

Town of Hideout, UT
Town Council Meeting Minutes
March 13, 2014

1. Call to Order and Pledge of Allegiance

Mayor Bob Martino called to order the meeting of the Town Council of the Town of Hideout at 3:30 p.m. on March 13, 2014 at 10860 North Hideout Trail, Hideout, Utah and led the Pledge of Allegiance.

2. Roll Call

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

Jonathan Levin
Lana Martino
Dean Heavrin
Jim Wahl

Also attending: Town Clerk - Lynette Hallam, Public Works – Kent Cuillard, Engineer - David Erichsen, Doug Egerton, Mindy Hall, Steve Hall, Kevin Hughes, Paul Linford, Bill Mammer, Laura McMillian, Jared Shupe, Cheryl Whitteron and Jim Whitteron

3. MINUTES - Consideration and Approval of Minutes for Regular Meeting of January 9, 2014

Councilmember Dean Heavrin made the motion to approve the minutes for the regular meeting of February 13, 2014. Councilor Jim Wahl seconded the motion. The motion passed with a unanimous vote by Councilors Levin, Martino, Heavrin and Wahl.

4. PUBLIC HEARING – Considering Ordinance #14-01 An Ordinance Outlining Building Permit Rules and Regulations for the Town of Hideout, Utah

Mayor Bob Martino asked the Council if they had any discussion on this ordinance. The ordinance covers a wide range of items including portable toilets, trash containment, Limit of Disturbance (LOD) and parking.

Councilor Jon Levin asked about the extended hours that construction can take place. Councilor Jim Wahl commented the hours followed the previously approved ordinance.

Mayor Martino opined that one item the Council should consider is reducing the size of the permit board to six (6) square feet. Council Member Martino asked for clarification sign in front of the construction. The mayor indicated this was the sign that would contain the permit number, the contractor, etc. Mayor Martino explained a motion to adopt the ordinance could include the change.

The mayor opened the hearing for public comment.

David Erichsen pointed out that the HOA has regulations too. This ordinance does not supersede the HOA. Council Member Wahl stated that the tougher set of regulations applies. Mr. Erichsen added the HOA's may have shorter hours for work, while a house off the highway that does not have surrounding homes could work the later hours allowed by the ordinance without inconveniencing anyone.

Cheryl Whitteron asked if city regulations supersede the HOA. The mayor replied that the more restrictive of the two would take precedence. Ms. Whitteron asked if that would be uniformly applied. The mayor said as far as he understood the question, it would be uniformly applied. Doug Egerton asked if it would be uniformly applied over everything or just that HOA. Mayor Martino stated it would be applied to the individual HOAs. The mayor assumed there are several HOAs and there is the Town ordinance (in this case applying to construction hours) and it differs from the HOA regulations the most restrictive would apply. Mr. Egerton clarified that in his case it would be the Rustler HOA or this ordinance – whichever applies.

Dave Erichsen offered if developments go through the public meeting process with the Planning Commission and the Town Council; and they establish certain requirements, those are the requirements that govern. This ordinance is not totally limited but this ordinance is meant for the lots.

Cheryl Whitteron had some concerns about shutting jobsites down completely instead of issuing citations and fines. i.e. issuing two warnings, one warning, etc. If the project is shut down, the turn-around time can be prohibitively expensive to the owner. The mayor said that makes sense. It could possibly be addressed in setting up the fee structure. This would be an escalating fee structure. Councilor Martino pointed out that the ordinance says "may" not "shall". Mayor Martino opined that this could be looked at when the Council reviews the Fee & Rate Resolution next month. It is not mandated that the work site be shut down.

Paul Linford, Plumb Investments, asked what limits are going to be in place. If someone throws a can out, does that mean a fine that night? Mr. Linford asked if it was a safety issue. Mayor Martino stated it would be up to the inspector; but if there is a can or something like that and someone goes picks it up, it is no longer an issue. Council Member Lana Martino said the inspector would be reasonable and use common sense. Mr. Linford said he did not disagree with what the Council is trying to do, but common sense means something different to different people. The problem for the contractor is the amount they bid for a job and how to budget for fines. If the contractor is negligent

they should be fined. Mr. Linford stated he just wants to get the spirit of this ordinance. He does not want to be fined before he even knows something has happened. Mayor Martino stated the spirit is that we will not issue a fine for a minor infraction; but the Council does need the contractors to do their job. Mr. Linford asked if it was possible to put in the ordinance a 24-hour warning would be given. If the same infraction happened again, the contractor deserves to be fined.

Mayor Martino asked Kent Cuillard how he would handle a hypothetical situation that does not affect safety. Mr. Cuillard explained as he drives around, he will stop and talk to the contractors. Paul Linford offered that Mr. Cuillard has been very good about fixing any problems. The mayor reiterated that the Town is not looking around looking for a “pop can to drop.” Kent Cuillard will be doing the inspections, and he does have a job to do. Mayor Martino felt he has been doing it well. Mr. Linford stated if things going forward are going to be the same, it has been good.

Councilor Jonathan Levin opined the Town is not trying to create a revenue stream, they are just trying to protect the environment of the Town. Mayor Martino agreed and said it would be great if no fines were issued. The Council is just trying to protect the atmosphere of the Town

Cheryl Whitteron asked if every job site is allowed a dumpster. Councilor Levin replied each work site is required to have a dumpster according to the ordinance.

The mayor closed the public hearing.

5. CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE #14-01

Council Member Lana Martino made the motion to adopt Ordinance #14-01, An Ordinance Outlining Building Permit Rules and Regulations for the Town of Hideout, Utah with the modification of sign size in Section E (2) to read six (6) square feet. Councilor Jim Wahl seconded the motion. Motion passed unanimously with “aye” votes by Councilors Levin, Martino, Heavrin and Wahl.

Mayor Bob Martino indicated the Fee and Rate Resolution would be on the agenda next month to provide the fees for bonds, etc. put in place with this ordinance.

6. CONSIDERATION & APPROVAL OF BILLS TO BE PAID – Approval of payment of March bills

Council Member Jim Wahl made the motion to approve the payment of March bills. Councilor Dean Heavrin seconded the motion. Council Members Wahl, Heavrin, Martino and Levin, voted “aye”. The motion passed unanimously.

7 **REVIEW FINANCIAL STATEMENTS, IF NEEDED**

The mayor commented the financial statements just came into the office today. The Town Clerk will e-mail them out to everyone tomorrow. Mayor Martino advised the Council the audit completed last year is in the Town office. He asked each of the Council Members to go into the office review and initial the audit.

5. **CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE #14-01**

Council Member Heavrin asked to reopen Item #5 and opined to keep the size of the permit board to a more uniform size the dimensions should be specified.

Councilor Dean Heavrin motioned to amend Councilor Martino's motion on Item 5 to say sign boards should be the dimensions of two (2) by three (3) feet. Councilor Jim Wahl seconded the motion. Councilor Martino agreed to the amendment of her motion. The motion passed unanimously with affirmative votes from Council Members Levin, Martino, Heavrin and Wahl.

9. **PUBLIC INPUT**

Cheryl Whitteron mentioned some other cities issued the signboards for the building permit and therefore the signs all look the same. The Council took the suggestion under consideration.

Jim Whitteron asked about the status of the Public Works/Public Safety building. Mayor advised the building is still in the works. There will be an upcoming meeting that hasn't been scheduled yet. There is just one more step to the process. The terms are still the same – a \$200,000 grant from the CIB and financing for \$1million on the project at a rate of 1%. Nothing has really changed and there will be notices coming out. Mr. Whitteron asked if there will be public input to change or refine the plans. Mayor Martino answered a public meeting process is a requirement of the CIB. Designs need to be finalized. Mr. Whitteron stated the Town is in effect building a \$1.2 million building. Mayor Martino answered he didn't know, it is up to the council. There will be one more meeting concerning it.

10. **ADJOURNMENT**

Council Member Heavrin made the motion to adjourn the Hideout Town Council Meeting. Council Member Wahl seconded the motion. The motion passed unanimously.

The meeting adjourned at 4:15 p.m.

Lynette Hallam, Town Clerk

Approved:

Mayor Bob Martino

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