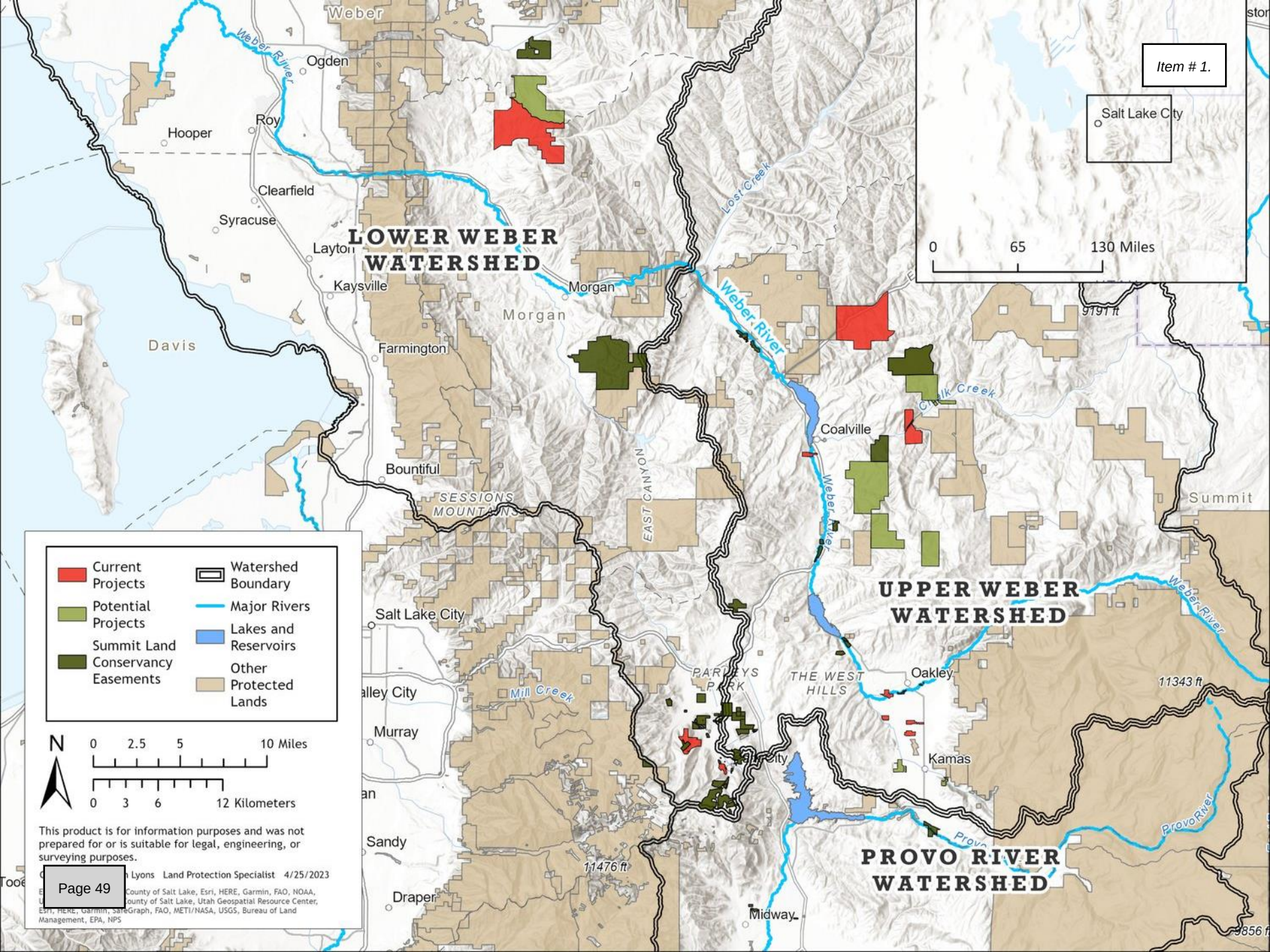
The start of a new path

Stewardship is an ongoing relationship with the land and the landowner. Every time we accept a new easement we accept a permanent responsibility. It costs money.



Summit Land Conservancy

- First Easement: 2002
- Total Easements: 50
- Total acreage: About 10,000 acres
- Agricultural Easements purchased: 13
- Easements with municipalities: 20
- Private land Easement donations: 5
- Fee Title properties: 2



Item # 1.

Salt Lake City

0 65 130 Miles

LOWER WEBER WATERSHED

UPPER WEBER WATERSHED

PROVO RIVER WATERSHED

- Current Projects
- Potential Projects
- Summit Land Conservancy Easements
- Watershed Boundary
- Major Rivers
- Lakes and Reservoirs
- Other Protected Lands

N
0 2.5 5 10 Miles
0 3 6 12 Kilometers

This product is for information purposes and was not prepared for or is suitable for legal, engineering, or surveying purposes.



FOR THE FUTURE

Thank you



Kate Sattelmeier
Summit Land Conservancy
kate@wesaveland.org

ORDINANCE #2023 – O – XX
AN ORDINANCE REPEALING AND REPLACING
TITLE 1 CHAPTER 26 CAMPAIGN FINANCE

WHEREAS, the Hideout Council (“Council”) previously enacted ordinances regulating campaign finance as allowed under Utah Code §§ 10-3-208, 10-3-209; and

WHEREAS, since the enactment of Hideout’s campaign finance ordinance, the Utah legislature amended state campaign finance statutes; and

WHEREAS, continually amending Hideout campaign finance ordinances to match state statutes is time and cost intensive; and

WHEREAS, the Council instead chooses to simply reference the Utah campaign finance statutes or successor statutes as Hideout’s ordinance regulating campaign finance.

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

SECTION I: Repealed and Replaced. Title 1, Chapter 26 in its entirety is repealed and replaced as follows:

1.26 Campaign Finance

1.26.010 Campaign Finance to Follow Utah Statute

All candidates for Hideout elective municipal office shall comply with the campaign finance guidelines and requirements contained in Utah Code §§ 10-3-208, 10-3-209 or successor statutes.

1.26.020 Penalty

Any candidate for Hideout elective municipal office who fails to comply with this chapter is guilty of an infraction.

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

PASSED AND ADOPTED by the Hideout Council of Hideout, Utah, this ____ day of September in the year 2023.

TOWN OF HIDEOUT

Phil Rubin, Mayor

ATTEST:

Alicia Fairbourne, Hideout Recorder

ORDINANCE #2023 - _____

ORDINANCE AMENDING TITLE 4, CHAPTER 7, SECTION 2 “REGULATIONS FOR SHORT TERM RENTAL” REQUIRING HEALTH AND FIRE INSPECTIONS.

WHEREAS, on September 9, 2022, the Hideout Council (“Council”) enacted Title 4 Chapter 7, Section 2 “Regulations for Short Term Rental;” and

WHEREAS, after enacting Title 4 Chapter 7 Hideout staff and partner agencies identified a need for additional requirements for short term rental licenses; and

WHEREAS, after careful consideration, the Council has determined that such amendments are in the best interest of the health, safety, and wellbeing of the present and future occupants of Hideout.

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

SECTION I: Amendment. Title 4, Chapter 7, Section 2 “Regulations for Short Term Rental” of the Hideout Code is hereby amended as follows:

4.07.02 REGULATIONS FOR SHORT TERM RENTAL

Short term rentals require the following to obtain and possess a short-term rental license:

- A. Contracting the services of a property management company that is licensed in accordance with State and Local Ordinances and can respond on site within 30 minutes.
- B. Inspection and approval by the Wasatch County health department annually.
- C. Inspection and approval by the Wasatch County Fire Department annually.

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

PASSED AND ADOPTED by the Hideout Council of Hideout, Utah, this _____ day of _____ in the year 2023.

HIDEOUT, UTAH

Phil Rubin, Mayor

ATTEST:

Alicia Fairbourne, Hideout Recorder



Staff Report for KLAIM – Revised Language for the MDA

To: Mayor Philip Rubin
Hideout Town Council

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

Re: KLAIM – Revised Language for the MDA

Date: September 14, 2023 Town Council Meeting

Submittals: Updated language for the MDA per subdivision approval

Background

Project Details:

KLAIM Total Units: 88 attached units
Total Project Area: 58.95 acres (42.73 acres preserved as open space/untouched land)

Current Request

The KLAIM subdivision received Final Plat Approval from the Town Council on August 11, 2022 (Phase 4). As part of the approval, the Resolution included the following within Condition of Approval #7:

- 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.'*

- *All trails must be maintained by the HOA.*

This language is inconsistent with existing language included within Addendum #1 of the MDA (signed on June 27, 2019) and requires approval by the Town Council to make the following changes:



4. **Use & Maintenance of Trails.** Trails within the Property will be open to the public. Trails (other than those in the Dedicated Open Space) will be four foot (4') wide, natural surface trails. The trails will be constructed by, and at the expense of, Developer ~~but the Town shall be solely responsible~~ and it will be the obligation of the Homeowners Association to maintain the trails that run through, in or upon the Property, ~~if any, except any trails within the common areas shown on any plat for the Property which will be the obligation of the Association to maintain.~~ Additionally, ~~residents of the Property~~ the public shall have the right to utilize any such trails, subject to any generally applicable restrictions related to the use of the same.

Recommendation

Staff recommends the Town Council review the proposed change to the MDA and consider of approval of this change to meet the requirements of the Resolution associated with the final phase of the KLAIM subdivision. It is worth noting that staff continues work with the Applicant to address the following items:

- Final landscape plan
- Final trail and recreational amenity plan (to be reviewed by POST)
- Final site plan with visitor parking
- Follow up on the need for remediation of the 'dirt pile' located just north of the KLAIM site (additional hydro-seeding) and stormwater assessment