

MIDWAY CITY COUNCIL REGULAR MEETING

Tuesday, 7 May 2019, 6:00 p.m.
Midway Community Center, City Council Chambers
160 West Main Street, Midway, Utah

Our vision for the City of Midway is to be a place where citizens, businesses and civic leaders are partners in building a city that is family-oriented, aesthetically pleasing, safe, walkable and visitor friendly. A community that proudly enhances its small town Swiss character & natural environment, as well as remaining fiscally responsible.

1. Call to Order

a. Pledge of Allegiance

b. Prayer and/or Inspirational Message

Any Midway resident interested in giving a prayer and/or an inspirational message may contact the City Recorder at bwilson@midwaycityut.org or 435-654-3223 x118.

2. Consent Calendar

Be it hereby moved that the following consent calendar items stand approved:

- a. Agenda for the 7 May 2019 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 16 April 2019 City Council Regular Meeting
- d. Minutes of the 16 April 2019 City Council Closed Meeting
- e. Minutes of the 23 April 2019 City Council Work Meeting
- f. Minutes of the 23 April 2019 City Council Closed Meeting
- g. Minutes of the 23 April 2019 City Council Meeting

3. Public Comment (Approximately 15 minutes)

This is the public's opportunity to comment on items not on the agenda. Please state your name and address.

4. Department Reports (Approximately 30 minutes)

- a. Heber Valley Tourism and Economic Development, Midway Business Alliance and Legislative.
- b. Midway Boosters, Ice Rink, Open Space, and the Swiss Days Committee.
- c. Heber Light & Power Company, Heber Valley Railroad, Heber Valley Special Service District, and the Midway Sanitation District.

5. Health Department / Annual Report (Gerald Hayward – Approximately 20 minutes) – Receive an annual report from the Wasatch County Board of Health.

6. Homestead Resort / Master Plan Amendment (Russ Watts – Approximately 60 minutes) – Discuss and possibly approve an amendment to the master plan for the Homestead Resort located at 700 North Homestead Drive (Zoning is Resort). Recommended for approval with conditions by the Midway City Planning Commission.

7. **Resolution 2019-10 / Amended Homestead Master Plan Agreement** (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-10 adopting an amendment to the Homestead Resort Master Plan Agreement.
8. **Saddle Creek Ranch / Master Plan** (Berg Engineering – Approximately 30 minutes) – Discuss and possibly adopt a master plan for the Saddle Creek Ranch PUD located at 970 South and 250 West (Zoning is R-1-22). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing**
9. **Resolution 2019-14 / Saddle Creek Ranch Master Plan Agreement** (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-14 adopting a master plan agreement for the Saddle Creek Ranch PUD located at 970 South and 250 West.
10. **Lime Canyon Meadows / Preliminary Approval** (Brett Walker – Approximately 20 minutes) – Discuss and possibly grant preliminary approval for the Lime Canyon Meadows Subdivision located at 960 West Lime Canyon Road (Zoning is R-1-22). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing**
11. **Resolution 2019-13 / Lime Canyon Meadows Development Agreement** (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-13 adopting a development agreement for the Pine Canyon Meadows Subdivision located at 960 West Lime Canyon Road.
12. **Michie Lane Park Contract / Change Order** (City Planner – Approximately 10 minutes) – Discuss and possibly approve a change order to the Michie Lane Park Contract adding an ADA ramp and trees for other locations.
13. **Tentative FY 2020 Budget / Adoption** (Financial Officer - Approximately 15 Minutes) – Discuss and possibly adopt a tentative budget for FY 2020.
14. **Tentative FY 2020 Budget / Set Public Hearing** (Financial Officer - Approximately 5 Minutes) – Discuss and possibly set a time and place for a public hearing on the tentative budget for FY 2020.
15. **CDRA Meeting** – A Meeting of the Community Development and Renewal Agency for Midway City (Please See Separate Agenda)
16. **Adjournment**

Published on the Utah Public Notice Website on 3 May 2019 at 5:30 p.m. by Brad Wilson (City Recorder)
Posted on 3 May 2019 at 8:00 p.m. by Brad Wilson (City Recorder)

The order of individual items on this agenda is subject to change up to 24 hours in advance.
All times are approximate.

For those individuals needing special assistance in accordance with the Americans with Disabilities Act, please contact Brad Wilson at the Midway City Office Building, at 75 North 100 West, Midway, UT 84049, 1-435-654-3223 x104, or by email at: bwilson@midwaycityut.org.

Midway City Council
7 May 2019
Regular Meeting

Warrants

Report Criteria:
Detail report.
Invoices with totals above \$0 included.
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
715								
715	LANCE EXCAVATING, INC	1271	Concrete	04/17/2019	132.30	.00		
715	LANCE EXCAVATING, INC	1273	Asphalt 5.2	04/17/2019	104.00	.00		
Total 715:					236.30	.00		
735								
735	LES OLSON COMPANY	EA851389	1 year #4 maint agreemnt Downst	04/24/2019	3,966.75	.00		
Total 735:					3,966.75	.00		
815								
815	MIDWAY SANITATION DISTRIC	042319	Acct# 16151 - TitleCo pd all asses	04/23/2019	54.00	.00		
815	MIDWAY SANITATION DISTRIC	042319 ACCT#	Acct# 481 - TitleCo pd all assess	04/23/2019	54.00	.00		
815	MIDWAY SANITATION DISTRIC	042919	REIMB acct# 9661 - Title Co paid	04/29/2019	45.00	.00		
Total 815:					153.00	.00		
845								
845	MOUNTAINLAND SUPPLY COM	S103018589.0	UNION VITON ETC PARTS	04/10/2019	52.61	.00		
845	MOUNTAINLAND SUPPLY COM	S103019566.0	FOR ADAPTER FFLxFIP ETC	04/24/2019	25.60	.00		
845	MOUNTAINLAND SUPPLY COM	S103021326.0	FORD C38 COUPLING METER N	04/12/2019	35.18	.00		
845	MOUNTAINLAND SUPPLY COM	S103021326.0	2 EA FORD LFSC-3-NL ETC	04/24/2019	51.20	.00		
845	MOUNTAINLAND SUPPLY COM	S103026120.0	MESH SCREEN HEX BOLT ETC	04/17/2019	139.31	.00		
845	MOUNTAINLAND SUPPLY COM	S103026120.0	STEEL FLANGE 3"	04/17/2019	49.15	.00		
845	MOUNTAINLAND SUPPLY COM	S103027316.0	ROMAC 306	04/18/2019	312.89	.00		
845	MOUNTAINLAND SUPPLY COM	S103036694.0	victor no .20 replacemnt cutter	04/25/2019	36.15	.00		
845	MOUNTAINLAND SUPPLY COM	S103042425.0	SOLENOID G4	04/30/2019	271.40	.00		
Total 845:					973.49	.00		
875								
875	OFFICE DEPOT	300274121001	PAPER AND MONO CORRECTI	04/09/2019	29.22	.00		
875	OFFICE DEPOT	301630400001	6x10 Jiffy Self Sea	04/11/2019	32.66	.00		
875	OFFICE DEPOT	301630870001	Office desk mat	04/15/2019	80.83	.00		
875	OFFICE DEPOT	301630871001	PosT ITS	04/15/2019	17.19	.00		
875	OFFICE DEPOT	303728531001	PADDED MAILERS	04/17/2019	6.05	.00		
Total 875:					165.95	.00		
1045								
1045	STANDARD PLUMBING SUPPLY	JMMD29	Gt full zinc nozzle & hose connect	04/23/2019	19.77	.00		
1045	STANDARD PLUMBING SUPPLY	JMN647	GAL SUPER CONC ROUNDUP	04/24/2019	115.00	.00		
1045	STANDARD PLUMBING SUPPLY	JMR323	KWIKSET LOCK KEY	04/25/2019	6.49	.00		
Total 1045:					141.26	.00		
1150								
1150	HOME DEPOT Credit Services	44075156070	trash bags towels mop sweeper d	04/17/2019	561.27	.00		
1150	HOME DEPOT Credit Services	44150806422	Garden weed preventr broom bru	04/19/2019	337.67	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1150:					898.94	.00		
1305								
1305	VERIZON WIRELESS	9827220861	Cellular service Backnet	04/01/2019	357.67	.00		
Total 1305:					357.67	.00		
1310								
1310	WASATCH AUTO PARTS	169409	Parts Misc	04/24/2019	179.48	.00		
1310	WASATCH AUTO PARTS	169877	OIL FILTER WRENCH	05/01/2019	44.31	.00		
1310	WASATCH AUTO PARTS	169879	BEAM BLADES	05/01/2019	126.36	.00		
Total 1310:					350.15	.00		
1365								
1365	WAVE PUBLISHING	J78771	Open space postcard (2800)	03/31/2019	290.00	.00		
1365	WAVE PUBLISHING	J78772	Thank you cards (mayor)	03/31/2019	90.00	.00		
1365	WAVE PUBLISHING	J78807	Logo card (500)	03/31/2019	45.00	.00		
1365	WAVE PUBLISHING	L16428	NOTICE OF PUBLIC HEARING 4	04/10/2019	138.74	.00		
Total 1365:					563.74	.00		
1421								
1421	HEBER LIGHT & POWER	156	1st qtr 2019 streetlight mainten	04/16/2019	805.99	.00		
Total 1421:					805.99	.00		
1538								
1538	JASON JENKINS	82	Deed analysis & prepare legal des	04/29/2019	500.00	.00		
Total 1538:					500.00	.00		
1571								
1571	FASTENAL IND & CONST SUPP	UTHEB68971	50 EXPN ANCHR	04/15/2019	48.59	.00		
1571	FASTENAL IND & CONST SUPP	UTHEB68985	GAZEBO REPAIRS	04/16/2019	73.52	.00		
Total 1571:					122.11	.00		
1603								
1603	ROCKY MOUNTAIN POWER	042219 GOLF	868 W GOLF COURSE DR.	04/22/2019	12.13	.00		
Total 1603:					12.13	.00		
1818								
1818	CASH	043019	PLANNING COMMISSION PACK	04/30/2019	22.70	.00		
1818	CASH	043019	MAILING PLAQUE UAPT	04/30/2019	9.17	.00		
1818	CASH	043019	STAINLESS STEEL CLEANING	04/30/2019	15.94	.00		
Total 1818:					47.81	.00		
2080								
2080	NATIONAL BENEFIT SERVICES	700033	FSA PLAN ADMIN April2019	04/30/2019	75.00	.00		
Total 2080:					75.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2147								
2147	CHEMTECH-FORD LABORATO	19C0092	Analysis - water monthly bacteriol	03/05/2019	100.00	.00		
Total 2147:					100.00	.00		
2165								
2165	INTERMOUNTAIN FARMERS AS	1011546385	18" PISTOL GRIP AND TRIGGER	04/24/2019	31.98	.00		
2165	INTERMOUNTAIN FARMERS AS	1011546543	Lawn Seed TURF GRASS SEED	04/24/2019	149.75	.00		
2165	INTERMOUNTAIN FARMERS AS	1011546543	Lawn Seed	04/24/2019	149.75	.00		
Total 2165:					331.48	.00		
2376								
2376	TECHNOLOGY NET COMPANY,	3982	COMPENSATION SURVERY An	04/15/2019	150.00	.00		
Total 2376:					150.00	.00		
2418								
2418	FINAL COMPLETION DEPOSIT	18-088 FCD	18-088 FINAL COMPLETION DE	04/23/2019	1,500.00	.00		
Total 2418:					1,500.00	.00		
2446								
2446	JENNIFER SWEAT	042519	UAPT conference2019 Travel exp	04/25/2019	310.66	.00		
2446	JENNIFER SWEAT	042519	PER DIEM	04/25/2019	76.00	.00		
Total 2446:					386.66	.00		
2518								
2518	The Go Travel Sites	14249	Website-Hosting/Service	04/23/2019	84.00	.00		
Total 2518:					84.00	.00		
2520								
2520	Staker Parson Companies	4894259	1" CRUSHED ROCK & 3/4" road	04/16/2019	513.43	.00		
2520	Staker Parson Companies	4900712	Cobble rock	04/23/2019	1,579.68	.00		
Total 2520:					2,093.11	.00		
2539								
2539	Burton Lumber	3637825	1-3/8" Colonist INT HC pine flat ja	04/09/2019	93.36	.00		
2539	Burton Lumber	737320	Cedar shims and steel wood scre	04/11/2019	12.64	.00		
Total 2539:					106.00	.00		
2553								
2553	BackNET	042519	Reimburse Restitution for Conf Re	04/25/2019	500.00	.00		
Total 2553:					500.00	.00		
2561								
2561	CENTURYLINK -435-654-3924 4	4356543924 04	435-654-3924 453B	04/07/2019	131.45	.00		
Total 2561:					131.45	.00		
2636								
2636	CenturyLink 435-654-4120	1466210582	435-654-4120 Phone Services	04/11/2019	939.48	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2636:					939.48	.00		
2700								
2700	Car Quest Auto Parts	15341-29558	HD FUEL FILTER FUEL/WATER	05/01/2019	176.15	.00		
Total 2700:					176.15	.00		
2701								
2701	Colette Caldwell	13	APRIL 2019 JANITORIAL SERVI	04/26/2019	1,000.00	1,000.00	05/01/2019	
Total 2701:					1,000.00	1,000.00		
2703								
2703	Mike Kohler	482	2019 POLITICAL/GOVMNT ACTI	03/19/2019	2,000.00	.00		
Total 2703:					2,000.00	.00		
2728								
2728	MONICIA ECHOLS	040919	BEEHIVE annual chapter conf - C	04/09/2019	41.42	.00		
Total 2728:					41.42	.00		
2751								
2751	007 MARKETING	12816	MINT TINS MIDWAY LOGO	03/28/2019	550.00	.00		
Total 2751:					550.00	.00		
2752								
2752	WOODROW DAVID COLLETTE	03282019	INSPECTIONS MARCH 4-25, 201	03/28/2019	1,372.50	1,372.50	04/30/2019	
Total 2752:					1,372.50	1,372.50		
2760								
2760	KATHY SWENSON	042219	Cancelled Community Ctr res for	04/22/2019	150.00	150.00	04/24/2019	
Total 2760:					150.00	150.00		
2761								
2761	BRITE AV SOLUTIONS, LLC	10172	AUDIO/VIDEO PACKAGE	04/22/2019	834.30	.00		
Total 2761:					834.30	.00		
2762								
2762	BCM SNOW REMOVAL LLC	3599	18 BLOOM MASTER @80 & 12 B	04/26/2019	2,100.00	.00		
2762	BCM SNOW REMOVAL LLC	3599	8 BLOOM MASTERS @80 EACH	04/26/2019	640.00	.00		
Total 2762:					2,740.00	.00		
Grand Totals:					24,556.84	2,522.50		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
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Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Midway City Council
7 May 2019
Regular Meeting

Minutes of the
16 April 2019
Regular Meeting



Memo

Date: 3 May 2019
To:
Cc:
From: Brad Wilson, City Recorder/Financial Officer
RE: Minutes of the 16 April 2019 City Council Regular Meeting

Please note that the following minutes are awaiting formal approval and are in draft or unapproved form.

**MINUTES OF THE
MIDWAY CITY COUNCIL
(Regular Meeting)**

**Tuesday, 16 April 2019, 5:00 p.m.
Midway City Office Building, Downstairs Conference Room
75 North 100 West, Midway, Utah**

Note: Notices/agendas were posted at 7-Eleven, Ridley’s Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the City Council, City Engineer, City Attorney, Planning Director, Public Works Assistant Crew Chief, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City’s website. A copy of the public notice/agenda is contained in the supplemental file.

1. Call to Order

Mayor Johnson called the meeting to order at 5:06 p.m.

Members Present:

Celeste Johnson, Mayor
Jeff Drury, Council Member (Participated Electronically)
Lisa Orme, Council Member
Bob Probst, Council Member
JC Simonsen, Council Member
Ken Van Wagoner, Council Member

p.m.)
Cory Lott, Public Works Crew Chief (Arrived at 7.06 p.m.)
Shane Owens, Public Works Assistant Crew Chief (Arrived at 7.06 p.m.)
Jennifer Sweat, Treasurer (Arrived at 7.06 p.m.)
Monica Echols (Arrived at 7.06 p.m.)
Brad Wilson, Recorder/Financial Officer

Staff Present:

Corbin Gordon, Attorney
Dan Matthews, Attorney’s Office
Wes Johnson, Engineer (Arrived at 7.06

Others Present:

Kyle Probst

2. Review Contracts (City Attorney – Approximately 45 minutes) – Review existing contracts, agreements, memorandums of understanding, and related documents between Midway City and various parties.

Dan Matthews made the following comments:

- The City needed to carefully consider and decide how it wanted to use its buildings.
- Certain buildings should have controlled access.
- The City should be uniform when allowing the use of its facilities.
- There were several types of agreements that needed to be considered by the Council.
- Was comfortable with 501(c)(3), but not for-profit, organizations using the facilities.
- Organizations using the buildings long-term should have renter’s insurance.

Mayor Johnson explained that Kyle Probst, patriarch for the Midway West Stake of The Church of Jesus Christ of Latter-day Saints, had an arrangement to use a room in the Community Center to give blessings. Council Member Orme asked if the use of the room was a condition of the City receiving the building from the Church. Kyle Probst responded that it was an informal arrangement with a previous mayor.

Mayor Johnson was concerned that other religious denominations had been denied use of the Community Center on Sundays.

Kyle Probst indicated that the Community Center was convenient, quiet on Sundays, less distracting than his home, and where he attended church before it become a public building. He added that the building included pictures of former missionaries for the Church. Council Member Simonsen asked if the pictures could be considered historical. Mr. Matthews said they would have to be removed if someone challenged them being in a civic building.

Kyle Probst offered to rent the room.

Note: Kyle Probst left at 5:18 p.m.

3. Closed Meeting to Discuss the Character, Professional Competence, or Physical or Mental Health of an Individual and Pending or Reasonably Imminent Litigation

Motion: Council Member Simonsen moved to go into a closed meeting.

Second: Council Member Van Wagoner seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Note: Closed meeting minutes are sealed and strictly confidential. Access to such minutes must be obtained through a court of law.

Motion: Council Member Van Wagoner moved to go out of the closed meeting.

Second: Council Member Probst seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Motion: Without objection, Mayor Johnson recessed the meeting at 6:58 p.m. She reconvened the meeting at 7:06 p.m.

Note: Monica Echols, Wes Johnson, Cory Lott, Shane Owens, and Jennifer Sweat arrived at 7:06 p.m.

4. FY 2020 Budget / Departmental Recommendations (Financial Officer – Approximately 3 hours) – Receive and discuss recommendations from the various departments for the FY 2020 budget.

Note: A copy of the budget as presented is contained in the supplemental file.

Brad Wilson reviewed and the Council discussed the estimated revenue for the General Fund, Capital Improvement Projects (CIP) Fund and the Water Fund.

Jennifer Sweat presented her recommended expenditures for the Administrative Department and the Non-Departmental Department. The Council and meeting attendees discussed the recommendations.

Monica Echols presented her recommended expenditures for the Building Safety Department. The Council and meeting attendees discussed the recommendations.

Note: Ms. Sweat and Ms. Echols left following their presentations.

Wes Johnson, Cory Lott and Shane Owens presented their recommended expenditures for the CIP Fund. The Council and meeting attendees discussed the recommendations.

5. Adjournment

Motion: Council Member Orme moved to adjourn the meeting. Council Member Probst seconded the motion. The motion passed unanimously.

The meeting was adjourned at 10:00 p.m.

DRAFT

Midway City Council
7 May 2019
Regular Meeting

Minutes of the
23 April 2019
Work Meeting



Memo

Date: 3 May 2019
To:
Cc:
From: Brad Wilson, City Recorder/Financial Officer
RE: Minutes of the 23 April 2019 City Council Work Meeting

Please note that the following minutes are awaiting formal approval and are in draft or unapproved form.

**MINUTES OF THE
MIDWAY CITY COUNCIL
(Work Meeting)**

**Tuesday, 23 April 2018, 9:00 a.m.
Midway City Office Building, Upstairs Conference Room
75 North 100 West, Midway, Utah**

Note: Notices/agendas were posted at 7-Eleven, Ridley's Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the City Council, City Engineer, City Attorney, Planning Director, Public Works Assistant Crew Chief, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City's website. A copy of the public notice/agenda is contained in the supplemental file.

1. Call to Order

Mayor Johnson called the meeting to order at 9:00 a.m. She indicated that Council Member Drury might arrive or call later in the meeting.

Members Present:

Celeste Johnson, Mayor
Jeff Drury, Council Member (Arrived at 1:17 p.m.)
Lisa Orme, Council Member
Bob Probst, Council Member
JC Simonsen, Council Member
Ken Van Wagoner, Council Member

Michael Henke, Planning Director (Left at approximately 11:15 a.m.)
Wes Johnson, Engineer
Shane Owens, Public Works Assistant Crew Chief (Arrived at approximately 11:15 a.m.)
Brad Wilson, Recorder/Financial Officer

Others Present:

Paul Berg, Berg Engineering
Brad Pelo

Staff Present:

Corbin Gordon, Attorney (Arrived at 9:10 a.m.)

Note: A copy of the meeting roll is contained in the supplemental file.

- 2. Pelo Subdivision / Culinary Water Service** (Brad Pelo – Approximately 30 minutes) – Discuss and possibly agree to provide culinary water service to the Pelo Subdivision located at 520 South 500 East.

Michael Henke gave a presentation regarding the request and reviewed the following items:

- Development summary
- Proposed location for the development.
- Concept plan

- Discussion items
- Road from Michie Lane to 850 South
- Trail plan
- Out-of-pocket expenses

Mr. Henke also made the following comments:

- Brad Pelo, the applicant, was finalizing the purchase of the property.
- Because of timing issues, Mr. Pelo requested to develop the land in Wasatch County and then annex the property into Midway City.
- The County needed a will serve letter for culinary water, from Midway City, before it would consider the project.
- Should the County or the City receive the water rights?
- Johnathan Hughes, who owned the property to the west, was illegally accessing his land through Deer Creek Estates.
- The City's trails plan recommended a paved trail on the east side of the project.
- The project was less density than the maximum allowed in the City or County.
- The lots would be deed restricted and could not be subdivided.
- The applicant requested that the annexation fee be waived because of the project's low density and significant open space.

Note: A copy of Mr. Henke's presentation is contained in the supplemental file.

Brad Pelo, applicant, made the following comments:

- Had tried to contact Mr. Hughes but was unsuccessful.

Paul Berg, representing the applicant, made the following comments:

- Suggested that the annexation process be streamlined for small projects.
- The County's construction standards were comparable to the City's.
- The proposed development met the County's standards for irrigated area around houses.
- It would be most logical for the road, from Michie Lane to 850 South, to go through the land owned by The Church of Jesus Christ of Latter-day Saints. This property might be purchased for a new public school.
- The applicant wanted to use the existing road for agricultural access. The trail could follow this road.
- A trail easement could be conveyed to the City as part of the will serve letter.

Council Member Van Wagoner indicated that he had run cattle on the property.

The Council, staff and meeting attendees discussed the following items related to the request:

- The City had added significant additional requirements to the annexation process.
- A concrete ribbon curb should be used.
- The City was considering soft trails to reduce maintenance.
- Should the Midway Irrigation Company hold the water rights for the project?

- There should be language noting that the project was near a sewer treatment facility which could smell. Was this saying that some properties were less valuable than other properties? How close to the facility should a property be to require this language? Should properties developed only after the facility was built include such language?
- The trail could follow the proposed cul-de-sac.

3. Hamlet PUD / Deed Open Space (City Planner – Approximately 10 minutes) – Discuss the Hamlet PUD HOA deeding open space, on the south side of Michie Lane at approximately 875 East, to Midway City.

Michael Henke gave a presentation regarding the proposal and reviewed the following items:

- Location of the open space
- Land use summary

Mr. Henke also made the following comments:

- The Hamlet HOA did not know that it owned the open space.
- The open space was approximately 10 acres, not landscaped, over the old garbage dump for the City, and did not include any water rights. It would be a good location for a trail head.
- Deeding the property to the City would decrease taxes, maintenance and liability for the HOA.
- The open space could be used as a safer access to the Heber Valley Special Service District's sewage treatment facility.

Note: A copy of Mr. Henke's presentation is contained in the supplemental file.

The Council, staff and meeting attendees discussed the following items:

- The open space would be good for bike trails.
- The soil should be tested, because it was over a garbage dump, before the City agreed to accept the open space.
- There was a problem with people dumping debris on the property.

The City Council agreed to further consider accepting the open space.

4. Closed Meeting to Discuss Pending or Reasonably Imminent Litigation

Motion: Council Member Van Wagoner moved to go into a closed meeting.

Second: Council Member Simonsen seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Note: Closed meeting minutes are sealed and strictly confidential. Access to such minutes must be obtained through a court of law.

Motion: Council Member Van Wagoner moved to go out of the closed meeting.

Second: Council Member Probst seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Motion: Without objection, Mayor Johnson recessed the meeting at 10:45 a.m. She reconvened the meeting at 10:54 a.m.

5. Dutch Fields/River Road Trail / Reconstruction Cost – Discuss the cost to reconstruct the Dutch Fields/River Road trail.

Wes Johnson reviewed the cost to reconstruct the Dutch Fields/River Road trail. He indicated that the Dutch Fields HOA was responsible for its maintenance. He reviewed the HOA's proposals to pay for the work and the possibility of the City participating.

6. FY 2020 Budget (Financial Officer – Approximately 2.5 hours) – Discuss the proposed FY 2020 budget for Midway City.

Michael Henke presented his budget recommendations for the Planning and Zoning Department.

Note: Mr. Henke left at approximately 11:15 a.m.

Shane Owens presented his budget recommendations for the various departments overseen by the Public Works Department.

The Council, staff and meeting attendees discussed the following items:

- A parking lot between the Town Hall and the Community Center. A meeting with the Utah Department of Transportation would be held on May 9th at 1:30 p.m. regarding the parking lot and other parking issues along Main Street.
- General trails maintenance should be increased to \$50,000.
- \$25,000 should be budgeted for the Dutch Fields/River Road trail.
- Adopting a policy for regular cost of living adjustments for the mayor and city council.
- Budget \$75,000 to add a reception area to the City Office Building.
- Increasing wages for several public works employees.
- Hiring two seasonal public works employees.
- A general amount for donations in the budget instead of donations to specific organizations. Organizations would have to apply for a donation from this amount.
- Review the billings and payments for the Class "B" water share assessment.
- Review the amount budgeted for water related claims.

Note: Council Member Drury arrived at 1:17 p.m.

- A greater share of road reconstruction could be paid from the Water Fund when the project included water infrastructure.
- More money should be set aside for future ice rink capital improvements.

The Council, staff and meeting attendees reviewed the proposed expenditures in the Ice Rink Fund.

7. Closed Meeting to Discuss the Character, Professional Competence, or Physical or Mental Health of an Individual.

Motion: Council Member Van Wagoner moved to go into a closed meeting.

Second: Council Member Orme seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Note: Pursuant to Section 52-4-206, Utah Code Annotated 1953, the closed meeting was not recorded nor was written minutes kept. An affidavit affirming the purpose of the meeting is contained in the supplemental file.

Motion: Council Member Van Wagoner moved to go out of the closed meeting.

Second: Council Member Simonsen seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

8. Adjournment

Motion: Council Member Drury moved to adjourn the meeting. Council Member Orme seconded the motion. The motion passed unanimously.

The meeting was adjourned at 2:38 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder

Midway City Council
7 May 2019
Regular Meeting

Minutes of the
23 April 2019
Meeting



Memo

Date: 3 May 2019
To:
Cc:
From: Brad Wilson, City Recorder/Financial Officer
RE: Minutes of the 23 April 2019 City Council Meeting

Please note that the following minutes are awaiting formal approval and are in draft or unapproved form.

**MINUTES OF THE
MIDWAY CITY COUNCIL
(Meeting)**

**Tuesday, 23 April 2019, 6:00 p.m.
Midway Community Center, City Council Chambers
160 West Main Street, Midway, Utah**

Note: Notices/agendas were posted at 7-Eleven, Ridley's Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the City Council, City Engineer, City Attorney, Planning Director, Public Works Assistant Crew Chief, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City's website. A copy of the public notice/agenda is contained in the supplemental file.

1. Call to Order; Pledge of Allegiance; Prayer and/or Inspirational Message

Mayor Johnson called the meeting to order at 6:00 p.m.

Members Present:

Celeste Johnson, Mayor
Jeff Drury, Council Member
Lisa Orme, Council Member
Bob Probst, Council Member
JC Simonsen, Council Member
Ken Van Wagoner, Council Member

Staff Present:

Corbin Gordon, Attorney (Arrived at 6:08 p.m.)
Michael Henke, Planning Director
Wes Johnson, Engineer
Brad Wilson, Recorder/Financial Officer

Note: A copy of the meeting roll is contained in the supplemental file.

Mayor Johnson led the Council and meeting attendees in the pledge of allegiance. Michael Henke gave the prayer and/or inspirational message.

2. Consent Calendar

- a. Agenda for the 23 April 2019 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 19 March 2019 City Council Work Meeting
- d. Minutes of the 19 March 2019 City Council Closed Meeting
- e. Minutes of the 19 March 2019 City Council Regular Meeting
- f. Conclude the warranty period and release the remainder of the bond for the Deer Creek Estates Subdivision located at 300 East Michie Lane subject to the payment of all fees due to Midway City

Note: Copies of items 2a, 2b, 2c, and 2e are contained in the supplemental file.

Wes Johnson indicated that some of the items, necessary to conclude the warranty period for the Deer Creek Estates Subdivision, had not been completed.

Motion: Council Member Orme moved to approve the agenda, warrants and minutes but exclude concluding the warranty period for the Deer Creek Estates Subdivision.

Second: Council Member Probst seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

3. Public Comment – Comments were taken for items not on the agenda.

Mayor Johnson asked if there were any comments from the public for items not on the agenda. No comments were offered.

4. Department Reports

Cemetery / Damaged Areas

Council Member Probst reported that sod would be laid on damaged areas in the City's cemetery.

Town Hall / New Piano Room

Council Member Probst reported that a new room was being built in the Town Hall to store the piano.

Roads / Salt / Overtime

Council Member Van Wagoner reported that a lot of salt was used that winter on the roads. He also reported that the Public Work Department had accumulated a lot of overtime plowing snow off the roads.

Pressurized Irrigation System

Council Member Van Wagoner reported that the pressurized irrigation system was being turned

on and leaks fixed.

600 North

Council Member Simonsen reported that work had begun on rebuilding 600 North.

Parking / Main Street

Council Member Simonsen reported that the City was still working on the parking issues along and around Main Street.

Parking Lot / Town Hall and Community Center

Council Member Simonsen reported that the City was considering reinstalling a parking lot between the Town Hall and the Community Center.

Trails / Grant

Council Member Simonsen reported that a grant application had been submitted for additional trails and a trails survey.

Note: Corbin Gordon arrived at 6:08 p.m.

Trails / 10-Year Plan

Council Member Simonsen reported that a 10-year plan was being prepared for the construction and maintenance of trails.

Michie Lane Park / Construction

Council Member Simonsen reported that construction was proceeding on the Michie Lane Park.

Trails and Parks Committee / Applications

Council Member Simonsen reported that applications were being taken for new members of the City's trails and parks committee.

- 5. Pelo Subdivision / Culinary Water Service** (Brad Pelo – Approximately 10 minutes) – Discuss and possibly agree to provide culinary water service to the Pelo Subdivision located at 520 South 500 East.

Michael Henke gave a presentation regarding the request and reviewed the following items:

- Land use summary
- Location of the proposed subdivision
- Proposed development plan
- Trails master plan
- Trail route through the subdivision
- Roads master plan
- Possible routes for a road from Michie Lane to 850 South

Mr. Henke also made the following comments:

- A will serve letter, to provide culinary water to the subdivision, had been prepared.
- The lots should be deed restricted so that they could not be further subdivided.
- Wasatch County and the City would inspect the infrastructure.
- An out-of-pocket amount would be needed.
- The applicant wanted to build the subdivision in the County then annex into the City so that he could build his home that summer.
- The development could not be a rural preservation subdivision because each lot would not be at least five acres.
- The same amount of water would be required whether it was developed in the City or the County.

Note: A copy of Mr. Henke’s presentation is contained in the supplemental file.

Corbin Gordon made the following comments:

- The requested will serve letter would allow the City to be part of the approval and plat map recording process.
- The subdivision would be built to any of the City’s standards that exceeded those of the County.
- The water rights should be turned over to the City at the amounts that it required.

Motion: Council Member Drury moved to continue consideration of the item to the next regular meeting so that the Council could review the will serve letter.

Second: Council Member Orme seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

6. 425 North Homestead Drive / Conditional Use Permit (Michael Murphy –

Approximately 15 minutes) – Discuss and possibly approve a conditional use permit for a transient rental located at 425 North Homestead Drive (Zoning is R-1-22 and Transient Rental Overlay District). Recommended for approval without conditions by the Midway City Planning Commission. **Public Hearing**

Michael Henke gave a presentation regarding the request and reviewed the following items:

- Location of the house.
- History of the house.
- Summary
- Possible findings

Mr. Henke also made the following comments:

- The house was in a residential zone, so a transient rental was a conditional use.

Note: A copy of Mr. Henke’s presentation is contained in the supplemental file.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public. She closed the hearing when no public comment was offered.

Motion: Council Member Simonsen moved to approve the conditional use permit for the transient rental located at 425 North Homestead Drive with the following findings of fact:

- It was consistent with the Municipal Code.
- It met the vision for residential development in the R-1-22 zone within the TROD in the General Plan.
- Every licensed rental unit helped the City to comply with State requirements that allowed the City to collect the resort tax.
- No concerns or complaints had been received regarding the request.

Second: Council Member Probst seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

7. Scotch Fields PUD, Phases 3 and 4 / Preliminary Approval (Berg Engineering –

Approximately 30 minutes) – Discuss and possibly grant preliminary approval for Phases 3 and 4 of the Scotch Fields PUD located at approximately 1400 North Canyon View Road (Zoning is RA-1-43). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing**

Corbin Gordon recused himself because he represented the applicant during the master plan approval for the project. Council Member Probst also recused himself because he was related to the applicant.

Note: Council Member Probst and Mr. Gordon left at 6:30 p.m.

Michael Henke gave a presentation regarding the request and reviewed the following items:

- Land use summary
- Location of the PUD
- Phasing
- Phasing map
- Landscaping plan for Phases 3 and 4
- Road layout
- Open space requirements
- Discussion points
- Water Board recommendation
- Possible findings
- Proposed conditions
- Plan with the route of Canyon View Drive changed
- Proposed connection to a field road

Mr. Henke also made the following comments:

- The clubhouse had been changed to a pavilion which would reduce the number of water connections by one.
- The phasing was determined by the cul-de-sac limitations.
- A portion of Canyon View Road as previously proposed was on property owned by the Wilson family. That property would need to be deeded to the City for the road. Both the Planning Commission and staff recommended that the issue be resolved before preliminary approval was granted. A new proposal now showed that portion of Canyon View Road on the applicant's property. The Wilson family would be responsible for the trail or sidewalk along the east side of that section of road.
- Recommended that the areas next to the Valais PUD and the Zenger property have manicured instead of natural landscaping.
- Everyone in Scotch Fields received a notice of the request because the clubhouse was being eliminated.
- The latest proposal met the open space requirements because the clubhouse and associated parking had been removed.

Note: A copy of Mr. Henke's presentation is contained in the supplemental file.

Paul Berg, Berg Engineering Resource Group and representing the applicants, made the following comments:

- The latest proposal moved some of the units to meet the open space requirements.
- The number of units had not changed.
- The proposal was consistent with the City's 2015 general plan.
- It was cleaner to have all the asphalt section of Canyon View Road on the applicants' property.
- The landscaping in Phase I would be completed after all the units were finished in the phase.
- The proposal complied with the Municipal Code.
- Opens space was placed to benefit the public.
- All property owners in the project had been notified that there would no longer be a clubhouse.
- No one opposing the removal of the club house had contacted the City.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public.

Kurt Wilson

Mr. Wilson made the following comments:

- Was a member of the family that owned the property next to the PUD effected by the route of Canyon View Drive.
- The family would continue to farm its property.
- Wanted as much ground as possible for farming.
- Accepted having to install the sidewalk or trail.
- The applicant had been good to work with.

Ruby Jacques

Ms. Jacques indicated that she lived in Scotch Fields, along with 17 other families, and did not want the ongoing expense of a clubhouse.

Robyn Bertoch

Ms. Bertoch gave a presentation and made the following comments:

- Was the president of the Valais HOA.
- The landscaping behind the completed homes, in Phase I of Scotch Fields, was not finished.
- There was debris from the development next to Valais.
- A Valais unit next to Scotch Fields had been for sale for a long time.

- Spoke with the applicant and the City Engineer regarding the landscaping and debris. The problem was not fixed.
- Requested that no approvals be granted until the landscaping was completed.

Note: A copy of Ms. Bertoch's presentation is contained in the supplemental file.

Bruce Canetti

Mr. Canetti made the following comments:

- Lived in Valais next to Scotch Fields.
- Did not want a maintenance yard in his backyard.
- Asked that the Scotch Fields construction area be cleaned up.

Tom Hill

Mr. Hill made the following comments:

- Lived in Valais and was making comments on behalf of a neighbor.
- Was concerned about the condition of Scotch Fields next to the property line.
- The applicant was not respecting nature.
- No approvals should be granted until the landscaping was completed.
- Debris from the development blew into Valais.

Bill Lundskog

Mr. Lundskog made the following comments:

- Lived in Valais
- Could tell how well a home was built by how tidy the construction site was.
- Construction materials had laid around Scotch Fields for ten months.
- The units would sell better if the development was cleaned up.

Roy Carley

Mr. Carley made the following comments:

- Homes and a cul-de-sac had been elevated in Scotch Fields.
- Thought that houses had to stay on a level area.

Mr. Henke responded that houses could be no higher than 35 feet from natural grade. He added that houses over 30 feet had to have an elevation certificate from a surveyor. He indicated that he checked the height of several of the units in the project himself and they complied.

Wes Johnson thought that the cul-de-sac had been raised six feet to prevent runoff from going into Valais. Mr. Lundskog thought that it had been raised eight to ten feet and questioned how

the water would drain. Mr. Johnson responded that the roadways and curbs would make the water flow to the west. He added that natural flow could continue but flow created by a project had to be retained.

Mayor Johnson closed the hearing when no further public comment was offered.

Paul Berg, Berg Engineering Resource Group and representing the applicants, made the following comments:

- Some areas in Phase I had been landscaped and others would be landscaped that year.
- A bond was in place to ensure that the landscaping was completed.
- It was difficult to live next to a construction site.
- There were two homebuilders and an excavator on site.
- Bill Probst, one of the applicants and one of the two homebuilders, kept his building areas clean. The other homebuilder needed to do better.
- The neighbors needed to better understand the landscaping plan.
- The landscaped areas would be irrigated and not become weeds.
- The units had sold well, and the project was well received.
- The large area next to Valais should not be manicured grass because it was not a play area and would be expensive to install and maintain.

Bill Probst, applicant, made the following comments:

- The Valais PUD had inconvenienced others when it was built.
- Should not landscape around a house until it was finished.
- Landscaping could not be done during the winter.
- The landscaper was working on site.
- Four more homes had to be completed in Phase I before all the landscaping could be done.

The Council, staff and meeting attendees discussed the following items:

- Did the accumulated potrock in the project need to be removed?
- The landscaping plan had been reviewed by the City.
- The warranty bond for any phase would not be released until all the required items were completed.
- The Wilsons would have to bring the sewer line down Canyon View Road from their development. It should be in the road, but it could be in the common area for Scotch Fields.
- The amenities could be accessed with on-street parking and the trails.
- Native landscaping in a development could be problematic.
- It was a concern to change a development after people had already moved into the project. However, several unit owners spoke that night and they supported the changes.
- Changing a master plan should be rare.

Motion: Council Member Drury moved to grant preliminary approval for the Scotch Fields PUD, Phase III and IV with the following findings and conditions:

- The proposal met the requirements of the PUD code.

- The proposal met the vision of the area as described in the General Plan for the RA-1-43 zone.
- A public trail would be built by the developer that would be an amenity to the entire community.
- The developer would remove the clubhouse from Phase IV.
- The clubhouse would be replaced with a pavilion,
- Canyon View Road would be moved as noted in the staff presentation with 52' within the Scotch Fields property line.
- The landscaping on the eastern side of Phase IV would be converted to match the internal development landscape standards with a transition as determined by staff.
- The construction bond of \$84,000 would be held until final grading and landscaping, including the removal of large pot rock, was completed for Phase I.

Second: Council Member Van Wagoner seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Recused
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Motion: Without objection, Mayor Johnson recessed the meeting at 7:36 p.m. She reconvened the meeting at 7:42 p.m.

Note: Council Member Probst and Corbin Gordon returned at 7:42 p.m.

- 8. Homestead Resort / Master Plan Amendment** (Russ Watts – Approximately 90 minutes) – Discuss and possibly approve an amendment to the master plan for the Homestead Resort located at 700 North Homestead Drive (Zoning is Resort Zone). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing**

Michael Henke gave a presentation regarding the request and reviewed the following items:

- Land use map
- Core location of the Homestead Resort
- History of resort zones in Midway
- The Homestead predated zoning in the City
- Homestead development options
- 2008 master plan
- 2008 area map
- Areas of the Homestead's golf course not protected as open space
- Map showing all land owned by the Homestead
- Land leased or granted as an easement for the golf course

- Proposed masterplan
- Types of units and amenities
- Sensitive lands
- Proposed site plan
- Phasing plan
- Setback plan
- Trail plan
- Landscaping plan
- Goals for the propose master plan
- Discussion items
- Public accessibility
- VAC recommendation
- Possible findings
- Items included in the motion
- Proposed conditions

Mr. Henke also made the following comments:

- The City's definition of a resort had changed over time.
- Resorts had always been allowed in portions of the City.
- The request was amending the master plan approved in 2008.
- Land in the golf course, used as open space for other developments, was not developable.
- Preserving the golf course would protect open space.
- 1/3 of the golf course was already protected.
- Some facilities would be open to the public.
- Entrances would be on Homestead Drive with a gated emergency access to The Links. The Wasatch County Fire Protection Special Service District would need to approve the gate.
- The Homestead owned an easement with limitations to access through The Links.
- There would be a maintenance road and trail connected to Pine Canyon Road.
- There would be landscaped berms on the south side of the project.
- The applicant would preserve the golf course.
- The number of units was limited by the 2008 master plan.
- There was no density limitation for resorts in the 2008 or current land use laws.
- The transient rental requirements for the proposal needed to be solidified.
- Three story units could be built within the 35-foot height limit.
- The newest version of the site plan had been proposed since the project was considered by the Planning Commission.

Note: A copy of Mr. Henke's presentation is contained in the supplemental file.

Wes Johnson indicated that the applicant would improve a portion of Homestead Drive. The design had been reviewed by UDOT and was being reviewed by his firm's traffic engineer.

Paul Tew, representing the applicant, gave a presentation on the look and style of the proposal.

Note: A copy of Mr. Tew's presentation is contained in the supplemental file.

Russ Watts, applicant made the following comments:

- Had met with a lot of groups, including neighbors, regarding the proposal. Listened to these groups and was trying to do better.
- Wanted to honor and restore the legacy of the Homestead.
- Wanted as many experiences as possible in the project.
- Wanted 90% transient rentals in the project.
- Wanted to protect the golf course.
- Wanted to donate five to six acres as a tax right off.
- Would completed the trail from the Homestead to Main Street.
- Had an ecological engineer on his team.
- Was working with the homeowners along the south boundary.
- Was willing to push back the units on the south boundary from the proposed 40 feet to 50 feet.
- Would limit the resort traffic going through The Links.
- A filtering system would be put on the golf course's water system.
- Committed to having amenities that could be used by the public.
- Wanted to preserve the architectural style of the resort.
- Wanted the amenities in the core of the project and the parking close to the hotel.
- The south units were needed to make the project work.
- Garages and lower floor bedrooms would be lost if the units were limited to two stories.
- If the balconies were removed there would still be windows where guests could look at the neighbors.
- May offer a summer pass to area residents.
- Some holes of the golf course would be adjusted to improve views.

Paul Berg, Berg Engineering Resource Group and representing the applicant, made the following comments:

- The applicant would complete the public trail to connect the Homestead to Main Street.
- The units should be moved further from The Links.
- The proposed master plan would have the same number of keys as the 2008 plan.
- There would be no increase in density and more open space.
- The parking would increase without having a parking structure.
- The setbacks would remain the same or increase.
- The large building on the north side of the crater had been removed.
- Was the engineer for The Links. The PUD was able to be built because of the cooperation of the Homestead owners.

The Council, staff and meeting attendees discussed the following items:

- A certain percentage of units would not be transient rentals. Where would those units be?
- Most people would not want to live in a resort.
- The outdoor concerts at the Homestead should continue.
- Could some of the parking on the north be moved to the south to create a buffer with the neighbors? This would be a long way for guests to walk. Certain amenities could be

moved south to provide the buffer.

- Could the driveways for the south units be put on the south side to create a buffer?
- The costs should not be so high that area residents could not use the amenities.
- The proposal would create less traffic than if the golf course was developed for housing.
- Could shorter structures be moved to along the south boundary? Most of the other types of units were 35 feet high and wider.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public.

Jim Bryan

Mr. Bryan gave a presentation on how the proposal would affect the north units in The Links. He made the following comments:

- A trail would be next to the property line.
- The proposed units would create a wall of buildings that would eliminate the views to the north from the Links.
- There would be no room for a berm because of the trail.
- The berm would create a buffer from the trail but would not protect their views.
- Asked that the three closest units be moved to another location in the project.

Note: A copy of Mr. Bryan's presentation is contained in the supplemental file.

Kevin Cahoon

Mr. Cahoon made the following comments:

- The proposed units were too high and took away the views to the north.
- The lighting and noise would negatively impact the neighbors.
- The units would be six to eight feet higher because of the slope.
- Parking or the splash pad should be on the south boundary.
- The proposal would reduce the value of his property.
- The applicant was receiving something at the expense of the neighbors.

Stuart Waldrip

Mr. Waldrip made the following comments:

- Lived next to the golf course.
- Volunteered as the general counsel for the Homestead and Zermatt resorts.
- Had served on the Midway City Planning Commission.
- The proposal was a significant event that would save the Homestead.
- The Homestead was struggling to remain viable and needed a face lift.

- The look and feel of the facility would remain.
- The Proposal would help preserve the resort tax and open space.
- The applicant would complete the trail to Main Street.
- Development and growth could not be stopped but it could be shaped.
- You could not please all the people all the time.
- The neighbors bought their units knowing that they were next to a resort.

Brent Haight

Mr. Haight made the following comments:

- Contractors used Rainbow Lane, which was a private road, to access The Links. Kids lived along the road.
- Did not want use of the road to increase because of the proposal.
- There should be signs prohibiting construction access.
- Did not want the residents in The Links to move because of the proposal.

Teddy Bryan

Ms. Bryan made the following comments:

- The proposal was the worst-case scenario for her because she would lose her privacy.
- The units should be moved to the north where the neighbors would be on the higher end of the slope.

Court Klekas

Mr. Klekas made the following comments:

- Had been involved with the Homestead since 2008.
- The new proposal was better than the plan approved in 2008.
- The applicant was a careful developer with integrity.
- Understood the concerns of the neighbors but asked that the new proposal be approved.

Craig Simons

Mr. Simons made the following comments:

- He and his family developed and operated the crater, at the Homestead, since 1996.
- Supported the proposed master plan which would restore the facility but keep the feel of the Homestead.
- Appreciated the applicant finishing the trail from the Homestead to Main Street.
- There needed to be more mention of the crater.

David Aemmer

Mr. Aemmer made the following comments:

- Lived in the Kantons.
- Was concerned about the light from the parking lots. Mr. Watts responded that the light would be dark sky compliant and more trees would be added to shield the neighbors.
- The parking lots should be dispersed throughout the project.
- The proposed barn would be right in front of his house.
- Traffic would go through the Kantons to get to the Homestead. Mr. Berg responded that the road was needed as the required second access to the Kantons. He added that the Homestead allowed the road to connect to one of its entrances.

Stacey Reeder

Ms. Reeder made the following comments:

- Liked the idea of a parking lot instead of units next to The Links.
- Light from the windows in the units would be problematic for the neighbors.
- People would come to the Homestead to have a good time which would negatively impact the neighbors.

Rob Stanford

Mr. Stanford asked if the golf course would be eliminated. Mr. Henke responded that it would remain if the proposal was approved.

Mr. Stanford said that access to skiing needed to be discussed.

Ken Ross

Mr. Ross made the following comments:

- Was the president of The Links HOA.
- Had met with Mr. Watts three times.
- The only solution to the units next to The Links was to move them back an additional ten feet.
- Noise, lights and parties at the Homestead would all be problems.
- Asked that Mr. Watts meet with the neighbors along the south boundary of the proposal.
- The 2008 plan showed parking on the south side of the project.

Steve Eddington

Mr. Eddington made the following comments:

- Was a part owner of the Homestead.
- Some of the trees at the facility had shallow roots and worried that they would fall.
- The Homestead was 133 years old.

- Mr. Watts and his team were the people who could transform the facility.
- Never listed the Homestead for sale but had people approach him to purchase it.
- Any sale had to include protecting the 300 employees. These employees had worked an average of 10 years at the Homestead.
- Preserving the Homestead would help the City's tax base.
- Supported Mr. Watts' proposal.

Mayor Johnson closed the hearing when no further public comment was offered.

Council Member Simonsen made the following comments:

- Could see the reasons to approve the proposal.
- If the Homestead failed it could be redeveloped completely as residential which would not be good for Midway.
- The proposal included a lot of open space.
- The Homestead would not last if it was not economically viable.
- There were a few significant complaints like the units on the south side next to The Links.
- A lot of things still needed to be reviewed by the Council and staff.
- Some adjustments needed to be made.

Council Member Drury made the following comments:

- There was too much to consider to take action on the proposal that night.
- Asked Mr. Watts to meet with the neighbors on the south and north boundaries.
- A citizen participation report still needed to be submitted.

Council Member Orme made the following comments:

- Commended Mr. Watts for the information presented and working with the neighbors.
- Liked the direction of the proposal and thought that it was close to being finalized.
- Other plans submitted for the Homestead were less appealing.
- Action on the proposal should be tabled until the next meeting on May 7th.

Council Member Van Wagoner asked if the 2008 plan could be adjusted without Council approval. Mr. Henke responded that only minor adjustments could be made without approval. Council Member Van Wagoner expressed concern with how "minor" could be defined.

Mayor Johnson wanted to see the phasing for the most recent site plan.

Council Member Probst made the following comments:

- Was excited about the proposal.
- Mr. Watts was the right person for the project.
- Any problem could be solved if the right people were involved.
- There were some issues that needed to be addressed.

Motion: Council Member Drury moved to table consideration of the proposal until the next regular meeting with the following conditions:

- The applicant would meet with the neighbors.
- The Council visit the site.

Second: Council Member Simonsen seconded the motion.

Discussion: Council Member Orme recommended that the Council not wait until the day of the next meeting to visit the site. Mr. Berg suggested May 3rd at 9:00 a.m. The Council agreed.

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

- 9. Resolution 2019-10 / Amended Homestead Master Plan Agreement** (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-10 adopting an amendment to the Homestead Resort Master Plan Agreement.

The proposed resolution was not considered at the meeting.

Motion: Without objection, Mayor Johnson recessed the meeting at 10:45 p.m. She reconvened the meeting at 10:53 p.m.

- 10. Resolution 2019-09 / Pending Ordinance Small Wireless Communications** (City Planner – Approximately 20 minutes) – Discuss and possibly approve Resolution 2019-09 adopting a notice of pending ordinance regarding small wireless communications.

Michael Henke gave a presentation regarding the proposed resolution and reviewed the following items:

- 5G facilities
- Pictures of 5G infrastructure

Mr. Henke also made the following comments:

- 5G networks had been approved by the federal government and were regulated by federal law.
- Federal law allowed such networks in the City. The City could regulate certain aspects of the networks by ordinance.
- Franchise agreements would be needed for the use of rights-of-way.
- 5G networks provided greater bandwidth but the range of their equipment was limited so more infrastructure was needed.

Note: A copy of Mr. Henke's presentation is contained in the supplemental file.

Mayor Johnson recommended the same regulations for all of Wasatch County.

Motion: Council Member Drury moved to approve Resolution 2019-09, adopting a notice of pending ordinance regarding small wireless communications, accepting all staff conditions.

Second: Council Member Orem seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

11. Cemetery Roads and Tate Lane Water Line Project / Award Contract (City Engineer – Approximately 10 minutes) – Discuss and possibly award a contract to rebuild/extend roads in the Midway City Cemetery, extend a water line on Tate Lane and possibly other projects.

Wes Johnson reviewed the bids after the parking lot, between the Town Hall and the Community Center, had been removed. He indicated that the low bidder was JB Gordon Construction for \$332,709.06.

Note: A copy of the revised bid tabulation is contained in the supplemental file.

Motion: Council Member Van Wagoner moved to award a contract, to rebuild/extend roads in the Midway City Cemetery and extend a water line on Tate Lane, to the low bidder JB Gordon Construction for \$332,709.06 and authorize the Mayor to sign the related documents.

Second: Council Member Orme seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

12. 2019 Municipal Election / Voting Method (City Recorder – Approximately 10 minutes) – Discuss and possibly determine the voting method for the 2019 Midway City Municipal

Election.

Brad Wilson reviewed the allowed voting methods for the election. He recommended voting by mail because Wasatch County had used it for several elections, it was convenient for voters and increased voter participation.

Council Member Orme indicated that the Wasatch County School District might put a bond issuance on the ballot that year. Mr. Wilson responded that Wasatch County would then have to administer the general election.

Motion: Council Member Drury moved to approve voting by mail barring Wasatch County administering the election.

Second: Council Member Orme seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

13. Adjournment

Motion: Council Member Orme moved to adjourn the meeting. Council Member Drury seconded the motion. The motion passed unanimously.

The meeting was adjourned at 11:10 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder