Minutes
Town of Hideout
Town Council Regular Meeting and Public Hearing
November 14, 2024

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on November 14, 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

Mayor Rubin called the meeting to order at 6:03 pm and reminded participants that the meeting was held as a hybrid meeting, both electronically via Zoom and in-person at Hideout Town Hall.

II. Roll Call

Attending Remotely: Mayor Philip Rubin
Council Member Chris Baier
Council Member Jonathan Gunn
Council Member Carol Haselton
Council Member Ralph Severini

Excused: Council Member Bob Nadelberg

Staff Present: Recorder for Hideout Alicia Fairbourne

Staff Attending Remotely: Town Administrator Jan McCosh
Town Attorney Polly McLean
Town Planner Thomas Eddington
Town Engineer Gordon Miner

Public Present: none.

Public Attending Remotely: Rob Sant, Jay Springer, Scott Dubois, Valeree Roper, Planning Commissioner Tony Matyszczyk, and others who may have logged in using a partial name or using only a phone number.

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

Mayor Rubin opened the floor for public comments at 6:05 pm.

Council Member Severini took the opportunity to thank residents for attending the previous night's Ross Creek Open House. He noted it was well-attended and characterized the event as collaborative and productive, with participants having an opportunity to provide input on the future development near Ross Creek. He expressed gratitude for the community's engagement.

Mayor Rubin acknowledged Council Member Severini's comments and apologized for his absence from the event, noting his appreciation for the community's involvement.

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With no further public comments, the Mayor Rubin closed public input at 6:07 pm.

IV. Public Hearing

1. Consideration and possible approval of a proposed lot combination in the Soaring Hawk Subdivision, lots 65 and 66, located at 11476 N White Tail Ct and 1081 E Black Hawk Way (parcel ID # 00-0021-1018 and 00-0021-2017)

Town Planner Thomas Eddington presented the proposal, noting that the combination would create a single lot of approximately 0.5 acres. The property fell under the Resort Specially Planned Area zoning district (RSPA), with setbacks governed by the HOA Design Review Committee and public utility easements (PUEs).

Key conditions of approval included:

1. A maximum building height of 35 feet, consistent with HOA recommendations.
2. A single curb cut for the driveway, positioned safely away from the intersection.
3. Adherence to setback requirements of 20 feet (front), 15 feet (sides), and 20 feet (rear).
4. Preservation of topography and vegetation outside construction areas.
5. Removal of any duplicate utility stubs resulting from the lot combination.
6. Verification that no active utility lines existed in the vacated utility easement.

Council Member Gunn inquired about potential utility needs from providers such as Rocky Mountain Power and Comcast. Mr. Eddington confirmed that alternative utility easements should be available but would reach out to the utility companies for confirmation. Council Member Gunn also emphasized the importance of explicitly limiting the building height to 35 feet, which was added as a condition.

There being no further comments from Council, Mayor Rubin opened the floor for public comment at 6:18 pm.

There being no comments, Mayor Rubin closed public comment at 6:19 pm and asked for a motion.

Motion: Council Member Gunn moved to approve Resolution 2024-R-12 approving a subdivision amendment for lots 65 and 66 in the Soaring Hawk Phase 2 subdivision, with amended language to include that the applicant agreed to remove any duplicate utility stubs if any exist and add a 35-foot building height restriction. Council Member Haselton 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.

V. Agenda Items

1. Consideration to authorize the Mayor to enter into an amendment to the MIDA Interlocal Agreement which will allow for certain sales taxes to be paid into the Municipal Services Fund

Mayor Rubin introduced the agenda item and explained that the amendment stemmed from prior discussions during the Deer Springs Subdivision project. He noted that the change would allow

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the Town to use additional funds for general municipal purposes rather than restricting them to development-specific improvements.

Town Attorney Polly McLean provided an overview of the proposed amendment, highlighting that the revised agreement would apply not only to current projects but also to future developments within the Military Installation Development Authority (MIDA) area that met specific criteria. Ms. McLean explained that the amendment required an update to the Interlocal Agreement, which MIDA has supported, and added that this would bring additional flexibility and revenue to the Town.

Rob Sant, an Economic Development Consultant, detailed the financial implications of the amendment, contrasting the original and revised agreements. Under the original terms, the Development Fund received the majority of property taxes, sales taxes, and resort community taxes. With the amendment, the Municipal Services Fund would now include revenues from the resort tax (1.1%) and sales tax (1%), generating significant financial benefits for the Town. Mr. Sant used projections from the Deer Springs development to illustrate the impact, showing an increase in average annual municipal revenues from approximately $34,000 to nearly $100,000. He emphasized that these funds, now directed to the Municipal Services Fund, would be unrestricted for general use.

Council Members posed questions to ensure clarity. Council Member Severini asked about the accuracy of the revenue projections compared to actual figures and sought details on how the funds would be allocated. Mr. Sant clarified that the projections were forward-looking and reflected a 65% increase in the Town's share of sales and resort taxes. Council Member Gunn inquired about potential downsides or additional responsibilities for the Town. Mr. Sant assured the Council that the costs for municipal services would not increase as a result of the amendment and that the Town would benefit from additional funding to support existing obligations.

The discussion also highlighted the uniqueness of MIDA's cooperation. Mr. Sant noted that MIDA's willingness to amend the agreement reflected the fact that Hideout had not been fully developed when MIDA's bonding obligations were established, allowing greater flexibility than seen in other MIDA projects.

Ms. McLean confirmed that the amendment required no further revisions and that it would next go to MIDA's Board for approval in January. The Council agreed that the amendment was a net positive for the Town, ensuring additional municipal funds while maintaining existing obligations.

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

Motion: Council Member Severini moved to authorize the Mayor to enter into an amendment to the MIDA Interlocal Agreement which will allow for certain sales taxes to be paid into the Municipal Services Fund. 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.

Before moving on, Mayor Rubin and Council Member Severini underscored the importance of monitoring the financial impact of nightly rental revenues. Mayor Rubin highlighted the need for quarterly updates to the Council to maintain visibility on this critical revenue stream. Council Member Severini added that previous meeting notes had called for improvements in tracking and

applying best practices to monitor these revenues effectively. Both stressed the need to prioritize presenting first-quarter financials at the next Council meeting to ensure timely reporting and oversight.

2. Consideration of a possible approval of Resolution 2024-R-XX adopting the Engineering Standard Specifications and Drawings Manual

Mayor Rubin introduced the item, noting that the resolution reflected significant efforts by Gordon Miner, the Town Engineer, to update and streamline the engineering standards for the community.

Mr. Miner provided an overview of the changes, emphasizing that the current standards were embedded in the Town Code, a format that has proven cumbersome for both developers and engineers. The proposal aimed to consolidate these standards into a manual, codified by reference, making them more accessible and easier to navigate. Mr. Miner highlighted some specific updates, including adjustments to street widths and the addition of high-back curbs. The new street width, at 33 feet of traversable pavement, met fire code requirements and addressed long-standing concerns about parking on narrow streets. Mr. Miner explained that high-back curbs improved stormwater management and facilitated snowplowing, while rolled curbs—currently more common in Town—presented challenges during snow removal.

Mr. Miner also introduced a proposed standard streetlight design that was provided by the Public Works Director, Daniel Allen. The dark-sky-compliant fixtures would be installed at intersections and significant bends in the road, balancing safety with the Town's commitment to preserving dark skies. Mr. Miner noted that the absence of a standard light post in the past has resulted in inconsistency across subdivisions, and this proposal would bring uniformity moving forward.

Council Members raised several concerns about the scope of changes, the clarity of the proposed updates, and the ability to compare new standards with existing ones. Council Member Gunn expressed difficulty in understanding the technical details and suggested a simplified summary highlighting major changes. Council Member Severini also requested a high-level summary of key updates and their impacts, particularly on costs and benefits. Mr. Miner acknowledged these concerns but noted that the existing standards and the proposed manual differ so significantly in structure and content that a direct side-by-side comparison would be impractical. However, he agreed to identify major changes and their implications for future discussion.

The Mayor and Council agreed that a clearer explanation of the key updates and benefits was needed before moving forward with adoption. It was decided to table the resolution and revisit the discussion at the next meeting. Mayor Rubin expressed appreciation for Mr. Miner's efforts, emphasizing the importance of having clear and standardized guidelines for development in the Town. In the meantime, Council Members were encouraged to reach out to Mr. Miner individually with questions or suggestions.

3. Consideration of an approval of an amendment to the Interlocal Agreement with Heber Valley Animal Services

Mayor Rubin explained that the Interlocal Agreement with Heber Valley Animal Services, initially approved in April, had undergone minor updates prompted by feedback from other participating jurisdictions. These updates primarily involved rewording and naming adjustments, with no substantive changes to the agreement's key provisions. Mayor Rubin emphasized the

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importance of aligning the agreement's language with the finalized version being used by all stakeholders.

Ms. McLean elaborated on the updates, confirming that the agreement's fundamental structure remained unchanged. She reiterated that the Town's financial contribution would continue to be based on its population percentage relative to participating jurisdictions, with census data guiding the calculation. She stressed the criticality of approving the amendment, as failing to do so would leave the Town without animal control services. She also addressed concerns about potential cost increases, noting that while the agreement included a provision allowing the Board to increase operating costs by up to 15% annually, this would not result in a significant impact on the Town's budget due to its comparatively small share.

Council Member Gunn inquired about the possibility of alternative service providers and whether the cost increases might strain the Town's budget. Mayor Rubin and Ms. McLean clarified that Heber Valley Animal Services was the sole provider of such services in the county, making the agreement essential. Mayor Rubin also assured the Council that cost adjustments could be reviewed during the Town's annual budget process, offering an opportunity to assess affordability.

Council Member Severini agreed with the necessity of approving the agreement, recognizing the lack of private animal control services and the community's reliance on the existing arrangement. Mayor Rubin commended Heber Valley Animal Services for its cost-conscious approach and partnerships with nonprofit organizations to minimize expenses while maintaining quality care. He recommended approval, noting that the revised agreement was nearly identical to the version previously authorized.

Motion: Council Member Severini moved to authorize the Mayor to execute an amended Interlocal Agreement with Heber Valley Animal Services. Council Member Haselton 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.

4. Consideration of authorizing Town Treasurer Jami Heiner access to the Town's Public Treasurer's Investment Fund (PTIF) account

The Council discussed authorizing Town Treasurer Jami Heiner to access the Town's Public Treasurer's Investment Fund (PTIF) account. Mayor Rubin explained that this was a routine process, as the State Auditor requires Council approval to designate the individual with access. Ms. McLean confirmed this was part of the state's checks and balances.

Council Member Severini asked about insurance coverage for the Treasurer's access, and Ms. McCosh clarified that the Treasurer was bonded under the Town's insurance. Mayor Rubin added that the PTIF was used to manage Town funds, earning higher interest rates than traditional bank accounts, which had been an ongoing strategy for the Town.

With no further questions from Council, Mayor Rubin asked for a motion.

Motion: Council Member Gunn moved to approve Resolution 2024-R-13, authorizing the Town's Treasurer, Jami Heiner, access to the Town's PTIF account. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Gunn,

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Council Member Haselton, and Council Member Severini. Absent from voting: Council Member Nadelberg. There were none opposed. The motion carried.

5. Discussion of an Ordinance regarding updates related to subdivision procedures pursuant to Senate Bill 174 (2023) and House Bill 476 (2024), including technical corrections, and amendments to Hideout Municipal Code Titles 3, 8, 9, 10, 11, 12, and 13

Ms. McLean introduced attorney Jay Springer from Smith Hartvigsen, who had been working on revising the Town's Code to align with the state's new requirements. The Planning Commission had reviewed the proposed changes but had not yet forwarded a recommendation to the Town Council.

Mr. Springer outlined the primary updates, focusing on Titles 3, 10, and 11. Title 3 revisions clarified powers and authorities to ensure consistency with the subdivision procedures, while Titles 10 and 11 addressed specific procedural changes. A significant shift discussed was the requirement to review and approve subdivision improvement plans—engineering drawings and standards—at a single stage of the process, either preliminary or final. Hideout opted to front-load the process at the preliminary stage, a less common but permissible approach. This decision would mean that subdivision applications must include finalized, construction-ready plans during the preliminary review phase.

The Council discussed the practical implications of this front-loaded process, including the need for developers to provide fully compliant plans upfront. Mr. Springer clarified that while this process ensured comprehensive reviews early on, it also prohibited modifications to subdivision improvement plans during the final stage unless it were to address life-safety issues. Council and staff raised concerns about potential conflicts, including identifying errors missed during review and whether the new approach aligned with other state code provisions.

Further clarifications included:

- The applicability of the law to single-family, two-family, and townhome subdivisions only.
- Mixed-use developments fall outside the scope of SB 174 if they include commercial or multi-family components.
- Master Development Agreements (MDAs) and phased projects would need upfront negotiations to ensure compliance, with MDAs being optional unless developers sought deviations from existing code.

Council Member Gunn emphasized the need to revisit the Town's standards, zoning, and sensitive land overlays to ensure alignment with the new procedures. The Council also discussed enhancing communication with the Planning Commission, suggesting regular Council attendance at Planning Commission meetings to maintain alignment and awareness. Mayor Rubin underscored the importance of adapting to the state's requirements while preserving local control as much as possible.

Mr. Springer concluded by noting that state funding had covered the legal updates and that Hideout was on track for December adoption. He warned that failure to adopt the updated ordinance would default the Town to the state's unmodified base-level code, which lacked municipal protections. He anticipated further refinement in 2025 as the Council and staff adapt to the new regulations.

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6. Consideration of authorizing the Mayor to enter into a professional services agreement with Latham Excavation & Services, LLC

Mayor Rubin explained that the Town previously relied on Jordanelle Special Service District (JSSD) for services such as water, sewer, and storm drain maintenance, but they declined to continue an agreement. Latham Excavation & Services was selected following an RFP process where cost, capabilities, and qualifications were evaluated by a committee that included Mr. Miner, Mayor Rubin, and other staff members. Latham Excavation was determined to be the most qualified and cost-effective candidate.

The proposed agreement would allow the Town to engage Latham Excavation for planned maintenance and emergency events as needed, within the budgeted amount of approximately $100,000. Mayor Rubin clarified that services exceeding the budget would require Council approval unless an emergency occurred. Routine maintenance, such as sewer flushing, would proceed as planned, while funds were also allocated for unforeseen issues.

Council Member Gunn raised a concern regarding the pricing of parts and materials, specifically asking how costs would be determined. Mr. Miner confirmed that the contract specified a 25% markup on acquisition costs. Council Member Gunn also noted that, per the Town's code, every contract must include a "not to exceed" amount and suggested this be set to align with the allocated budget. Ms. McLean agreed and confirmed that the contract would be amended to include this provision. She also clarified that the agreement would be reviewed annually, with flexibility to adjust the not-to-exceed amount based on budget changes.

Council Member Severini inquired whether the agreement included a retainer or minimum payment requirement. Mr. Miner clarified that the agreement was entirely on-demand, and there would be no charges if services were not requested. Mayor Rubin confirmed that while the agreement does not obligate payments without work performed, regular maintenance activities outlined in the Town's engineering maintenance plan would necessitate scheduled services, meaning some level of spending was anticipated.

Mayor Rubin explained that the agreement covered both planned maintenance activities, such as sewer line flushing and valve checks, and emergency response work. Different rates were provided for these two scenarios, reflecting the urgency of emergency services compared to scheduled tasks. Mayor Rubin also emphasized the advantages of the company's proximity to the Town, noting they were based in Kamas, which allowed for quicker response times.

Mr. Miner added that the evaluation committee independently reviewed and ranked all proposals, unanimously selecting Latham Excavation as the top candidate. This ensured a fair and objective selection process.

The Council agreed to proceed with the agreement, with an amendment to add a "not to exceed" clause.

Motion: Council Member Gunn moved to authorize the Mayor to enter into a professional services agreement with Latham Excavation & Services, LLC with the addition of a not to exceed clause with a line amount not to exceed the FY25 budget. Council Member Haselton 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.

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VI. Committee Updates

1. Planning Commission - *Planning Chair Tony Matyszczyk*

Planning Commission Chair Tony Matyszczyk provided an update on upcoming agenda items, including zoning issues with Mr. Springer, which the Planning Commission aimed to finalize soon due to end-of-year deadlines.

Key projects under review included:

1. **Wildhorse (Tim Schoen Project)**: Resolved height issues but now included retaining walls exceeding the town code (12-16 feet).
2. **Rocky Mountain Power:** Initial review of a utility pole replacement project.
3. **Elkhorn Springs (Nate Brockbank Project):** Resubmitted with an additional 42 acres, restarting the review process.
4. **Shoreline Phase 4 Final Subdivision Review:** Continued to December for plat reconfiguration.

Chair Matyszczyk emphasized the need for better coordination between the Planning Commission and Town Council under the new state regulations. Mayor Rubin agreed, stressing the importance of alignment to avoid inefficiencies and public miscommunication. The Planning Commission also planned to clarify questions with Mr. Springer regarding changes to existing plats and the applicability of old versus new rules for ongoing projects.

2. Community Engagement Committee - *Committee Chair Valeree Roper*

Community Engagement Committee Chair Valeree Roper announced that the Committee was partnering with the Christian Center of Park City (CCPC) for a December food drive to replenish local food shelves during the holidays. Drop-off locations would include Town Hall and various developments throughout the community. The food drive would begin on December 1, with CCPC handling collection and distribution. Mayor Rubin emphasized the importance of promoting the food drive through the Town's communication channels, including emails and app. Ms. Roper confirmed that she was coordinating with town staff and would prepare a flyer for distribution to ensure residents were informed.

Ms. Roper also mentioned that the Committee was planning community events for spring and summer.

3. Economic Development Committee - *Council Member Severini*

Council Member Severini provided an update on the Economic Development Committee's recent community engagement event regarding development at the Ross Creek entrance, held at Town Hall. He reported strong attendance, with estimates exceeding 60 participants. The event featured a series of poster boards designed to convey information and gather public input, allowing attendees to provide feedback using stickers. Council Member Severini noted positive responses from the community, as well as media coverage from Park Record and ABC News.

Ms. McCosh added that follow-up comments were overwhelmingly positive, with residents expressing appreciation and interest in similar events moving forward. She confirmed that a

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survey was being prepared to gather additional input and that a summary of the event would be posted on the Town's website.

The Council discussed the importance of maintaining momentum, analyzing the feedback quickly, and using the input to refine the Town's vision for economic development. Mayor Rubin emphasized the goal of leveraging this input to guide future planning efforts and identify potential development partners.

4. **Design Review Committee -** *Town Planner Thomas Eddington*

Mr. Eddington provided a brief update on the Design Review Committee, noting that all current construction projects had been reviewed. He mentioned that upcoming projects may include Elkhorn Springs, depending on its progression, and potentially the Schoen project (Wildhorse). Other than these, no new reviews were anticipated in the immediate future, as existing projects were already underway.

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

Council Member Baier reported that the POST Committee met to discuss grant opportunities and winter grooming plans for Ross Creek, including potential equipment purchases. She thanked John and Kathleen Hopkins for pre-marking the single-track trail to enable grooming.

The Committee was awaiting a Wildlife Collision Mitigation Study draft from UDOT, Bio-West, and DNR, following an October site visit. Council Member Haselton mentioned receiving a preliminary version, which may need wider distribution. Council Member Baier noted that the study would help identify strategies and funding options for mitigation.

Council Member Severini mentioned that Jody Gettings, CEO of Wasatch Wildlife, may be a potential resource. Ms. McCosh confirmed she would be invited to the next POST meeting for further discussion.

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

Council Member Haselton provided updates from the Transportation Committee, noting that the new Park City Transit schedule would take effect on December 8, though it had not yet been finalized. She planned to share the schedule with staff for distribution to the community once it became available.

Council Member Haselton also highlighted increasing usage of Park City transit services from Richardson Flat and mentioned a new app under development that would consolidate private transportation options to Salt Lake City and local destinations. She would provide further details on the app and its services as they became available.

VII. Approval of Council Minutes

1. **October 10, 2024 Town Council Meeting Minutes DRAFT**

There were no corrections to the minutes.

Motion: Council Member Severini moved to approve the October 10, 2024 Town Council Meeting Minutes as presented. Council Member Gunn made the second. Voting Yes: Council Member Baier, Council Member Gunn, and Council Member Severini. Abstaining from

Voting: Council Member Haselton. Absent from Voting: Council Member Nadelberg. There were none opposed. The motion carried.

2. **November 2, 2024 Special Town Council Meeting Minutes DRAFT**

There were no corrections to the minutes.

Motion: Council Member Haselton moved to approve the November 2, 2024 Special Town Council Meeting Minutes as presented. 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.

VIII. Follow up of Items from Approved Minutes

Council Member Severini highlighted the need to follow up on revisiting existing revenue models related to short-term rentals, referencing the October 10 meeting minutes. Mayor Rubin agreed and emphasized the importance of improving quarterly financial communications, noting that the Town was legally required to provide updates. He directed staff to prioritize the first fiscal quarter report for December, ensuring compliance and better transparency.

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

There was no need for a Closed Executive Session.

X. Meeting Adjournment

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

Motion: Council Member Gunn moved to adjourn the meeting. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Gunn, Council Member Haselton, and Council Member Severini.

The meeting adjourned at 8:47 pm.

Alicia Fairbourne, Recorder for Hideout

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