

# Town Council Meeting Minutes

May 10, 2018

## 1. Call to Order and Pledge of Allegiance

Mayor Phil Rubin called to order the meeting of the Town Council of the Town of Hideout at 6:05 p.m. on May 10, 2018 at 10860 North Hideout Trail, Hideout, Utah and led the Pledge of Allegiance.

## 2. Roll Call

Mayor Rubin conducted a roll call. The following Council Members were present:

Mayor: Phil Rubin  
Council: Chris Baier  
Doug Egerton  
Jim Wahl  
Absent: Dean Heavrin  
Hanz Johansson

Also attending: Town Clerk - Lynette Hallam, Kent Cuillard – Public Works, Dan Dansie – Town Attorney (by phone), Bill Bartlett, Nikki Blumin, Terry Matyszczyk, Tony Matyszczyk and Will Pratt

Mayor Phil Rubin reminded those in attendance primary elections will be held in June. Voters will have to select party affiliation. The mayor encouraged everyone to be involved.

## 3. MINUTES – Consideration and Approval of Minutes for Regular Meeting of April 12, 2018

Mayor Phil Rubin mentioned a change on page 4, paragraph 4, the number of doors should be 317. The mayor asked that “former” be inserted before mayor on page 4 paragraph 5.

*Council Member Doug Egerton made the motion to approve the minutes of April 12, 2018 with the changes mentioned above. Councilor Chris Baier seconded the motion. The motion passed unanimously with affirmative votes from Councilors Wahl, Egerton and Baier.*

## 4. DECISION ITEM – Discussion and Possible Approval of Tentative Budget for Fiscal Year 2018-2019

This item was deferred to later in the meeting.

5. **DECISION ITEM – Consideration and possible approval of a Proposal by a council member to have the council consider and possibly approve an amendment to Hideout code Title 1A, Chapter 5: Mayor and Town Council. The proposal is to change 1A.05.105 Section “B. Special Meetings” wording from "three (3)" to "two (2)" as follows:**
- i. **“If at any time the business of the town requires a special meeting of the governing body, such meeting may be ordered by the mayor or any ~~two~~ (2) ~~three (3)~~ members of the governing body.”**

Council Member Chris Baier reported the Utah State Code just requires two members. The Town Code is needlessly restrictive. The State Municipal Code just requires two in 10.3.502. In the past, there has been difficulty getting items on the agenda; we don't know what the future will bring. This change would be a good thing for the Town in the long run. Mayor Rubin reported he had checked with Dan Dansie and there is no legal reason we can't make this change. Councilor Doug Egerton had no real objection except if there are only two people you wouldn't have a meeting anyway. Mayor Rubin asked Counsel what would happen if only two people could attend the meeting. Attorney Dansie stated there would still have to be a quorum to pass any business. Councilor Jim Wahl voiced his confusion on what was being discussed. The mayor stated the intent would be that if something comes up urgently, it would be a special meeting. This would not replace standard monthly meetings. Attorney Dansie said, looking at the Code, a quorum would still be three members needed at a meeting. Councilor Chris Baier opined it is difficult to get three council members together without it being a meeting to call for a meeting.

Council Member Egerton opined one of the things this would resolve would be if there were things people wanted to be put on an agenda but have a roadblock; they could still call a meeting.

*Council Member Chris Baier motioned to adopt the language, “If at any time the business of the Town requires a special meeting of the governing body, such meeting may be ordered by the mayor or any two (2) members of the governing body.” Council Member Doug Egerton seconded the motion. The motion was approved unanimously by Councilors Egerton, Wahl and Baier.*

6. **DISCUSSION ITEM – Next steps regarding fire agreement and sprinkler requirements**

Mayor Rubin stated there is an agreement with the fire bureau and the previous administration; the Town is accountable for \$1500 worth of training, fire abatement, etc. Council Member Doug Egerton pointed out scrub oak clearing counts; the mayor advised we need to get some kind of accounting. The mayor reported he is meeting with the Fire Department next week to see what we have to do. They are willing to help with training. Councilor Egerton stated he has questions about something they consider as normal value for clearing acreage. Excavation is clearing acreage all over the place. The Town will need to find out how many acres have been cleared of scrub oak. Councilor Egerton said we will also have to do some training.

Mayor Rubin indicated the State of Utah rescinded the law requiring sprinklers for an individual home or duplex. Prior to that, Hideout insisted on sprinklers. Insurance companies are charging a lot more for homeowners insurance because of this change. The mayor stated Park City has found a way around the change in the statute and still requires sprinklers. The mayor felt it makes sense to find out if it is possible to go back to sprinklers. Council Member Chris Baier

asked if an ordinance is already in place. Councilor Egerton replied it is but the State's action says we cannot have that and makes it out of effect. We need to find out how to get around that law. Mayor Rubin advised insurance companies will listen if a municipal enacts an ordinance and the fire department writes a letter saying the ordinance is in effect. The mayor asked the Council to start thinking about what do we want to do if there are options.

Bill Bartlett opined if he had a choice, he would opt not to have sprinklers. His biggest fear is that one of the heads will blow, and he would have water damage and not fire. The sprinklers are probably pretty safe and the insurance increase is a lot.

Councilor Doug Egerton reported he previously had a condo with a wet system and they were going to be forced to go to glycol. Sprinklers not the end all solution.

Council Member Jim Wahl arrived at the meeting at this point. Previous to this time he was attending by telephone.

Councilor Baier opined future development is going to be very dense. We live in a desert, and she worries about not having sprinkler systems. We need to think about the good of the community. Councilor Baier felt the Council should look into studies to see if sprinkler systems help contain fires. Decisions should be based on reputable data.

Attorney Dan Dansie stated he has not looked into this issue. His general knowledge is the State code inhibits requiring sprinkler systems unless certain criteria are met.

**4. (cont.) DECISION ITEM – Discussion and Possible Approval of Tentative Budget for Fiscal Year 2018-2019**

Brian Blazzard talked about the tentative budget and its relationship to the final budget. The clerk added the tentative budget allows the Council to have input for the final budget.

Brian Blazzard pointed out on building permits, we never really know what the number will be. Subdivision fees are not known. The budget for legal under professional services on the second page has been increased. Only other item which may be changed is dependent on what we may do on the streets. Last year we anticipated using some of our street funds to make repairs. Mr. Blazzard said we are hoping to get a more final number for next month's meeting. There is adequate income to cover costs. Presently we anticipate using \$13,000 of existing cash to fund the coming year. In 2018 we anticipated \$40,000 of excess funds. This did not happen, which will increase cash reserves.

Council Member Doug Egerton mentioned the aggregate figure for income is down this year compared to previous years. Mr. Blazzard explained the 2018 actual is missing the last two or three months.

Mayor Rubin asked if there is any feel for whether building permit revenue covers costs. Brian Blazzard stated they cover administrative costs, and he would look into it.

Council Member Jim Wahl expressed that the road allotment should be closer to the budget when the final B & C Road payments are received.

Councilor Baier asked about public safety. The mayor said he still doesn't understand what was intended with the police department. There is a new resident in the Town who would be interested in serving. The Council needs to understand what is supposed to be done. The mayor indicated he is still working through the Code. Hideout is not capable of providing first responders. The mayor voiced uncertainty of what objective was. Councilor Egerton figured the occasional presence would make people feel safer. Council Member Baier asked if we have looked at alternatives to having our own police department. Mayor Rubin indicated he has. Councilor Wahl opined we need to figure it out. Councilor Baier reported Todd Hollow appreciated having an officer available.

Councilor Egerton felt the people have on staff in the police department had to work an eight hour shift to make it worthwhile to drive here. A local officer would give better presence and more visibility and it's cheaper. Tuhaye and Deer Mountain have expressed displeasure with the Hideout police presence trying to be in their community. Mayor said there needs to be a special meeting for policing.

Councilor Baier felt special services - engineering and planning - are blurred. The Town could use a planner with a planning degree. The mayor stated we can put a line item in the budget and look into it.

Mayor Rubin brought up we now have IT services and are working on a new website. Mr. Blazzard assured we can make sure that is covered in the final budget.

Brian Blazzard pointed out there are two separate budgets - general and enterprise. Council Member Chris Bair asked about maintenance on lines, etc. The mayor reported we are currently working on line mapping, sewer flush and scoping the lines plan. He said he is trying to coordinate with Stave Jackson.

Mayor Rubin indicated the budget directionally correct. The Council as a month to feed directions to the Town Clerk and the accountant. Council Member Egerton asked about the reserve fund in the enterprise fund. Are we able to reserve money for repairs, etc.? Mr. Blazzard said the depreciation expense would be used for that.

The mayor stated Mike Davis from Wasatch is supposed have his road engineer come to do a survey on road maintenance. This could place priority and break repairs into manageable sections.

Bill Bartlett worst part of the roads are where they cut across the roads to install utilities. Councilor Baier felt it would be great if we can do something about that.

*Council Member Jim Wahl motioned to approve the tentative budget. Council Member Chris Baier seconded the motion. The motion received unanimous approval from Councilors Wahl, Egerton and Baier.*

## **7. DISCUSSION ITEM – Planning Commission Staffing**

Mayor Rubin reported in reviewing the Code, he found the Town is one member short and two alternates short. The mayor said he is posting for Planning Commission members. Some of the present member want off the Commission.

Councilor Chris Baier pointed the search can be opened beyond the boundaries of the community. The Planning Commission is a very vital advisory board. It would be ideal to have five reliable members. There is quite a bit of Code review coming up; definition of architectural guidelines and Code items the Town doesn't have now, etc. The Town needs a Planning Commission which will be very interested and very engaged. The mayor said he has tried to put all that in the description. Mayor Rubin voiced his desire to separate the Town engineer from being a member of the Planning Commission. Council Member Baier added her feeling a Town Council member should not be an alternate.

Council Member Egerton stated the Planning Commission serves at the mayor's behest. Mayor Rubin said he is moving forward and asked if anyone has an interest or knew someone who was interested to give them a heads up. Councilor Baier asked how the position was being noticed. The mayor covered the methods being used.

**8. DISCUSSION ITEM – Hideout 10 year anniversary event planning**

Mayor Phil Rubin reported Will Pratt and the HOA have indicated their willingness to support the event. July 14<sup>th</sup> is the State Park's Fire on the Water event. Niki Blumin confirmed with Laurie from the State Park the fireworks are at 10:00 PM on July 14<sup>th</sup> and may be a good time to hold the anniversary event. We need to make sure to include all of the communities in Hideout. Ms. Blumin inquired how she could get out a message to all the communities about the planning meetings if they would like to participate. Ms. Blumin asked if the mayor would be able to close off some of the roads temporarily. The mayor indicated he could. The street could be used for big picnic, etc. We could do one of many things. Mayor Rubin asked tribute be given to founders of the Town.

Mayor Rubin reported he talked to Will Pratt about using the space by the round-about. Mr. Pratt is not against it, but Town may have to sign liability waivers. Mr. Pratt is checking it out. Niki Blumin suggested using porta-potties. Councilor Egerton felt the recreation budget could be used for the event. It was suggested putting a "save the date" be put out for the July 14<sup>th</sup> date. Councilor Baier suggested an update at the next Council meeting. Mayor Rubin felt the street would be a good spot to use. Because of the fireworks for entertainment, it was suggested an ice cream social after the fireworks would be a good choice. Council Member Baier thanked Niki Blumin for her efforts.

**9. DISCUSSION ITEM - U of U Hinckley School Summer Intern**

Mayor Phil Rubin reported we have a U of U Hinckley School summer intern working 10 hours a week for 13 weeks working on our vision for Hideout. He has been asked to talk to all the Council members to get input. The mayor has talked to Glen Gabler, Nate Brockbank and Will Pratt about working with the intern as far as green space connectivity. The mayor talked about the promises that have been made by the developers – amphitheaters, etc. This will put everything on one piece of paper so it can be looked at together and see what makes sense and what may need to be modified. One of the intern's challenges is to look at that. The mayor has also asked him to identify all of the possible plats that are left after what have already been approved. Of those platted, which are still remaining to be sold from the developer to an individual home owner.

**10. ACTION ITEM – Consideration of Appointment of a Mayor Pro Tempore to serve a specific term from 28 May 2018 through 13 June 2018**

Mayor Rubin reported he will be out of Town during the period noted above. Council Member Chris Baier is going to be here during that period and has agreed to serve as Mayor Pro Tempore.

Attorney Dan Dansie stated, according to the Town Code, this must be approved by the vote of the Council. A motion needs to be made and voted on.

*Council Member Doug Egerton made the motion to appoint Chris Baier for the specific term from May 28<sup>th</sup> to June 13<sup>th</sup>, 2018. Council Member Jim Wahl seconded the motion. The motion passed unanimously with affirmative votes by Councilors Wahl, Egerton and Baier.*

**11. CONSIDERATION & APPROVAL OF BILLS TO BE PAID – Approval of payment of April bills**

*Council Member Chris Baier made the motion to approve the bills with the condition that the two bills that are not on the list (Honnen Equipment and Brian Blazzard) be added if both combined are less than one thousand dollars. Council Member Jim Wahl seconded the motion. Councilors Baier, Egerton and Wahl voted unanimously to approve.*

**12. PUBLIC INPUT**

Bill Bartlett inquired about the weed abatement program. Mayor Rubin commented a notice is going out to every landowner in Hideout. Mr. Bartlett reported if an acre or more is being done the County will spray free. The mayor said he would put together a plan and identified a service who will do the spraying. The HOA is already spraying. The Master Developer will spray all unsold lots. The Rustler HOA is taking care of Rustler. Councilor Baier asked if the homeowner takes care of it himself and doesn't hire someone what kind of proof would he need. Councilor Baier reported she had contacted Quinten Lewis, who is in charge of weed abatement at Wasatch County, he recommended the herbicide 2-4D on Thistles; it may require multiple sprayings to obliterate the weed. On new construction, Councilor Baier recommended the Town require a cash bond for developers and keep for three years.

Bill Bartlett voiced another concern about the reservoir on the golf course. Mayor Rubin stated it is not a Town golf course. The mayor said he would look at the Code to see if there is anything the Town can do. Councilor Egerton felt it was a safety issue.

Council Member Jim Wahl opined there are some personal lots who have no weeds at all. Councilor Egerton hoped if there are lots which turn in no proof of spraying, they would be checked to see if there are weeds before a service is sent. Common areas were discussed. Council Member Baier asked what action would be taken if the Town sprays the weeds and the homeowner doesn't pay the bill. Mayor Rubin suggested the Town will put a lien on their tax bill.

**13. ADJOURNMENT OF PUBLIC MEETING**

Council Member Doug Egerton motioned to adjourn the public meeting and move into executive session because of threatened litigation. Council Member Jim Wahl seconded the motion. Voting in favor were Councilors Baier, Wahl and Egerton.

Meeting adjourned 7:45 PM.

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Lynette Hallam, Town Clerk

Approved: 6/14/18