

Minutes
Town of Hideout
Town Council Regular Meeting and Continued Public Hearing
April 11, 2024

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on April 11, 2024 at 6:00 PM electronically via Zoom and in the City Council Chambers located at 10860 N. Hideout Trail, Hideout, Utah.

Regular Meeting

I. Call to Order and Pledge of Allegiance

Mayor Rubin called the meeting to order at 6:01 pm and explained the meeting was a hybrid meeting held both in person and electronically via Zoom.

Mayor Rubin led the Pledge of Allegiance.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Jonathan Gunn

Attending Remotely: Council Member Chris Baier
Council Member Carol Haselton
Council Member Ralph Severini

Excused: Council Member Bob Nadelberg

Staff Present: Recorder for Hideout Alicia Fairbourne
Administrative Assistant Carol Kusterle

Staff Attending Remotely: Town Administrator Jan McCosh
Town Attorney Polly McClean
Town Planner Thomas Eddington

Public Present: None.

Public Attending Remotely: Laura Lauthridge, Joseph Silverzwig, Daniel Warner, JD Cronin, Edward Kim, Briana Warner and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. February 28, 2024 Town Council Meeting Minutes DRAFT

There were no corrections.

Motion: Council Member Haselton moved to approve the February 28, 2024 Town Council Meeting Minutes. Council Member Gunn made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

IV. Follow up of Items from Approved Minutes

Council Member Severini asked if the support letters that Council Member Haselton had requested be sent to High Valley Transit were sent. Council Member Haselton stated they had not been sent; however, High Valley Transit was still reviewing upcoming contracts. She would provide a more thorough update during the committee update portion of the meeting.

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

At 6:06 pm, Mayor Rubin opened the floor for public input. There being none, Mayor Rubin closed the floor at 6:07 pm.

VI. Continued Public Hearing

Prior to discussing the Deer Springs Master Development Agreement, Mayor Rubin announced that the applicants for the Bloom development project had withdrawn the application. There would be no further follow-up regarding the project.

1. Consideration of an amendment of the Master Development Agreement (MDA) for Deer Springs allowing short-term rentals in Phases 2B, 4, and 8

Mayor Rubin presented a theoretical five-year financial plan for the Town, emphasizing the necessity to generate additional income to avoid significant tax increases by 2028. He highlighted a proposal from the Deer Springs developer, which included modifying the MDA to permit nightly rentals and offering additional benefits to the town, such as twenty (20) acre-feet of water at no cost and a fifty-thousand-dollar (\$50,000) donation to the fire station fund.

Town Administrator Jan McCosh displayed various occupancy scenarios, though the discussion revealed a lack of detailed cost analysis, prompting Council Member Severini to stress the importance of understanding net profits and associated costs. Council Member Severini expressed concerns based on research and discussions with Park City officials about potential additional costs for the Town, such as monitoring and enforcement of rental regulations.

Council Member Gunn also pointed out potential costs related to processing business licenses, monitoring and auditing, and code enforcement. He speculated on the possible impact on sales tax revenue if properties shifted from full-time residences to rentals. Town Attorney Polly McLean noted she had experience with other municipalities managing short-term rentals and suggested that the taxing process was generally seamless and highlighted minimal enforcement costs, though she noted the need for potential additional enforcement measures.

Council Member Baier supported the idea of allowing nightly rentals, viewing it as a critical opportunity for revenue generation given the Town's limited growth prospects. She emphasized that the current situation in Deer Springs, with Phase 1 already operating nightly rentals without reported issues, presented an immediate opportunity for financial benefits.

Council Member Severini, however, was cautious, advocating for a disciplined approach, reflecting the community's preferences against nightly rentals as indicated in surveys and the General Plan. He supported a more segmented and planned approach to development, aligning with the Planning Commission's recommendations for allowing short-term rentals in Phase 8.

Mayor Rubin and Council Member Baier acknowledged the Planning Commission's good work but stressed the Council's broader responsibility to consider revenue and Town sustainability.

Council Member Gunn leaned towards a controlled, incremental approach, emphasizing the need for realistic revenue projections and a clear enforcement strategy. He raised concerns about potential contractual issues regarding expiration of the water and tax assignments, but noted these could easily be worked through with legal counsel.

Council Member Haselton expressed the need for a town hall-type of meeting to communicate with residents and gather their input on the issue of nightly rentals. She acknowledged the concerns of residents who were initially told there would be no nightly rentals, and the necessity of generating revenue for the Town. Council Member Haselton remained undecided, considering both the negative experiences with nightly rentals and the financial needs of the community.

Council Member Gunn inquired if Phase 2A properties, some of which were under contract, were excluded from the proposal. Mayor Rubin confirmed that Phase 2A properties were indeed off the table, ensuring that current commitments would not be affected. Mayor Rubin further clarified that any approved rentals would be managed by designated property management companies, preventing independent rentals and aiming for proper management and revenue generation.

Council Member Severini supported the economic benefits of the proposal, emphasizing the need for revenue and the advantages offered by the developer. He also acknowledged the community's opposition to nightly rentals due to potential impacts on property values and shared a personal dilemma between economic growth and preserving home values.

Mayor Rubin suggested deferring the decision to gather more data but recognized the urgency for builders and potential buyers. He also noted it was a public hearing, and therefore, at 6:54 pm, he opened the floor for any member of the public to speak on the topic.

Laura Lauthridge a buyer under contract on a home in Phase 2A, requested revenue figures from short-term rentals over the past three years. Mayor Rubin indicated the numbers were minimal and not significant for the current debate. Ms. Lauthridge questioned the new requirement for local management companies for nightly rentals, concerned about the impact on current users of platforms like Airbnb and VRBO. Ms. McLean clarified the current Hideout Code required the use of a property management company that could respond on site within thirty (30 minutes), and that platforms such as Airbnb and VRBO were online services to advertise and not a property management company.

Ms. Lauthridge shared concerns about the potential negative impacts of short-term rentals, such as noise and disruptive behavior, drawing from her experiences in other states. She advocated for a new survey or town hall meeting to gather more comprehensive community feedback on the matter.

Council Member Baier responded to Ms. Lauthridge, acknowledging the concerns but stressing the necessity of considering the overall financial health of the Town. Council Member Baier emphasized that the decision at hand was limited to the current proposal, and any future changes would require further discussion and approval.

Mayor Rubin emphasized that past revenue figures from nightly rentals did not accurately predict future income, especially with potential adjustments from the Military Installation Development Authority (MIDA) funds. He noted that historical data only included transient room tax (TRT) and did not account for additional revenue sources that might be realized with new regulations. Council Member Gunn added that many residents likely bypassed management companies by using platforms like Airbnb and VRBO, which deprived the Town of potential revenue.

Mayor Rubin elaborated on the benefits of requiring local management companies, including better enforcement and monitoring of independent rentals to ensure compliance and maximize revenue collection. He also highlighted the increasing operational costs for the Town as more homes were built and infrastructure responsibilities expanded. Developments like Golden Eagle, Soaring Hawk, and others would soon require the Town to maintain additional roads, water lines, sewer lines, and storm drains, significantly increasing expenses.

Mayor Rubin presented a stark projection, indicating that the Town's costs would rise substantially with continued development, which the current financial models might understate. He warned that without additional revenue mechanisms, such as those provided by nightly rentals, the Town might face substantial tax increases.

Ms. Lauthridge questioned whether the Town was planning to rely on nightly rental revenue to cover the projected shortfalls. Mayor Rubin clarified that while nightly rentals were not the sole solution, they were one viable mechanism to help generate necessary revenue. Ms. Lauthridge expressed skepticism, pointing out that the current revenue from nightly rentals, which was approximately \$1,500 annually, would be insignificant in addressing the Town's financial needs.

Edward (Ted) Kim, a buyer under contract on a home in Phase 2A, raised concerns regarding the MDA. He mentioned that the developer, Nate Brockbank, had committed to ensuring that Phase 2A would not allow short-term rentals. Mr. Kim emphasized that this commitment was crucial for the agreement and urged that the final document reflected this promise. Mayor Rubin acknowledged the request and agreed to include the specified language in the agreement.

Mr. Kim also shared his personal experience living near short-term rentals, noting significant noise issues that eventually drove him to sell his home. He disagreed with previous assertions that most short-term renters were respectful, explaining that in his experience, especially during summer, short-term rentals often attracted large, noisy groups that disrupted the community.

In response, Mayor Rubin shared his positive experience living in Bear Hollow, a community which allowed short-term rentals. He noted that incidents were rare and did not significantly impact his living environment. Mayor Rubin emphasized that while some disturbances may occur, they were not unique to short-term renters.

Daniel Warner noted he owned a home Hideout and multiple rentals, expressed skepticism about the financial benefits of short-term rentals for the Town. He suggested that the potential negative impacts outweighed the revenue generated. Mr. Warner also noted that occupancy rates for nightly rentals typically peaked at thirty-five percent (35%), which might not yield the expected financial benefits. He proposed an alternative solution of modestly increasing property taxes to cover potential revenue shortfalls, suggesting that many residents would prefer this approach to dealing with the disruptions from short-term rentals.

There being no further public comments, Mayor Rubin closed public input at 7:18 pm.

Council Member Gunn suggested that if the Council decided to proceed with the current direction, they should do so with a thorough understanding of the financial implications. He emphasized the need for a deeper financial analysis and consideration of enforcement issues and overall impacts.

Council Member Baier agreed and highlighted the importance of fully understanding the financial considerations. She noted that while the lifestyle and feeling of community were significant, financial implications were also critical and should be thoroughly analyzed before a decision was made.

Council Member Severini added that the previous analysis lacked detailed financial projections, such as how changes in the tax base would affect revenue. He pointed out that the presented spreadsheet was incomplete and called for more detailed cost and revenue analysis.

Council Member Baier also mentioned the offer of water shares as part of the consideration, stressing their importance and the need to include them in the overall calculation. However, Council Member Severini expressed concern that no public analysis on the value and necessity of the water shares had been published, making it difficult to gauge their true value for the Town.

Mayor Rubin acknowledged the need for further work and agreed that more detailed information should be gathered before a decision was made. Council Member Severini expressed his willingness to participate in defining the required analyses to ensure the next iteration of the MDA reflected the necessary revisions. Council Member Gunn requested that the MDA include language ensuring that the tax collection rights, and the water rights survived the termination in perpetuity.

Motion: Council Member Gunn moved to defer the decision to the May 9, 2024 meeting to allow time for a more comprehensive analysis and revisions to the MDA. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

VII. Agenda Items

1. Announcement of the annual 2024 Jordanelle Community Clean Up day

Council Member Baier announced the annual 2024 Jordanelle Community Clean Up Day, scheduled for Sunday, April 28. The event would begin at 10:00 am and would last for approximately two hours. Participants would gather to pick up trash that had accumulated

over the winter, with trash bags provided by the organizers. She recommended bringing a grabber tool, available at Home Depot, to make the task easier.

Volunteers could sign in and collect their supplies at either the Hideout Town Hall area or the clubhouse at The Retreat at Jordanelle. A dumpster would be accessible at the Hideout Public Works building, and an employee from the Hideout Public Works Department had volunteered to assist on the day. The cleanup would be followed by a lunch and social gathering at The Retreat clubhouse. For more information, participants could refer to the flyer on the Hideout website or contact Nikki Key, who organized the event annually.

2. Presentation from the Economic Development Committee regarding the town-owned land at the entrance at Ross Creek

Council Member Severini introduced a presentation from the Economic Development Committee (EDC) regarding Town-owned land near the entrance to Ross Creek. Council Member Severini praised the collaborative efforts of the EDC members, including resident JD Cronin, Financial Consultant Katie Shepley, Council Member Jonathan Gunn, and Planning Commission Chair Tony Matyszczyk. Mr. Cronin then provided an overview of the framework they developed, highlighting the importance of documenting processes to support good decision-making and maintaining transparency.

Mr. Cronin explained that the framework was not intended to rewrite policies but to provide structure and archival documentation for the Town's projects, ensuring repeatable and auditable processes. He emphasized the necessity of clear communication and structured handling of Requests for Information (RFIs) and Requests for Proposals (RFPs). Mr. Cronin acknowledged the challenges in implementing such processes and the importance of having a simple reference for volunteers and officials working on these projects.

Council Member Severini added that the Committee had met with potential developers to discuss the Ross Creek property and other opportunities. He summarized the presentation, which included information about the property, its potential uses, zoning details, and survey results indicating strong community support for amenities associated with the land.

The Committee identified potential challenges and opportunities, including the possibility of acquiring additional land from the Bureau of Reclamation (BOR) to expand development. They were considering various development options, such as mixed-use projects, commercial and retail spaces, and possibly a midsize hotel as an anchor tenant. Council Member Severini noted that the current economic environment, including particularly high interest rates, affected development feasibility.

Ms. McCosh mentioned that they had begun reaching out to contacts at the BOR to explore the possibility of acquiring adjacent land. Council Member Baier suggested leveraging past experiences with the BOR to navigate the process more effectively. The discussion highlighted the need for strategic contacts and potential partnerships to facilitate development.

Mayor Rubin and other Council Members expressed their appreciation for the Committee's efforts and the thoroughness of the presentation.

3. Consideration of approval of a Franchise Agreement between Comcast of Wasatch Inc. and the Town of Hideout

Mayor Rubin introduced the item and explained that public utilities required agreements with the Town to provide services. Comcast had expressed interest in expanding its cable services to Hideout.

Ms. McLean provided an overview of the franchise agreement, highlighting its standard language and the emphasis on placing lines underground, except for necessary above-ground components. She noted that Comcast had been cooperative and the agreement included the maximum franchise fee, ensuring the Town would receive the highest possible revenue.

Joseph Silverzwig from Comcast addressed the Council, emphasizing the company's commitment to minimizing visual and physical disruption through the use of Epon architecture, which involves fiber-to-premises and reduced above-ground structures. He reassured the Council that the majority of the infrastructure would be underground and outlined the construction methods to avoid significant road disruptions. He also emphasized Comcast's commitment to being a reliable community partner and detailed their efforts to support local nonprofits and provide affordable internet programs.

Council Member Baier raised concerns about the placement of infrastructure above ground and requested clarification on the build-out plans. Mr. Silverzwig confirmed that Comcast planned to build out one hundred percent (100%) of the current and future parts of Hideout, with no new poles to be installed unless existing infrastructure required it. He reassured the Council that the construction method involved horizontal drilling to minimize road damage and that any damage to private property, such as sprinkler systems, would be repaired by Comcast.

Council Member Gunn raised three questions regarding the franchise agreement with Comcast. First, Council Member Gunn inquired about the five percent (5%) franchise fee and whether it applied to all services provided by Comcast, including internet service, or just specific services like television.

Mr. Silverzwig explained that the five percent (5%) franchise fee was limited to television services due to regulations under the Federal Cable Act. This Act, part of broader FCC regulations, capped franchise fees at five percent (5%) of television revenue for cable providers. Therefore, the fee would be applied only to the television portion of a customer's bill. For instance, if a customer's total bill was two-hundred dollars (\$200) per month, with one-hundred fifty (\$150) allocated to television services, the franchise fee would be five percent (5%) of that one-hundred fifty dollars (\$150). The collected fees would then be paid quarterly to the Town of Hideout.

Council Member Gunn inquired if a map of the service area could be attached as an exhibit to the contract. Mr. Silverzwig agreed to provide the map but preferred not to include it as a formal exhibit in the contract. He assured Council that the map would be available for public record.

Lastly, Council Member Gunn expressed strong opposition to any new poles or the stringing of cables on existing poles, referencing [Section 3.1](#) of the agreement. Council Member Gunn requested the removal of the term "poles" and the addition of language explicitly prohibiting new pole installations or cable stringing. Mr. Silverzwig explained that while the current plan

did not include new poles and mostly involved underground infrastructure, the existing language allowed necessary flexibility for future infrastructure changes or unusual situations. He emphasized that any construction would still require local permits and compliance with community ordinances, assuring that Comcast would follow the Town's regulations and preferences.

Council Member Gunn expressed skepticism and highlighted that the existing language gave Comcast the freedom to install poles, despite verbal assurances. Council Member Gunn indicated an intention to vote against the agreement unless the contract language was amended to explicitly prohibit poles, pointing out that the merger and integration clause (Section 3.3) would render verbal promises unenforceable. Mr. Silverzwig acknowledged Council Member Gunn's right to vote as he saw fit, maintaining that the current language was standard and necessary for operational flexibility while reiterating Comcast's commitment to following local guidelines and maintaining open communication with the Town.

Council Member Severini expressed appreciation for Comcast's interest in the Town and raised several questions. First, he sought clarification on the franchise fee structure, confirming that the Town would receive five percent (5%) of Comcast's television service revenue. Mr. Silverzwig explained that the fee was based on the percentage of customers purchasing cable plans, which was consistent with similar broadband franchises.

Council Member Severini inquired about the timeframe for laying fiber in the Town. Mr. Silverzwig indicated that construction of trunk lines was expected to begin in 2025, with customer services likely to be available by 2026.

Council Member Severini also asked for statistics on service outages, noting the importance of reliable internet service. Mr. Silverzwig highlighted Comcast's high reliability, citing a ninety-nine point ninety-nine percent (99.99%) uptime due to continuous network upgrades and advanced technology that enabled quick identification and repair of outages. He agreed to provide regular outage reports and assured the Council of Comcast's commitment to maintaining a highly reliable network.

Council Member Baier sought clarification from Ms. McLean about the Council's options when presented with a franchise agreement. Ms. McLean explained that state law required parity among service providers, meaning the Town could not favor one company over another. The agreements must be consistent, and similar in key terms, which had been ensured through careful review.

Council Member Baier mentioned the Town's initial franchise agreement, which included a commitment to cover the entire town, addressed a critical need for reliable internet service. Mr. Silverzwig reiterated that Comcast planned to build out to every residence in Hideout and emphasized the necessity of flexibility in the agreement to accommodate future changes and community needs.

Council Member Baier expressed concerns about ensuring that commitments were enforceable within the contract's written terms, highlighting the importance of doing the right thing for the Town. Mr. Silverzwig acknowledged this concern and stressed Comcast's commitment to serving the community fully, while noting the challenge of incorporating every specific assurance into the contract without compromising necessary flexibility.

Council Member Gunn emphasized the Town's scenic views as a significant asset and opposed any infrastructure that could impact these views negatively, particularly new poles or wires on existing poles. Mr. Silverzwig stated that while the current construction plans did not involve installing poles, removing the authorization for poles from the contract would require consultation with his technical team. He proposed that the Town's permitting authority could reject any such proposals, ensuring the community's interests were protected. He urged the Council to rely on existing ordinances to regulate construction rather than amending the franchise agreement, aiming to maintain flexibility while addressing community concerns.

Council Member Baier asked Mr. Silverzwig about the urgency behind the request for immediate action on the franchise agreement. Mr. Silverzwig explained that while there was some urgency due to pre-committed funding and the planned construction of trunk lines next year, a delay of a few weeks would not be an issue. He emphasized the importance of securing confidence in their ability to proceed with spending the allocated funds.

Mayor Rubin intervened and noted that Comcast had approached the Council many months ago, but the final document only recently became available for discussion. He highlighted that the delay was not due to the Council's actions but rather the time it took Comcast to finalize the agreement. Mayor Rubin proposed delaying the decision until the next Town Council Meeting on May 9th to allow both parties to address the comments and concerns raised during the current meeting.

Mr. Silverzwig agreed to this timeline and committed to reviewing the undergrounding provisions and finding ways to make them more acceptable to the Council. He also agreed to investigate and potentially include a required build-out provision similar to what might exist in other franchise agreements the Town had, and committed to working with his team to ensure these adjustments could be made.

Motion: Council Member Gunn moved to continue the approval of the Comcast Franchise Agreement to the May 9, 2024 meeting to allow Mr. Silverzwig time to address the comments and concerns raised. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

4. Update and discussion regarding noxious weed abatement methods

Mayor Rubin adjusted the meeting agenda to prioritize Administrative Assistant Carol Kusterle's update on noxious weed abatement methods. Ms. Kusterle outlined the process of weed abatement, mentioning that unpaid invoices from last year's treatment could be financially significant for the Town. She explained that these costs would be added to the tax statements of the affected parcels, which could take years to collect, particularly from developers who delay paying taxes. She emphasized the need to determine by September whether continuing with the abatement process would be financially feasible.

Council Member Gunn inquired about accrued interest on unpaid amounts, which Ms. Kusterle confirmed accrues at one point five percent (1.5%) per month. Despite the potential for earning interest, the delay in payment could extend up to five years. Mayor Rubin suggested including the anticipated costs in the budget to ensure the Town could sustain another season of treatments if developers remain non-compliant.

Ms. Kusterle reported significant compliance among single-family homes but highlighted ongoing issues with large undeveloped parcels owned by developers. Council Member Baier encouraged maintaining the current momentum, acknowledging the progress made and the importance of continued efforts. The discussion concluded with consensus on budgeting for potential costs and ensuring continued communication and enforcement with developers to manage noxious weeds effectively.

5. Update regarding the implementation of speed control measures on Shoreline Drive

Mayor Rubin provided an update on the implementation of speed control measures on Shoreline Drive. He mentioned that the Town had initiated a spring and summer maintenance package that included crack sealing, striping, and rubber banding with a focus on enhancing visibility and effectiveness of speed reduction efforts. The proposed striping would feature a wide band to reinforce the slowdown message.

Additionally, the Public Works team was in the process of installing new speed signs, ensuring they were properly powered and functional. Proposed locations for these signs included areas identified as problematic, such as the Longview side near the roundabout towards Rustler and the Shoreline section, which had received significant feedback. Temporary signs installed during the winter would be replaced with permanent ones when weather permitted. The implementation of these measures was expected to occur shortly.

6. Consideration of adopting Resolution 2024-R-XX prohibiting fireworks within the Town of Hideout during the 2024 year

Mayor Rubin introduced Resolution 2024-R-04, which would prohibit fireworks within the Town of Hideout during the 2024 year. This annual resolution aimed to control open flames and fireworks, consistent with previous years. Mayor Rubin mentioned that despite occasional small backyard fireworks, there had been no significant incidents.

Council Member Baier raised concerns about aerial fireworks and stressed the importance of enforcement. She inquired if the Town might issue permits for private or public fireworks displays. Ms. McLean clarified that the Resolution targeted individuals setting off fireworks without permits, while there was an existing provision for permitted shows in coordination with the fire department.

Council Member Baier expressed full support for the ban, citing wildfire threats and awaiting further information on the wildfire season forecast.

Council Member Severini highlighted the recent increase in home insurance rates due to wildfire risks, emphasizing the importance of proactive measures. Council Member Haselton mentioned past issues with people setting off fireworks in the Jordanelle Ross Creek section of the State Park parking lot. Mayor Rubin clarified that the Town had no authority over the State Park but noted their alignment with county fire guidelines.

The Council discussed leveraging their good relationship with the State Park to ensure enforcement of the fireworks ban and effective communication regarding fire safety measures.

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

Motion: Council Member Gunn moved to adopt Resolution 2024-R-04 prohibiting fireworks within the Town of Hideout in the 2024 year. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

7. Approval for the Mayor to execute an Interlocal Agreement between the Town of Hideout and Heber Valley Animal Services

Mayor Rubin introduced the proposal to execute an Interlocal Agreement between the Town of Hideout and Heber Valley Animal Services. This agreement was brought forth because Heber City had taken over animal control duties from Wasatch County. Mayor Rubin clarified that the Town currently paid extra for animal control and had experienced several incidents, including a recent one involving injuries caused by uncontrolled dogs.

Council Member Severini inquired whether the service level would remain the same, to which Mayor Rubin responded that the change was purely administrative, with Heber City managing the services instead of the county. The service level and response would remain unchanged.

Council Member Gunn discussed the contract terms, noting the 24-month termination notice, and the importance of maintaining service quality. Mayor Rubin reassured the Council that the Town would retain oversight and could address any service deficiencies.

Statistics on service calls and budget impacts were reviewed, indicating a growing number of calls and a consistent budget allocation of ten-thousand dollars (\$10,000) per year. Mayor Rubin emphasized the agreement's value and the benefits of continued robust animal control services.

Motion: Council Member Baier moved to authorize the Mayor to execute an Interlocal Agreement between the Town of Hideout and Heber Valley Animal Services. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, and Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

Mayor Rubin expressed appreciation for the support, highlighting the effectiveness of the animal control services in addressing and escalating serious incidents appropriately.

8. Consideration and approval for an allocation of funds not to exceed \$99,479.00 to pay the Vantage Lift Station invoice

Mayor Rubin presented the need for an allocation of funds to pay the Vantage Lift Station invoice. This request followed a previous Council approval of three-hundred thousand dollars (\$300,000) for building a new lift station, a project that had since incurred additional costs due to changes and enhancements aimed at ensuring long-term reliability. The final cost had increased by roughly one-hundred thousand dollars (\$100,000), primarily due to adding a third pump and managing elevation changes in the pressurized pipeline.

Mayor Rubin emphasized the necessity of these changes for the system's robustness and noted that while the Town had the funds available, Council approval was required to cover this overage. The additional funds would cover the improvements and ensure continuous waste management without the risk of system overloads or backups.

Council Member Severini questioned if the bill would be paid before the project's completion. Mayor Rubin clarified that while the immediate work covered by this invoice was complete, there were remaining items to be finished, including the removal of the old lift station and restoration of affected areas. Mayor Rubin assured that the remaining funds would be withheld until these items were completed to satisfaction.

Council Member Severini raised concerns about the potential to delay payments until the entire project was finished. Ms. McLean indicated that while some leverage could be used to ensure completion, they could not withhold payment for the completed work. However, additional protective measures and contractual agreements would be put in place to cap costs and ensure no further increases.

Council Member Gunn expressed the need to abstain from voting due to a potential conflict of interest, as the completion of the lift station would directly benefit his property by mitigating unpleasant odors.

Motion: Council Member Severini moved to authorize the allocation of funds not to exceed \$99,479.00 to pay the Vantage Lift Station invoice, with the conditions as described. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Severini. Abstaining from voting: Council Member Gunn. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

9. Discussion regarding designated code enforcement officers and procedure

The Council discussed the issue of code enforcement, which had been requested for more detailed consideration in a previous meeting. Ms. McLean explained that while the Public Works staff served as primary code enforcement officers, they faced threats while performing their duties. This situation raised concerns about their safety, prompting a discussion on whether and when to involve the Sheriff's department.

Council Member Baier expressed deep concern about the threats against Public Works staff and suggested tabling the discussion until the next meeting. She requested more information on who the designated code enforcement officers were, recent statistics on code violations, and a clear procedure for when to escalate issues to the Sheriff's department.

The Council agreed to delay the discussion to the next meeting, with Ms. McLean committing to prepare a detailed staff report to facilitate a comprehensive discussion.

10. Consideration of approving Ordinance 2024-O-XX amending Hideout Municipal Code 1.16.060 Exemptions to Competitive Bidding Requirements

Clerk's note: This item was not discussed due to lack of presentation materials.

11. Presentation and discussion of responses to a Request for Proposal (RFP) for public relations services, with consideration of authorization for the Mayor to enter into a contract for public relations

Mayor Rubin introduced the discussion on the responses to the Request for Proposal (RFP) for public relations services. The focus was to engage professional public relations (PR) services to assist in creating a strategic plan for the Town and to effectively communicate the need for an upcoming property tax increase due to necessary investments.

Ms. McCosh provided an overview of the RFP process and the three responses received. After evaluating the proposals, Ms. McCosh recommended Jacques and Associates for their expertise, particularly in municipal communications and prior relevant work with other cities. Despite having familiarity with X Factor, which had been previously engaged for the Town Retreat and temporary fire station fundraising efforts, Ms. McCosh considered it beneficial to work with a new firm to gain fresh perspectives and comparisons.

Council Member Baier raised questions about the number of hours and cost estimates provided by each firm, highlighting a need for clarity on deliverables and how costs might escalate with changes in the project scope. Ms. McCosh responded by emphasizing the importance of milestones and fixed pricing to manage the scope and costs effectively.

Council Member Severini echoed concerns about scope creep and the necessity of having clear milestones and specific deliverables. The importance of having a well-defined scope to avoid unexpected costs and to ensure accountability was discussed.

Ultimately, Council decided to table the decision, agreeing that more work was needed to clarify the deliverables and to get further details from all the proposals. Mayor Rubin and Ms. McCosh, along with Council Member Baier, planned to refine the list of deliverables and seek confirmation from the PR firms on whether these could be met within the proposed fee structures.

The Council agreed to revisit the matter in the next meeting with the refined details to make a well-informed decision.

12. Consideration of approving a resolution to authorize the leasing terms on the Public Works vehicles

Mayor Rubin introduced the agenda item regarding the leasing terms for Public Works vehicles. Historically, the Town had leased vehicles on a yearly basis, which involved significant costs and efforts related to outfitting the trucks with plows and other equipment. However, the leasing rules had changed, allowing for longer-term leases, such as three years, which could offer more stability and reduce the repetitive labor associated with the annual lease renewals.

Mayor Rubin explained that while the longer-term leases were beneficial, they raised concerns for leasing companies about the potential for changes in Town leadership due to elections. Therefore, leasing companies required written assurances that the Town would honor the lease terms regardless of future Council changes.

Ms. McLean confirmed that the current Council could not bind future Councils and that budgets were approved annually, which was why the leasing companies sought these assurances.

Council Member Severini inquired about the reasons for leasing rather than purchasing vehicles. Mayor Rubin explained that leasing had been financially advantageous compared to buying, but the Town was considering a mix of leasing and purchasing to optimize costs and manage the vehicle fleet's lifecycle more effectively.

The discussion included questions about interest rates and terms of the lease, with Mayor Rubin and Council Member Severini seeking clarification on whether the rates were adjustable and how they would be affected by market changes. Ms. McLean assured the

Council that the terms were standard and vetted through the State Procurement Office, emphasizing the benefits of using the state program for better rates and streamlined processes.

Motion: Council Member Baier moved to approve Resolution 2024-R-05, authorizing the leasing terms on the Public Works vehicles. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, and Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

13. Consideration and approval for the Mayor to advance funds for the temporary fire station fundraising efforts

Mayor Rubin brought up the final agenda item regarding the temporary fire station fundraising efforts. He explained that a line item had been included for temporarily utilizing Town funds to maintain progress on the fire station until the fundraising efforts provided the necessary financial support, and that the issue would be more appropriately addressed through a budget adjustment public hearing which would be held in June.

The idea was that the Town would commit funds to initiate the fire station project, with the expectation that these costs would be offset by future fundraising. Mayor Rubin noted that the Town had sufficient funds to cover any immediate costs and reiterated that the budget adjustment would be handled in the upcoming budget amendment process, rather than through a resolution at this meeting.

Prior to starting the Committee Updates, there was a recess at 10:06 pm.

The meeting resumed at 10:11 pm.

VIII. Committee Updates

1. Design Review Committee - *Thomas Eddington*

Mr. Eddington stated there were no new applications to the DRC.

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

Council Member Baier provided an update on the Parks, Open Space, and Trails (POST) Committee's recent activities. She noted that Nancy O'Toole, a grant writer from Mountainland Association of Governments (MAG), submitted a Utah outdoor recreation grant application for a project at Ross Creek, sponsored by Hideout. The estimated total project cost was around one-hundred fifty thousand dollars (\$150,000), which would encompass cash, grant money, in-kind contributions, and donations. The project would involve creating a new trail section to connect the original Ross Creek parking lot to the existing perimeter trail, along with various improvements like culverts, erosion matting, fencing, ramps, a bridge with railings, a kiosk, and benches.

Council Member Baier highlighted the significant contribution commitment from the State Park and Park Manager Jason Whitaker, who offered to donate equipment and crew to aid in the project. Additionally, volunteers and a trail builder were expected to contribute to the effort. The Committee was optimistic about securing the grant for the project and was awaiting further feedback.

Council Member Baier also mentioned that the POST Committee had a meeting scheduled for the following Tuesday, with plans to focus on the Klaim trail network design as their next endeavor.

3. **Transportation Committee - Council Member Haselton**

Council Member Haselton provided an update on the Transportation Committee's recent activities. The Richardson Flat bus service, operated by Park City, had been serving Hideout members due to the absence of High Valley Transit. However, Park City found the service costly and was deliberating its continuation for the summer and next winter. The main challenge was the lack of parking in Hideout for bus pickups. There was discussion on possible proactive measures to encourage Park City to continue the service, such as incentivizing or collaborating with them.

The conversation also touched on the developments around the Jordanelle area, specifically regarding transportation. Mayor Rubin mentioned that MIDA was working on transit around the north side of the Jordanelle, potentially offering opportunities for Hideout. The discussion veered towards exploring partnerships with MIDA and Deer Valley to address transportation needs, especially during peak seasons.

Council Member Baier raised concerns about understanding the needs of residents living in the Hideout area, particularly those in the affordable housing community. There was a consensus on the importance of staying informed about their needs and exploring ways to support them effectively.

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

There was no need for executive session.

X. **Meeting Adjournment**

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

Motion: Council Member Gunn moved to adjourn the meeting. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, and Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

The meeting adjourned at 10:31 pm.



Alicia Fairbourne
Alicia Fairbourne, Recorder for Hideout