

# Town Council Meeting Minutes

August 9, 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 August 9, 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  
Jim Wahl  
Dean Heavrin  
Hanz Johansson  
Doug Egerton

Also attending: Town Clerk - Lynette Hallam, Kent Cuillard – Public Works, Erin Bawol, Jeff Bawol, Michael Clay, Jacob Curtis, Melyssa Davidson, Jerry Dwinell, Jared Fields, Kim McKinvey, Vytas Rupinkas, Mike Stewart, Claudia Woelfle and Sarah Wright  
Kyle Blumin – by phone

3. **MINUTES – Consideration and Approval of Minutes for Regular Meeting of June 14, 2018**

Council Member Doug Egerton made the motion to approve the minutes of June 14, 2018 with a change to the date on the header and to include response from the developer to Council Member Johansson concerning concessions in item 10. Councilor Dean Heavrin seconded the motion. The motion passed unanimously with affirmative votes from Councilors Wahl, Johansson, Egerton, Heavrin and Baier.

4. **MINUTES - Consideration and Approval of Minutes for Regular Meeting of July 12, 2018.**

Council Member Doug Egerton made the motion to approve the minutes of July 12, 2018, with the change suggested by the mayor on page to put “planner” after professional. Councilor Hanz Johansson seconded the motion. The motion passed unanimously with affirmative votes from Councilors Wahl, Johansson, Egerton, Heavrin and Baier.

Mayor Rubin announced to the public the new Town website is now on line. The website is still being tweaked, so it is not perfect. The new address is [www.hideoututah.org](http://www.hideoututah.org) Send concerns to [hideoututah@hideoututah.gov](mailto:hideoututah@hideoututah.gov) Councilor Egerton asked why the address is “.org” instead of “.gov”. The mayor said we cannot use “.gov” during the transition stage. We will try to incorporate it back to “.gov” at some point.

5. **PRESENTATION – Mayor Johnson – Town of Coalville – Review of the Coalville Development Moratorium**

Mayor Rubin stated Mayor Johnson was involved in the Summit County Fair; he will call in later.

6. **PRESENTATION – Hideout General Plan – Proposed Next Steps – Michael Clay – BYU**

Mayor Phil Rubin reminded the Council they had talked about updating the General Plan and they had discussed the top five priorities earlier in the year. The mayor said he had approached Mountainland Association of Governments and had found Dr. Michael Clay.

Michael Clay indicated he was from Brigham Young University and runs the Department of Urban and Regional Planning, which he has done for about seven years. As part of the professional training of their students, Dr. Clay stated they engage local communities to do planning projects for those communities. Dr. Clay enumerated some of their contracts including with UDOT and UTA. Dr. Clay indicated he had built the model for transportation land use planning for the Wasatch front for the next 25 years. Dr. Clay stated they are doing a lot of work around rural Utah right now and said they just completed the general plan for Eureka and did the general plan for Manti, Utah. They are about to engage Gunnison and Mona for their general plans as well. Classes start in September, so they would need to have the contract in the next 3-4 weeks if this is something the Council wants to do.

Dr. Clay stated there is a problem in rural Utah where there is a need for planning expertise and support for not a lot of money. BYU has been asked, through their students, to provide a stop gap. Normally a General Plan would cost anywhere from \$35,000 to \$50,000 for a full-time consultant. If the communities can't raise that kind of money, that's where BYU comes in. Dr. Clay stated if the Town has the students do the General Plan, the cost will be \$7500 from the Town; and the Town can apply for an additional \$7,500 grant from CIB. The money the team receives goes into travel, etc. When paid, most of the money gets reimbursed back to BYU.

The finished master plan is a great product; it is as good, or better, than the full priced plans. The students working on the plan are seniors, and it will be their senior project. There will be a GPS map created of manholes and all the utilities; it is a very thorough job. Dr. Clay suggested the Council look at Manti and Eureka's plans. There is a benefit to hearing from the citizens and determine what they want, what are their goals and priorities. It will be more comprehensive than the current plan.

Jacob Curtis, BYU, stated he would be the project manager. The Town has incredible views and lots of space. Mr. Curtis discussed the things they would want to do which were on the handout he distributed; he listed the meetings they would plan to have. Their group is very interested in working on the project. In talking about the list of meetings, there will be a kick-off meeting with the Council and the mayor looking at the Town's vision; this meeting can be combined with

the second meeting with the Town Council and the Planning Commission, which makes up the executive committee, and should take place before September. The third meeting will be with the executive committee; the fourth meeting will be a public meeting, and the fifth meeting will also be public. It is important to always to keep in mind the goals and the vision.

Council Member Chris Baier inquired about the time line. Mr. Curtis replied they would like to have the first two meetings before September. They would prefer to have the plan completed by December 31st. Dr. Clay added they would be looking at having a meeting every two to three weeks. Councilor Baier commented there a lot of part-time residents. Dr. Clay talked about getting surveys completed and declared they can do internet announcements, snail mailing or email. It is a unique challenge and they will look for creative ways to solve it. Dr. Clay said they will prepare the document and the Town will be responsible for distributing it. Included in those to be contacted in the survey will be realtors, property owners, border owners, representatives from UDOT, the State Park. Dr. Clay stated the Town could have dense development, but will the roads accommodate the development. Councilor Baier talked about Annexation Plan; Dr. Clay said the General Plan will look at annexation goals. Legally you can get anyone you want to participate. The mayor pointed out in the possible near future the Town will become a fifth class city.

Council Member Doug Egerton asked when getting input, is it segregated in how to use it, etc. Dr. Clay replied they take everybody's input and combine it into an appendix document. The executive committee has final say; the final document will be presented to the City Council. Councilor Egerton inquired if the Council will be able to see where the input came from. Dr. Clay said the Town can do it any way they want. The completed product will have a map of everything. Some of the input will be whether the Town wants retail, offices, etc.

Mayor Rubin reported he has talked with the accountant, Brian Blazzard; and he indicated the Town has the money in the budget. Councilor Egerton asked how confident we are that we can get the CIB grant; Dr. Clay said the decision would be up to Shawn Seager. Councilor Doug Egerton said his general feeling is the Town desperately needs this. With these students, the Town gets a professional level plan which will only cost \$7,500. The Councilor hated to pass up the opportunity.

Mayor Rubin stated he had preliminarily talked with the Planning Commission, and they are definitely up for it. Council Member Hanz Johansson stated he had reviewed the current plan. It has nine pages--pretty thin; it definitely needs updating. A new General Plan would set a path for the Town.

Council Member Doug Egerton said an updated plan would clarify a lot of things. The mayor opined the timing is good; the updated information can be recorded on the new website.

Council Member Jim Wahl asked what kind of participation the surveys usually bring. Dr. Clay answered sometimes they only get 15 to 20 per cent; it depends on if there are hot button issues. The drafting of the General Plan will concentrate on how to provide the best quality of life for current and future residents.

Council Member Chris Baier expressed excitement for this opportunity. Councilor Baier stated she would like to see current plans; she opined working with students sometimes the quality is different than if you are working with a seasoned professional. Councilor Johansson pointed out it would be hard to find \$35,000 to \$50,000. Councilor Egerton commented they shouldn't let best get in the way of better. Dr. Clay suggested the Council should call BYU's past clients; due

diligence is good. At a question from the mayor, the Council agreed they will give the time needed.

7. **PUBLIC HEARING - Proposal to modify Town Code Section 5.05.103 to move dog licensing to the County, and to modify Section 5.05.102 to incorporate e-collars as a restraining device**

Mayor Rubin outlined the ordinance: First the ordinance recognizes Hideout does not actually issue licenses. Second, it defines “animal at large.” The possible restraints includes e-collars. An e-collar is an electronic device on animal’s neck; it has a stimulation device for a controllable level of tingle. E-collars are recognized in Wasatch and Summit counties as an official means of restraint. Third, the ordinance outlines the number of dogs allowed. The HOA and the Town Code govern this item. There may be people in Hideout with more than two dogs. Councilor Egerton read from the current code regarding grandfathering. Council Member Dean Heavrin stated the County will use their rules; the Town should adopt the County ordinance. Mayor said he will look at it and determine if we need another public hearing. Melyssa Davidson stated the regulations are in the CCRs. The mayor suggested waiting and seeing what the HOA feedback is and what the County regulations are.

Mayor Rubin opened the meeting for public comment.

Erin Bawol inquired if e-collars would be the same as an underground fence. The mayor stated the fence is on your own property. Councilor Baier pointed out on your own property dogs don’t have to have any kind of restraint.

There being no further public comment, the mayor closed the public hearing.

*Council Member Doug Egerton made the motion to pass the changes to Section 5.05.103 to move enforcement to the County and update Section 5.05.102 to include e-collars as acceptable restraint. Council Member Dean Heavrin seconded the motion. The motion passed unanimously with positive votes from Councilors Wahl, Johansson, Baier, Heavrin and Egerton.*

8. **PUBLIC HEARING - Proposal to modify the Town Code to amend Title 5, Chapter 4, to provide authorization to administrative officials to restrict potential wildfire ignition sources under certain circumstances**

Mayor Rubin said the proposal to modify the Town Code to amend Title 5, Chapter 4, to provide authorization to administrative officials to restrict potential wildfire ignition sources under certain circumstances is in response to County fire restrictions. The Town Code does not address this specifically; this is essentially an opportunity to piggyback on what is going on around us in Wasatch and Summit counties. The ordinance is not quite as firm as Summit County but more than what we have had so far. The Council wants to make sure residents are not exempt from what is going on around us with wildfires, etc.

Council Member Doug Egerton stated he has no objection to this change; this is ignition sources. Councilor Egerton opined we have a fuel source issue in Town and are not allowed to cut it. There are a lot dry grasses close to the houses. Under high fire conditions, they should be cut.

The mayor commented we can reach out to see what others are doing. Councilor Baier expressed she was in favor of this change.

Other concerns were discussed. Council Member Chris Baier inquired how this ordinance would be enforced. Mayor Rubin replied he is working on getting a better police arrangement. A new resident has expressed interest, and he who will be able to start by April of next year. In the meantime, the County sheriff would be able to enforce; but they are not going to be actively patrolling. Community involvement could help to enforce.

Mayor Phil Rubin opened the public hearing for comment.

Jerry Dwinell asked what triggers the activation of this change. The meeting has been noticed. Is the ordinance clear on what is allowed? Council Egerton indicated the change just gives authority to the Council to enact a ban.

There being no further comment, the public hearing was closed.

*Council Member Dean Heavrin motioned to modify the Town Code to amend Title 5, Chapter 4, to provide authorization to administrative officials to restrict potential wildfire ignition sources under certain circumstances. Council Member Chris Baier seconded the motion. The motion was unanimously passed by Councilors Wahl, Johansson, Baier, Heavrin and Egerton.*

**9. DISCUSSION ITEM - Proposal to modify Town Code to amend Title 10, Chapter 3 of the Town Code, and other appropriate provisions, to require that the Wasatch County Fire District be a signer on any subdivision plat before the plat may be recorded and to clarify the role of the Wasatch County Fire District in reviewing proposed subdivision plats**

Mayor Rubin informed this is just a discussion item because it needs a public hearing. The mayor stated the Wasatch County Fire Department had attended Town Council a couple of meetings ago. Prior to November, the Town had a Fire Marshall to sign off on plats etc. Since his retirement, the Town has had no one to officially do that. Therefore, the Town should use Wasatch County for these duties; this ordinance gives us the authority to use the County fire marshal. Are actually using Fire department, after the notice of intent had been posted several weeks ago. If the Town doesn't make this happen within the time limit allowed, it goes away and have to go back where we were.

Councilor Doug Egerton stated he reviewed the contract, and there are no egregious demands from the fire dept. The fire department will look at access and street names of new subdivisions. So far, they will just deal with clarification. The mayor indicated the fire department understands they are coming to the party late. Mayor Rubin says the Town has road standards, which are not the same as Rustler. If the ordinance is passed, the Town will have more enforcement.

Council Member Jim Wahl asked if there is a cost; the mayor assured there is no cost at all. The Fire Department is spending more time around Hideout for to increase familiarity. If the Town finds the department is too onerous, we can change to something else by rescinding this ordinance. Council Member Dean Heavrin inquired if there is a potential risk if the department gets mad, can they hold us hostage. Mayor Rubin replied he has discussed this with the fire department. If they have any problems, they will let us know to see if we can tweak the ordinance. The Town is requiring a quick turnaround for development evaluations.

The mayor said this will be on the agenda as a public hearing next month for approval.

5. **PRESENTATION – Mayor Johnson – Town of Coalville – Review of the Coalville Development Moratorium**

Mayor Phil Rubin informed the Council he had had an opportunity to visit with Coalville Mayor Johnson; Coalville has put in place a six month moratorium. Mayor Rublin felt the Council and Planning Commission needed to look at it.

Timing matters for such a step. Councilor Chris Baier felt this is a good time as the Town is looking at updating the General Plan.

Coalville Mayor Trever Johnson gave some background of what has been happening in Coalville. This is his fifth year as mayor. In 2013 they began feeling the pressures of growth coming in. They were behind on infrastructure including sewer, water, roads and storm drains.

When three to five house subdivisions of single family homes came, the staff could handle it. Last year, subdivisions of thirty to fifty homes came in. Now a five hundred house subdivision has expressed interest in locating in Coalville. The current codes are antiquated; just taking care of the permitting process would run the City into the red. After the thirty home subdivision got approved, the staff could not handle the process.

Some of the issues they were facing were the usage in certain zonings; water was an issue -- water rights and water shares; their codes did not protect the City. Coalville has six hundred rooftops; one developer wants to more than double that number. The statutes allow a municipality to put a moratorium in place in for six months. During that time, the City can adopt a Code and guidelines and make sure they are ready. They have put \$4,000 to \$5,000 into it; the Council wants to make sure Coalville is covered. The City doesn't want to allow x-number of homes and have the infrastructure fail, leaving Coalville to have to fix it. They want to clean up all areas where Coalville is exposed. The mayor indicated they are putting the brakes on now because they are not ready for the growth.

Mayor Johnson gave some history of what has taken place. About six years before he got elected Coalville City got into a situation he is trying to avoid now. A developer came in and the city prepared for the development, then the developer backed out. It took twelve years to come out from under that expense. They want to make sure they can handle the growth financially. The mayor stated they are putting a lot of miles on roads and increasing maintenance. Mayor Johnson said they will need hands on training, it's going to be tough. They have hired extra help to get them ready; it can get scary. The mayor talked about taxes. Commercial development brings in more taxes. Single family residences don't pay for themselves. There needs to be a strong commercial component.

Council Member Hanz Johansson asked how many people Coalville has in administrative positions. Mayor Johnson replied they have one full time clerk, two full-time office employees. Their attorney is on retainer. There are five full-time public works people, and one part-time and two seasonal employees in the summer. Coalville has two engineers. Their budget is eight million dollars and their population is about 1400. Mayor Rubin remarked Hideout does not have much commercial; it is truly a bedroom community.

Mayor Johnson if an application is already in, the moratorium does not affect those applications. The mayor advised if the Town has that much pressure they should get expert advice; he encouraged the Town to protect themselves as much as they can. Throw as much cost as possible on the land owners, developers, etc. In Coalville, they couldn't afford to do anything without getting grants. He recommended charging fees to cover cost. Mayor Rubin indicated he is having an audit done on permitting to make sure we are covering our costs.

Council Member Egerton asked if all necessary changes are not done in six months, is it possible to put in another moratorium. Mayor Johnson replied by State law it is possible, but it is very difficult. The mayor suggested prioritizing the changes so the most important work is done.

Ralph Severini, planning commissioner, questioned if the application process would continue. Mayor Johnson answered the legal response is anybody can come in and fill out an application. Mr. Severini asked if they saw a flood of applicants; the mayor said they did not. It happened very quickly; one or two weeks and then it was enacted. Mr. Severini inquired if they went in into the moratorium with goals in mind. Going through the Code they found there weird things in the Code; they are cleaning it up. Mayor Johnson stated they require traffic studies and water studies; they also want to make sure they have fire flow. One subdivision improved the water system to loop to meet requirements. Any big development that impacts the sewer plant, they pay for the difference in planned growth projections.

Mayor Rubin expressed appreciation to Mayor Johnson for taking time to advise the Council. Mayor Rubin commented that is great to know. Councilor Chris Baier asked how long ago the General Plan was updated. Mayor Rubin replied their General Plan is sort of sacred; it protects the small town view. It has been a little challenging with that General Plan considering future growth. Mayor Johnson left the meeting at this point.

Mayor Rubin commented Hideout may be in a little better shape than Coalville was.

#### **10. DISCUSSION ITEM – Next steps internet committee**

Mayor Rubin said there was a work session with the Council and Planning Commission concerning the internet; we need to decide what we want to do. The legalities of the proposal need to be checked. The mayor said he didn't know if Allwest has changed their proposal.

Council Member Doug Egerton opined the prospect is exciting, very good. The Council Member voiced concerns of a small town having to guarantee such a large bill; he hoped UTOPIA will come with a way to mitigate our agreement. This particular corridor for them is a really lucrative proposal. If we could get some communities to commit, the back stop obligation goes down. Someone should start the dialog of how to deal with backstop cost. Councilor Egerton was not sure he is willing to put the Town at that risk.

Council Member Hanz Johansson voiced we have the momentum going, and we need to keep it going. Councilor Johansson added we need someone to negotiate with Utopia about what we could do to lower risks; that needs to be in the proposal. Councilor Egerton agreed we are not going to learn any more until negotiations take place. Council Member Jim Wahl the prospect is exciting, but it is a lot of money to burden the Town with. Councilor Doug Egerton commented we have to have some kind of improvement. Council Member Chris Baier suggested there needs

to be something concrete from Utopia for the Council to consider. Council Member Dean Heavrin stated anything contracted scares him. There was discussion about bonding. Councilor Baier commented Hideout would be the smallest town for them, but we are strategic for them because of our location and future growth. Utopia is taking on a limited number of projects. Councilor Egerton felt barring a recession, we would probably be all right.

Mayor Rubin stated he will work with the committee and encourage them to take it to the next step.

11. **CONSIDERATION & APPROVAL OF BILLS TO BE PAID – Consideration and Possible Approval of payment of July 2018 bills**

*Council Member Dean Heavrin made the motion to pay the bills. Council Member Jim Wahl seconded the motion. The motion passed unanimously with affirmative votes from Councilors Egerton, Heavrin, Baier, Johansson and Wahl.*

12. **PUBLIC INPUT – Floor opened for any attendee to speak**

There was no public input.

13. **ADJOURNMENT OF PUBLIC MEETING**

*Council Member Hanz Johansson motioned to adjourn and go to executive session. Council Member Dean Heavrin seconded the motion.*

The meeting adjourned at 8:40.

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Lynette Hallam, Town Clerk

Approved: 9/13/18