

MIDWAY CITY COUNCIL REGULAR MEETING

Tuesday, 20 August 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 20 August 2019 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 16 July 2019 City Council Regular Meeting
- d. Minutes of the 16 July 2019 City Council Closed 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. Buildings and Cemetery
- b. Public Works, Water Board and Weed Board
- c. Roads, Sidewalks, Parking, Parks & Trails, and Animal Control

5. Lime Canyon Meadows / Preliminary Approval (Berg Engineering – Approximately 10 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.

6. Bonner Landing / Preliminary Approval (Berg Engineering – Approximately 20 minutes) – Discuss and possibly grant preliminary approval for the Bonner Landing Subdivision located at approximately 100 East and 100 South (Zoning is R-1-9). Recommended with conditions by the Midway City Planning Commission. **Public Hearing**

7. Raynor Subdivision / Preliminary and Final Approval (Berg Engineering – Approximately 30 minutes) – Discuss and possibly grant preliminary and final approval for the Raynor Subdivision located at 565 North River Road (Zoning is R-1-

15). Recommended with conditions by the Midway City Planning Commission.

Public Hearing

8. **Resolution 2019-24 / Raynor Subdivision Development Agreement** (City Attorney – Approximately 5 minutes) – Discuss and possibly approve Resolution 2019-24 adopting a development agreement for the Raynor Subdivision located at 565 North River Road (Zoning is R-1-15).
9. **Ordinance 2019-09 / Multiple Plat Maps Per Phase** (Berg Engineering – Approximately 45 minutes) – Discuss and possibly adopt Ordinance 2019-09, amending Title 16 (Land Use) of the Midway City Municipal Code, to allow the recording of multiple plat maps per phase of a development. Recommended for denial by the Midway City Planning Commission. **Public Hearing**
10. **Ordinance 2019-07 / Small Wireless Communications** (City Planner – Approximately 30 minutes) – Discuss and possibly adopt Ordinance 2019-07, amending Section 16.22 (Wireless Telecommunications) of the Midway City Municipal Code, to regulate small wireless facilities and related improvements. Recommended for approval by the Midway City Planning Commission. **Public Hearing**
11. **Adjournment**

Published on the Utah Public Notice Website on 16 August 2019 at 5:00 p.m. by Brad Wilson (City Recorder)
Posted on 16 August 2019 at 5:30 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
20 August 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
200								
200	Blue Stakes of Utah 811	UT20191876	BILLABLE E-MAIL NOTIFICATIO	07/31/2019	76.26	.00		
Total 200:					76.26	.00		
245								
245	C-THRU WINDOW	9851	Exterior window cleaning	07/05/2019	235.00	235.00	08/12/2019	
Total 245:					235.00	235.00		
270								
270	CASELLE INC	96462	Contract AND MAINTENANCE 0	08/01/2019	68.00	.00		
270	CASELLE INC	96462	Contract AND MAINTENANCE 0	08/01/2019	358.27	.00		
Total 270:					426.27	.00		
545								
545	HICKEN OXYGEN @ PLAZA	R073119-49	OXYGEN	07/31/2019	24.00	.00		
Total 545:					24.00	.00		
565								
565	HORROCKS ENGINEERS INC	51986	Saddle Creek Ranch (Planning)	07/16/2019	475.00	475.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Sunburst Ranch Phase 2 (Const)	07/16/2019	88.90	88.90	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Scotch Fields Phase2 (Const)	07/16/2019	3,056.20	3,056.20	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Bonner Meadow/Lucerne Estates(07/16/2019	1,050.00	1,050.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Whitaker Farm Sub (Planning)	07/16/2019	3,500.00	3,500.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	CAscades at SH Phase2 (Const)	07/16/2019	267.35	267.35	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Remund Farms Phase1 (Const)	07/16/2019	6,366.50	6,366.50	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Appenzell Phase2 (Const)	07/16/2019	4,883.70	4,883.70	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Lodges at SnakeCreek,Amend(Co	07/16/2019	567.50	567.50	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Canyon view Plat B (Const)	07/16/2019	2,415.65	2,415.65	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Scotch Fields Phases 3&4 (Planni	07/16/2019	1,362.50	1,362.50	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Lime Canyon Meadows(Planning)	07/16/2019	175.00	175.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Update Construction Standards	07/16/2019	81.00	81.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Attend council meetings	07/16/2019	612.00	612.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	General engineering tasks	07/16/2019	1,128.00	1,128.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	10 year road & water plan	07/16/2019	306.00	306.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Attend planning commission mtgs	07/16/2019	153.00	153.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Update water GIS map	07/16/2019	243.00	243.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Update trail plan	07/16/2019	612.00	612.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	Probst Way Road & Utilities	07/16/2019	782.55	782.55	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	2019 Trails - Cari to St. Park (Desi	07/16/2019	1,522.00	1,522.00	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	2019 Trails-South Center (Design)	07/16/2019	9,799.15	9,799.15	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	600 N (Design & Const)	07/16/2019	10,749.30	10,749.30	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	CEMETERY ROAD (Const)	07/16/2019	3,397.35	3,397.35	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	TATE LANE WATER LINE (Const	07/16/2019	6,377.95	6,377.95	08/12/2019	
565	HORROCKS ENGINEERS INC	51986	2020 Trail-Homestead to RR (Des	07/16/2019	3,643.50	3,643.50	08/12/2019	
565	HORROCKS ENGINEERS INC	52260	Saddle Creek Ranch	08/13/2019	175.00	.00		
565	HORROCKS ENGINEERS INC	52260	Indian Summer Sub (Construction	08/13/2019	616.50	.00		
565	HORROCKS ENGINEERS INC	52260	Scotch Fields, Phase 2 (Const)	08/13/2019	970.60	.00		
565	HORROCKS ENGINEERS INC	52260	Lucern Estates (Planning)	08/13/2019	62.50	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
565	HORROCKS ENGINEERS INC	52260	Whitaker Farm Sub (Planning)	08/13/2019	2,800.00	.00		
565	HORROCKS ENGINEERS INC	52260	Remund Farms, Phase 1 (Const)	08/13/2019	5,204.60	.00		
565	HORROCKS ENGINEERS INC	52260	Appenzell, Phase 2	08/13/2019	1,228.45	.00		
565	HORROCKS ENGINEERS INC	52260	Lodges at Snake Creek, Amend (08/13/2019	1,831.90	.00		
565	HORROCKS ENGINEERS INC	52260	Canyon View PUD, Phase 2 (Con	08/13/2019	2,781.80	.00		
565	HORROCKS ENGINEERS INC	52260	Homestead Master Plan (Planning	08/13/2019	364.00	.00		
565	HORROCKS ENGINEERS INC	52260	Scotch Fields, Phase 3 & 4 (Plann	08/13/2019	350.00	.00		
565	HORROCKS ENGINEERS INC	52260	Bonner Landing (Planning)	08/13/2019	175.00	.00		
565	HORROCKS ENGINEERS INC	52260	Ray Farm Sub (Const)	08/13/2019	1,114.10	.00		
565	HORROCKS ENGINEERS INC	52260	Attend council mtgs	08/13/2019	306.00	.00		
565	HORROCKS ENGINEERS INC	52260	General engineering tasks	08/13/2019	652.50	.00		
565	HORROCKS ENGINEERS INC	52260	Attend Planning & Commission Mt	08/13/2019	306.00	.00		
565	HORROCKS ENGINEERS INC	52260	Update WATER GIS Map	08/13/2019	1,701.00	.00		
565	HORROCKS ENGINEERS INC	52260	Probst Way Road & Utilities	08/13/2019	1,017.80	.00		
565	HORROCKS ENGINEERS INC	52260	2019 Trail - Cari to St. Park (Desi	08/13/2019	2,735.50	.00		
565	HORROCKS ENGINEERS INC	52260	2019 Trails-South Center (Design)	08/13/2019	6,678.50	.00		
565	HORROCKS ENGINEERS INC	52260	600 N (Design & Const)	08/13/2019	11,342.20	.00		
565	HORROCKS ENGINEERS INC	52260	CEMETERY ROAD (Const)	08/13/2019	9,483.50	.00		
565	HORROCKS ENGINEERS INC	52260	TATE LANE WATER LINE (Const	08/13/2019	789.05	.00		
565	HORROCKS ENGINEERS INC	52260	2020 Trail-Homestead to RR (Des	08/13/2019	1,350.00	.00		
565	HORROCKS ENGINEERS INC	52260	2019 surface treatments	08/13/2019	5,264.70	.00		
565	HORROCKS ENGINEERS INC	52260	2019 Trip Hazards	08/13/2019	171.00	.00		
565	HORROCKS ENGINEERS INC	52260	2020 Water Line Design	08/13/2019	684.00	.00		
Total 565:					123,771.30	63,615.10		
715								
715	LANCE EXCAVATING, INC	1523	Tree stump removal	07/09/2019	40.00	40.00	08/12/2019	
Total 715:					40.00	40.00		
720								
720	LATIMER DO IT BEST HARDWA	B262211	Michie Fence bolt hook	08/13/2019	29.98	.00		
Total 720:					29.98	.00		
840								
840	MOUNTAINLAND ASSOCIATION	S103194934.0	Adapters, pack joint, couplings	08/12/2019	402.88	.00		
Total 840:					402.88	.00		
845								
845	MOUNTAINLAND SUPPLY COM	S103135710.0	PRIMER, rotor nozzle, etc	07/03/2019	1,693.26	1,693.26	08/12/2019	
845	MOUNTAINLAND SUPPLY COM	S103135710.0	S80 Nipple TBE	07/03/2019	28.58	28.58	08/12/2019	
845	MOUNTAINLAND SUPPLY COM	S103135710.0	Body rotor nozzle	07/09/2019	160.49	160.49	08/12/2019	
845	MOUNTAINLAND SUPPLY COM	S103156216.0	MISC PARTS	07/17/2019	1,553.52	1,553.52	08/12/2019	
845	MOUNTAINLAND SUPPLY COM	S103160726.0	Control valve	07/18/2019	20.35	20.35	08/12/2019	
845	MOUNTAINLAND SUPPLY COM	S103164857.0	Numerous parts	07/22/2019	358.98	.00		
845	MOUNTAINLAND SUPPLY COM	S103167784.0	Coupling, teflon tape, etc	07/23/2019	175.78	.00		
845	MOUNTAINLAND SUPPLY COM	S103168963.0	Low voltage sold/canister etc	07/29/2019	257.14	.00		
845	MOUNTAINLAND SUPPLY COM	S103170372.0	2" mini sigma etc	07/25/2019	1,621.62	.00		
845	MOUNTAINLAND SUPPLY COM	S103170539.0	Elbows and adapters	07/25/2019	130.63	.00		
845	MOUNTAINLAND SUPPLY COM	S103171128.0	Nipple welded multiple parts	07/25/2019	653.26	.00		
845	MOUNTAINLAND SUPPLY COM	S103177549.0	Credit memo for S103166569.001	07/30/2019	160.00-	.00		
845	MOUNTAINLAND SUPPLY COM	S103179080.0	PVC adapters etc	07/31/2019	18.52	.00		
845	MOUNTAINLAND SUPPLY COM	S103180938	Barb funny elbow, etc	08/01/2019	16.23	.00		
845	MOUNTAINLAND SUPPLY COM	S103188723.0	Pesb Control valve, etc	08/06/2019	2,298.32	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
845	MOUNTAINLAND SUPPLY COM	S103188723.0	Union Buna-N etc	08/07/2019	65.70	.00		
Total 845:					8,892.38	3,456.20		
870								
870	NUTECH SPECIALTIES INC	181870	Sulfuric liquid drain opener, bowl	07/10/2019	326.61	326.61	08/12/2019	
870	NUTECH SPECIALTIES INC	181870	Bowl bright, sulfuric liquid drain op	07/10/2019	326.61	326.61	08/12/2019	
Total 870:					653.22	653.22		
875								
875	OFFICE DEPOT	339067192001	Letter size storage boxes	07/10/2019	35.88	.00		
875	OFFICE DEPOT	339993214001	Adhesive roller	07/10/2019	16.92	.00		
875	OFFICE DEPOT	339993214001	Lettering tape & copy paper	07/10/2019	237.60	.00		
875	OFFICE DEPOT	340020484001	Postage stamps & processing fee	07/10/2019	240.00	.00		
Total 875:					530.40	.00		
930								
930	Dominion Energy	2731063797 07	2731063797 COMMUNITY CENT	07/16/2019	41.72	41.72	07/29/2019	
930	Dominion Energy	577002000 071	5770020000 TOWN HALL	07/16/2019	96.33	96.33	07/29/2019	
930	Dominion Energy	655855000 071	6558550000 Maintenance Shop	07/16/2019	7.68	7.68	07/29/2019	
930	Dominion Energy	655855000 071	6558550000 New Public Works B	07/16/2019	8.80	8.80	07/29/2019	
930	Dominion Energy	680102000 071	6801020000 Admin Office	07/16/2019	27.17	27.17	07/29/2019	
Total 930:					181.70	181.70		
945								
945	CENTURYLINK - 435-654-3223 2	269B 080719	4356543223 269B	08/07/2019	469.82	.00		
945	CENTURYLINK - 435-654-3223 2	3223269B 070	4356543223 269B	07/07/2019	451.75	451.75	07/29/2019	
Total 945:					921.57	451.75		
955								
955	REAMS	757774	Work boots - Preston Broadhead	07/17/2019	244.94	244.94	08/12/2019	
955	REAMS	757787	Wrangler boots & Boulet boot	07/25/2019	252.80	252.80	08/12/2019	
955	REAMS	757788	5 work shirts - Ty VanWagoner	07/25/2019	120.00	120.00	08/12/2019	
955	REAMS	757789	5 work shirts - Lane Taylor	07/25/2019	120.00	120.00	08/12/2019	
955	REAMS	757797	Work boots,pants - Lane Taylor	08/05/2019	210.00	.00		
Total 955:					947.74	737.74		
960								
960	REMOTE CONTROL SYSTEMS	19093	Yearly SCADA system software u	07/15/2019	750.00	750.00	08/12/2019	
Total 960:					750.00	750.00		
1000								
1000	RURAL WATER ASSOC OF UTA	4663	2018 Consumer Confidence Repo	07/30/2019	100.00	100.00	08/12/2019	
Total 1000:					100.00	100.00		
1045								
1045	STANDARD PLUMBING SUPPLY	JQDG36	10" Adj wrench and faucet pop up	05/28/2019	109.97	109.97	08/12/2019	
1045	STANDARD PLUMBING SUPPLY	JRYC09	BXB Coupling	06/18/2019	7.36	.00		
1045	STANDARD PLUMBING SUPPLY	JRYP03	Rotor Screw Driver	06/18/2019	9.66	.00		
1045	STANDARD PLUMBING SUPPLY	JTCL86	Dura Tan STD, valve box	06/20/2019	74.46	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1045	STANDARD PLUMBING SUPPLY	JTMZ56	Brass elbow, coupler	06/25/2019	44.16	.00		
1045	STANDARD PLUMBING SUPPLY	JTNH30	PVC Coupling	06/26/2019	9.39	.00		
1045	STANDARD PLUMBING SUPPLY	JTQW04	1.1 gal home def killer	06/27/2019	11.00	11.00	07/29/2019	
1045	STANDARD PLUMBING SUPPLY	JTYK30	PVC CMP coupling	07/01/2019	9.39	.00		
1045	STANDARD PLUMBING SUPPLY	JVCR02	ZN closed bar holder	07/02/2019	43.65	.00		
1045	STANDARD PLUMBING SUPPLY	JVR272	2pk mouse trap	07/10/2019	2.99	2.99	08/12/2019	
1045	STANDARD PLUMBING SUPPLY	JVTL80	PVC Couplings	07/11/2019	11.09	.00		
1045	STANDARD PLUMBING SUPPLY	JVV539	adapters	07/11/2019	3.58	3.58	08/12/2019	
1045	STANDARD PLUMBING SUPPLY	JWX502	PVC male adapter	07/25/2019	3.68	.00		
1045	STANDARD PLUMBING SUPPLY	JXFY97	arc nozzle	07/30/2019	41.50	.00		
1045	STANDARD PLUMBING SUPPLY	JXTN75	PVC Couplers	08/06/2019	43.08	.00		
1045	STANDARD PLUMBING SUPPLY	JXXZ73	6pc pin punch kit	08/08/2019	16.99	.00		
1045	STANDARD PLUMBING SUPPLY	JYFT20	PVC parts	08/13/2019	69.29	.00		
1045	STANDARD PLUMBING SUPPLY	JYJ483	Parts	08/14/2019	51.21	.00		
1045	STANDARD PLUMBING SUPPLY	JYJY21	Pipe adapter etc	08/14/2019	32.95	.00		
1045	STANDARD PLUMBING SUPPLY	JYKQ00	Half circ bubbler	08/15/2019	11.90	.00		
Total 1045:					607.30	127.54		
1150								
1150	HOME DEPOT Credit Services	44100888057	tools, batteries, grinders, saws, et	07/01/2019	1,188.35	1,188.35	08/12/2019	
1150	HOME DEPOT Credit Services	44150276386	socket adapter, nut driver 4-pack	07/08/2019	19.91	19.91	08/12/2019	
1150	HOME DEPOT Credit Services	44150600700	Cleaning supplies	07/15/2019	185.70	185.70	08/12/2019	
Total 1150:					1,393.96	1,393.96		
1170								
1170	TIMBERLINE ACE HARDWARE	127488	Flowers - garden sprayer 2 gallon	07/18/2019	18.99	18.99	08/12/2019	
1170	TIMBERLINE ACE HARDWARE	127509	Duct tape, air freshner, smart stra	07/18/2019	42.11	42.11	08/12/2019	
1170	TIMBERLINE ACE HARDWARE	127795	Freshnr, hasp, etc	07/31/2019	20.16	20.16	08/12/2019	
1170	TIMBERLINE ACE HARDWARE	127994	Michi lane work	08/08/2019	103.43	.00		
1170	TIMBERLINE ACE HARDWARE	128087	Chain coil, Trash can 20Gal	08/12/2019	38.33	.00		
1170	TIMBERLINE ACE HARDWARE	128090	Michi lane work	08/12/2019	31.96	.00		
1170	TIMBERLINE ACE HARDWARE	128105	grade stake, marker magnum, bla	08/13/2019	54.90	.00		
Total 1170:					309.88	81.26		
1255								
1255	UTAH LOCAL GOVERNMENTS	1576431	2018 Workers Comp Audit	07/10/2019	6,917.43	.00		
Total 1255:					6,917.43	.00		
1305								
1305	VERIZON WIRELESS	9833146493	backnet Cell Service	07/01/2019	283.59	283.59	07/29/2019	
1305	VERIZON WIRELESS	9835117051	Kelton Webb phone	08/01/2019	43.88	.00		
1305	VERIZON WIRELESS	9835117051	Georgia McGuire jetpack	08/01/2019	45.19	.00		
1305	VERIZON WIRELESS	9835117051	Ice Rink jetpack	08/01/2019	45.19	.00		
1305	VERIZON WIRELESS	9835117051	MONICIA Echols tablet	08/01/2019	45.19	.00		
1305	VERIZON WIRELESS	9835117051	Steven Rhoads phone	08/01/2019	43.88	.00		
1305	VERIZON WIRELESS	9835117051	Steven tablet	08/01/2019	40.01	.00		
1305	VERIZON WIRELESS	9835117051	SHANE OWENS Phone	08/01/2019	61.08	.00		
1305	VERIZON WIRELESS	9835117051	CORY LOTT Jetpack	08/01/2019	40.05	.00		
1305	VERIZON WIRELESS	9835117051	Michael Henke Phone	08/01/2019	50.87	.00		
1305	VERIZON WIRELESS	9835117051	CORY LOTT Phone	08/01/2019	47.08	.00		
1305	VERIZON WIRELESS	9835117051	ON CALL PHONE	08/01/2019	31.73	.00		
1305	VERIZON WIRELESS	9835117051	Darin Bunker Phone	08/01/2019	52.24	.00		
1305	VERIZON WIRELESS	9835117051	MONICa Echols phone	08/01/2019	51.88	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1305	VERIZON WIRELESS	9835135484	Cellular service Backnet	08/01/2019	283.59	.00		
Total 1305:					1,165.45	283.59		
1310								
1310	WASATCH AUTO PARTS	175914	spark plug - copper	07/23/2019	1.96	.00		
1310	WASATCH AUTO PARTS	176373	seal lead acid battery	07/30/2019	113.55	.00		
1310	WASATCH AUTO PARTS	176616	Brake pads - front	08/01/2019	41.76	.00		
1310	WASATCH AUTO PARTS	176971	Battery, cleaner, windshield wash	08/06/2019	159.63	.00		
1310	WASATCH AUTO PARTS	176972	Battery brush	08/06/2019	18.26	.00		
1310	WASATCH AUTO PARTS	177057	Fuse holder	08/07/2019	7.38	.00		
1310	WASATCH AUTO PARTS	177141	Padlock	08/08/2019	7.65	.00		
1310	WASATCH AUTO PARTS	177634	Battery and core deposit	08/15/2019	104.66	.00		
Total 1310:					454.85	.00		
1325								
1325	WASATCH COUNTY HEALTH D	INV- 0872	LAB FEE - Drinking Water 7/16/19	07/29/2019	60.00	.00		
Total 1325:					60.00	.00		
1340								
1340	WASATCH COUNTY SHERIFFS	INV0719	LAW ENFORCEMENT (July 2019	07/15/2019	14,120.83	14,120.83	08/12/2019	
Total 1340:					14,120.83	14,120.83		
1360								
1360	WASATCH COUNTY SOLID WA	80293 080119	80293 Centennial park	08/01/2019	220.00	.00		
1360	WASATCH COUNTY SOLID WA	90042 080119	90042 Community Center	08/01/2019	75.00	.00		
1360	WASATCH COUNTY SOLID WA	90291 080119	90291 Park & Offices	08/01/2019	145.00	.00		
1360	WASATCH COUNTY SOLID WA	90292 080119	90292 Cemetery	08/01/2019	75.00	.00		
1360	WASATCH COUNTY SOLID WA	93287 080119	93287 City Shop	08/01/2019	75.00	.00		
Total 1360:					590.00	.00		
1365								
1365	WAVE PUBLISHING	C60749	Bookkeeping supervisor position	07/19/2019	32.25	.00		
1365	WAVE PUBLISHING	J79407	100 Newsletters	07/30/2019	112.00	.00		
1365	WAVE PUBLISHING	L16539	NOTICE OF PUBLIC HEARING 7	07/03/2019	231.24	231.24	08/12/2019	
Total 1365:					375.49	231.24		
1421								
1421	HEBER LIGHT & POWER	18153001 0731	18153001 Gerber Water Tank	07/31/2019	43.00	.00		
1421	HEBER LIGHT & POWER	18153002 0731	18153002 75 N 100 W	07/31/2019	369.49	.00		
1421	HEBER LIGHT & POWER	18153003 0731	18153003 Cemetery FG PL Light	07/31/2019	53.73	.00		
1421	HEBER LIGHT & POWER	18153004 0731	18153004 Cottages 3 Pump	07/31/2019	1,938.75	.00		
1421	HEBER LIGHT & POWER	18153006 0731	18153006 Maintenance Shop	07/31/2019	205.45	.00		
1421	HEBER LIGHT & POWER	18153007 0731	18153007 850 E Main-Hamlet	07/31/2019	25.27	.00		
1421	HEBER LIGHT & POWER	18153008 0731	18153008 Town Hall	07/31/2019	287.07	.00		
1421	HEBER LIGHT & POWER	18153009 0731	18153009 Ice Rink TS Lights	07/31/2019	57.04	.00		
1421	HEBER LIGHT & POWER	18153010 0731	18153010 Ice Rink Chiller	07/31/2019	8.48	.00		
1421	HEBER LIGHT & POWER	18153012 0731	18153012 ROUNDABOUT	07/31/2019	15.59	.00		
1421	HEBER LIGHT & POWER	18153013 0731	18153013 Community Center	07/31/2019	188.09	.00		
1421	HEBER LIGHT & POWER	18153014 0731	18153014 Valais Park	07/31/2019	9.16	.00		
1421	HEBER LIGHT & POWER	18153015 0731	18153015 Centenial Park	07/31/2019	21.22	.00		
1421	HEBER LIGHT & POWER	18153016 0731	18153016 Ball Park Lights	07/31/2019	8.48	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1421	HEBER LIGHT & POWER	18153017 0731	18153017 Swiss Days Trailer	07/31/2019	8.48	.00		
1421	HEBER LIGHT & POWER	18153018 0731	18153018 Alpinhof Tank	07/31/2019	8.94	.00		
1421	HEBER LIGHT & POWER	18153019 0731	18153019 Town Square Shelter	07/31/2019	147.13	.00		
1421	HEBER LIGHT & POWER	18153021 0731	18153021 Restrooms	07/31/2019	10.80	.00		
1421	HEBER LIGHT & POWER	18153022 0731	18153022 Mahogany Well	07/31/2019	83.82	.00		
1421	HEBER LIGHT & POWER	18153033 0731	18153033 Pedestal for Swiss Day	07/31/2019	13.59	.00		
1421	HEBER LIGHT & POWER	18153034 0731	18153034 1295 W 310 N	07/31/2019	1,636.89	.00		
1421	HEBER LIGHT & POWER	18153035 0731	18153035 New Maint. Building (C)	07/31/2019	202.51	.00		
1421	HEBER LIGHT & POWER	18153036 0731	18153036-250 EAST MICHIE LN-	07/31/2019	8.17	.00		
1421	HEBER LIGHT & POWER	18153040 0731	18153040 300 S 300 E SPRINKL	07/31/2019	240.75	.00		
1421	HEBER LIGHT & POWER	18153041 0731	18153041 350 S 300 E SPRINKL	07/31/2019	240.75	.00		
Total 1421:					5,832.65	.00		
1429								
1429	ALSCO / AMERICAN LINEN	LSAL2230260	Hand Sanitizer FOAM (8)	07/18/2019	491.60	491.60	08/12/2019	
Total 1429:					491.60	491.60		
1496								
1496	WATTS ENTERPRISES	081419	Partial refund of Homestead App	08/14/2019	14,450.00	.00		
1496	WATTS ENTERPRISES	081419	Developer fees - Deposit	08/14/2019	92,704.50	.00		
Total 1496:					107,154.50	.00		
1571								
1571	FASTENAL IND & CONST SUPP	UTHEB70634	Phillips power bit2"	06/26/2019	62.12	62.12	07/29/2019	
1571	FASTENAL IND & CONST SUPP	UTHEB70646	MISC PARTS	06/26/2019	28.02	28.02	07/29/2019	
1571	FASTENAL IND & CONST SUPP	UTHEB70681	parts	06/27/2019	21.53	21.53	07/29/2019	
Total 1571:					111.67	111.67		
1603								
1603	ROCKY MOUNTAIN POWER	52369498-002	868 W GOLF COURSE DR.	07/22/2019	12.41	12.41	08/12/2019	
Total 1603:					12.41	12.41		
1680								
1680	SUMMIT ENGINEERING GROUP	12324	Survey work for 600 north project	07/20/2019	2,100.00	.00		
Total 1680:					2,100.00	.00		
1821								
1821	WEX BANK	60046235	FUEL	06/30/2019	554.75	554.75	07/29/2019	
1821	WEX BANK	60046235	LATE FEE	06/30/2019	75.00	75.00	07/29/2019	
1821	WEX BANK	60536152	FUEL	07/31/2019	574.70	.00		
1821	WEX BANK	60536152	LATE FEE	07/31/2019	75.00	.00		
Total 1821:					1,279.45	629.75		
1933								
1933	SNOW, CHRISTENSEN & MARTI	457153	John Probst Lawsuit	07/15/2019	1,125.00	1,125.00	08/12/2019	
Total 1933:					1,125.00	1,125.00		
1992								
1992	K O ELECTRIC, INC.	4210	GAZEBO REPAIRS	07/26/2019	1,836.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1992:					1,836.00	.00		
2037								
2037	EWING IRRIGATION	7806420	valve decoder	07/03/2019	294.00	294.00	08/12/2019	
Total 2037:					294.00	294.00		
2080								
2080	NATIONAL BENEFIT SERVICES	710202	FSA PLAN ADMIN July2019	07/31/2019	75.00	75.00	08/12/2019	
Total 2080:					75.00	75.00		
2084								
2084	SUSETTE GERTSCH	071819	Refund for cancellation of Comm	07/18/2019	200.00	200.00	07/29/2019	
2084	SUSETTE GERTSCH	071919	Refund for cancellation of TownS	07/19/2019	300.00	300.00	07/29/2019	
Total 2084:					500.00	500.00		
2147								
2147	CHEMTECH-FORD LABORATO	19G0144	DBPs (Disinfection Byproducts)	07/12/2019	240.00	240.00	08/12/2019	
2147	CHEMTECH-FORD LABORATO	19G0146	Pesticides-DW AP (2)	07/15/2019	1,790.00	1,790.00	08/12/2019	
2147	CHEMTECH-FORD LABORATO	19G0148	Analysis - 15 lead and copper AP	07/11/2019	420.00	420.00	08/12/2019	
2147	CHEMTECH-FORD LABORATO	19G1216	colilert AP	07/19/2019	20.00	20.00	08/12/2019	
2147	CHEMTECH-FORD LABORATO	19G1422	Lead & copper AP	08/02/2019	224.00	.00		
2147	CHEMTECH-FORD LABORATO	19H0024	colilert AP	08/02/2019	120.00	.00		
Total 2147:					2,814.00	2,470.00		
2164								
2164	POINT S	0143027	2 tires &Tire rotation 2014 Ford F-	07/31/2019	458.97	458.97	08/12/2019	
Total 2164:					458.97	458.97		
2165								
2165	INTERMOUNTAIN FARMERS AS	1011948446	AquaNeat & 4-speed herbicide	06/27/2019	253.04	253.04	08/12/2019	
Total 2165:					253.04	253.04		
2196								
2196	T&A SOLUTIONS, INC	1191	Mahogany, Gerber & Alpenhof we	07/16/2019	2,530.85	2,530.85	08/12/2019	
Total 2196:					2,530.85	2,530.85		
2264								
2264	GRAINGER	882302326	Bottle filling station, indoor	08/05/2019	1,658.00	.00		
2264	GRAINGER	924845179	Sign holder-clear (4)	07/30/2019	87.36	.00		
Total 2264:					1,745.36	.00		
2377								
2377	RIDLEY'S FAMILY MARKETS	004-0008	Water spray bottles	08/01/2019	5.98	.00		
2377	RIDLEY'S FAMILY MARKETS	080619	SALES tax Reimbursement (May	08/06/2019	3,520.97	3,520.97	08/12/2019	
2377	RIDLEY'S FAMILY MARKETS	080619	RESORT TAX Reimbursement (M	08/06/2019	2,006.29	2,006.29	08/12/2019	
Total 2377:					5,533.24	5,527.26		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2400								
2400	BRANDEN RUSSELL	072519	UNOA PER DIEM	07/25/2019	213.00	213.00	07/29/2019	
2400	BRANDEN RUSSELL	080519	LNOA - Per diem	08/05/2019	262.00	262.00	07/29/2019	
Total 2400:					475.00	475.00		
2417								
2417	Utility Refunds	2.4807.1 REFU	Sold property - refund overpayme	07/31/2019	151.65	151.65	08/12/2019	
Total 2417:					151.65	151.65		
2418								
2418	FINAL COMPLETION DEPOSIT	18-021 FCD	18-021 FINAL COMPLETION DE	07/12/2019	1,500.00	1,500.00	08/12/2019	
2418	FINAL COMPLETION DEPOSIT	18-074 FCD	18-074 FINAL COMPLETION DE	07/17/2019	1,500.00	1,500.00	08/12/2019	
2418	FINAL COMPLETION DEPOSIT	18-146 FCD	18-146 FINAL COMPLETION DE	07/11/2019	1,500.00	1,500.00	08/12/2019	
2418	FINAL COMPLETION DEPOSIT	19-005 FCD	19-005 FINAL COMPLETION DE	07/19/2019	1,500.00	1,500.00	08/12/2019	
Total 2418:					6,000.00	6,000.00		
2446								
2446	JENNIFER SWEAT	072319	APT National Conference expens	07/23/2019	630.60	630.60	08/12/2019	
2446	JENNIFER SWEAT	072319	APT conference - Transportation	07/23/2019	62.10	62.10	08/12/2019	
2446	JENNIFER SWEAT	072319	APT conference-Internet/to go foo	07/23/2019	44.76	44.76	08/12/2019	
2446	JENNIFER SWEAT	072319	APT conference - dinner	07/23/2019	19.93	19.93	08/12/2019	
Total 2446:					757.39	757.39		
2466								
2466	INTERNATIONAL CODE COUNC	1001062279	Building code essentials, etc	07/02/2019	867.83	867.83	08/12/2019	
Total 2466:					867.83	867.83		
2509								
2509	Building Permit Refund	19-086 BUILDI	19-086 DOUBLE PAID BUILDING	08/13/2019	50.00	.00		
2509	Building Permit Refund	19-086 BUILDI	19-086 DOUBLE PAID BUILDING	08/13/2019	.43	.00		
2509	Building Permit Refund	19-086 BUILDI	19-086 DOUBLE PAID BUILDING	08/13/2019	.07	.00		
Total 2509:					50.50	.00		
2520								
2520	Staker Parson Companies	5004004	water leak 3/4" road base	08/05/2019	91.23	.00		
Total 2520:					91.23	.00		
2561								
2561	CENTURYLINK -435-654-3924 4	3924453B 070	Phone/Internet Backnet	07/07/2019	132.35	132.35	07/29/2019	
2561	CENTURYLINK -435-654-3924 4	453B 080719	Backnet phone/internet 3924-453	08/07/2019	134.03	.00		
Total 2561:					266.38	132.35		
2562								
2562	CENTURYLINK 435-654-4204 77	4204775B 070	4356544204775B	07/07/2019	49.13	49.13	07/29/2019	
2562	CENTURYLINK 435-654-4204 77	775B 080719	435-654-4204 775B	08/07/2019	51.39	.00		
Total 2562:					100.52	49.13		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2563								
2563	CENTURYLINK 76612167	1473728395	435-654-3227	07/31/2019	29.03	.00		
Total 2563:					29.03	.00		
2614								
2614	Executech Utah, Inc.	134581	Monthly Licenses and Subscriptio	06/30/2019	705.24	705.24	07/29/2019	
2614	Executech Utah, Inc.	EXEC-64293	Monthly Maintenance Agreement	06/30/2019	1,365.00	1,365.00	07/29/2019	
Total 2614:					2,070.24	2,070.24		
2627								
2627	Gordon Law Group, P.C.	6539	John Probst Lawsuit	07/01/2019	2,055.00	2,055.00	07/29/2019	
2627	Gordon Law Group, P.C.	6541	Walker Ranch Subdivision	07/01/2019	195.00	195.00	07/29/2019	
2627	Gordon Law Group, P.C.	6542	Monthly flat fee	07/01/2019	4,700.00	4,700.00	07/29/2019	
2627	Gordon Law Group, P.C.	6542	Monthly flat fee	07/01/2019	300.00	300.00	07/29/2019	
2627	Gordon Law Group, P.C.	6542	Additional hours	07/01/2019	1,183.93	1,183.93	07/29/2019	
2627	Gordon Law Group, P.C.	6542	Additional hours	07/01/2019	75.57	75.57	07/29/2019	
2627	Gordon Law Group, P.C.	6543	Whitaker Farm	07/01/2019	5,356.50	5,356.50	07/29/2019	
2627	Gordon Law Group, P.C.	6544	Homestead Resort	07/01/2019	390.00	390.00	07/29/2019	
2627	Gordon Law Group, P.C.	6545	Pelo Subdivision	07/01/2019	487.50	487.50	07/29/2019	
2627	Gordon Law Group, P.C.	6546	Bonner Meadow Subdivision	07/01/2019	975.00	975.00	07/29/2019	
2627	Gordon Law Group, P.C.	6547	Cozens Subdivision	07/01/2019	370.50	370.50	07/29/2019	
Total 2627:					16,089.00	16,089.00		
2636								
2636	CenturyLink 435-654-4120	1472280458	435-654-4120 Phone Services	07/11/2019	939.48	939.48	08/12/2019	
Total 2636:					939.48	939.48		
2658								
2658	SIGNARAMA	INV-4453	Haueter Corner Sign - cemetery	07/18/2019	115.00	115.00	08/12/2019	
2658	SIGNARAMA	INV-4474	FarmersMkt - Parking signs	07/19/2019	73.25	73.25	08/12/2019	
Total 2658:					188.25	188.25		
2686								
2686	Brandon Rose	072219	LNOA - Per diem	07/22/2019	262.00	262.00	07/29/2019	
2686	Brandon Rose	08122019	UNOA - St George, UT	08/12/2019	213.00	213.00	07/29/2019	
Total 2686:					475.00	475.00		
2701								
2701	Colette Caldwell	16	July 2019 cleaning offices	07/25/2019	1,000.00	1,000.00	08/02/2019	
Total 2701:					1,000.00	1,000.00		
2728								
2728	MONICIA ECHOLS	073019	Reimburse for car wash	07/30/2019	10.00	10.00	08/12/2019	
Total 2728:					10.00	10.00		
2758								
2758	SPECTRUM Landscaping Service	9589	Extra labor-cleanout/enlarge Valai	07/13/2019	1,970.50	1,970.50	08/12/2019	
2758	SPECTRUM Landscaping Service	9593	Extra wrk-Plant new beds Hamlet	07/18/2019	4,600.00	4,600.00	08/12/2019	
2758	SPECTRUM Landscaping Service	9645	August2019 Monthly contract CE	08/01/2019	2,326.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2758	SPECTRUM Landscaping Service	9646	Parks (8 locations) Monthly contra	08/01/2019	8,537.00	.00		
2758	SPECTRUM Landscaping Service	9651	Extra work-Plant beds at Valais p	07/18/2019	1,499.00	1,499.00	08/12/2019	
Total 2758:					18,932.50	8,069.50		
2763								
2763	PRECISION MANHOLES Inc.	19-2124	New monument collar on Fox Den	07/25/2019	300.00	300.00	08/12/2019	
Total 2763:					300.00	300.00		
2764								
2764	POWER EQUIPMENT RENTAL	1-511244 BAL	Balance due on concrete saw	06/06/2019	6.66	6.66	07/29/2019	
Total 2764:					6.66	6.66		
2767								
2767	XACT DATA DISCOVERY	46-22637	monthly hosting and licensing	06/30/2019	973.28	973.28	07/29/2019	
Total 2767:					973.28	973.28		
2773								
2773	RIVER HOLLOW ENTERPRISES	810	Michie Lane Park 2nd draw-sidew	08/08/2019	100,000.00	.00		
Total 2773:					100,000.00	.00		
2776								
2776	RECYCLE SERVICES OF UTAH	INV-25723	Monthly service - June	06/01/2019	17.00	17.00	07/29/2019	
Total 2776:					17.00	17.00		
2777								
2777	WASATCH EXTERMINATORS	21246070219	Spraying buildings	07/02/2019	220.00	220.00	08/12/2019	
Total 2777:					220.00	220.00		
2778								
2778	T-MOBILE USA, INC.	9366469657	GPS Locate	08/01/2019	51.00	.00		
Total 2778:					51.00	.00		
2779								
2779	SAINT PREX OF MIDWAY, LLC	073119	Road extension Agreeemnt Permit	07/31/2019	4,400.00	4,400.00	08/12/2019	
Total 2779:					4,400.00	4,400.00		
2780								
2780	PRISCILLA LABRUM	080819	Refund TownSquarePavilion Clea	08/08/2019	250.00	250.00	08/12/2019	
Total 2780:					250.00	250.00		
2781								
2781	MELANNIE EGAN	081219	Planning Commission Mail Packet	08/12/2019	73.50	73.50	08/12/2019	
Total 2781:					73.50	73.50		
2782								
2782	JARED SIMONSEN	34152175	Survey Monkey trails survey	06/13/2019	412.79	412.79	08/12/2019	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2782:					412.79	412.79		
Grand Totals:					453,323.86	144,866.73		

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
20 August 2019
Regular Meeting

Minutes of the
16 July 2019
Regular Meeting



Memo

Date: 16 August 2019
To:
Cc:
From: Brad Wilson, City Recorder/Financial Officer
RE: Minutes of the 16 July 2019 City 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 July 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. She excused Council Member Probst.

Members Present:

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

Staff Present:

Corbin Gordon, Attorney
Michael Henke, Planning Director
Wes Johnson, Engineer
Brad Wilson, Recorder/Financial Officer

Members Excused:

Bob Probst, Council Member

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. Maddalena Willis, Miss Wasatch County 2019, gave the prayer and/or inspirational message.

2. Consent Calendar

- a. Agenda for the 16 July 2019 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 18 June 2019 City Council Work Meeting
- d. Minutes of the 18 June 2019 City Council Closed Meeting #1
- e. Minutes of the 18 June 2019 City Council Regular Meeting
- f. Minutes of the 18 June 2019 City Council Closed Meeting #2

- g. Kameron Kieffer as a Full Member of the Midway City Trails and Parks Advisory Committee
- h. Laron Turley as an Alternate Member of the Midway City Trails and Parks Advisory Committee

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

Wes Johnson asked that the following bills be added to the warrant list:

- JB Gordon, Cemetery Road and Tate Lane Water Line, \$111,691.03
- BD Bush Excavation, 600 North Road and Utilities, \$228,000.51
- Berg Engineering Resource Group, 600 North Road and Utilities, \$12,986.89

Motion: Council Member Drury moved to approve the consent calendar with the requested additions.

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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Mayor Johnson indicated that the request for a temporary beer event permit had been withdrawn and the item had been removed from the agenda. She added that the zoning map amendment would also not be considered that night at the request of the applicant.

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.

Transmission Line

Adam Buhl asked the status of approving the transmission line through the southwest section of the City. Mayor Johnson responded that the request would again be considered at the next planning commission meeting and nothing had been approved.

No further comments were offered.

4. Department Reports

Wayfinding Signs

Council Member Orme reported that the City was working on wayfinding signs.

Independence Day Celebration

Council Member Drury reported that a good Independence Day celebration was held by the Midway Boosters.

HL&P Substation

Mayor Johnson reported that Heber Light & Power Company was working to get a permit for a new substation. She said that the station would be near the Heber Valley Railroad (HVRR) station and would be paid for from impact fees.

HVRR / New Cars

Mayor Johnson reported that new railroad cars were arriving from Canada for the HVRR.

MSD / Updating Systems

Mayor Johnson reported that the Midway Sanitation District (MSD) was updating its systems.

5. Open Space Committee / Report (Courtland Nelson – Approximately 10 minutes) – Receive a report from the Midway City Open Space Advisory Committee.

Mr. Nelson, Committee Chair, gave a presentation and reviewed the following items:

- Organizing
- Focus on the open space chapter of the General Plan
- Outreach steps
- Overview of the notices of interest
- Interview opportunities
- Certified land trusts
- Photographing properties
- Forms
- Meeting between the City Council, Committee and landowners in the early fall

6. Farmers Market / Presentation (Chris Pyper – Approximately 10 minutes) – Receive a presentation on the farmers market held at the Town Square.

Athina Koumarela and Chris Pyper gave a presentation and made the following comments:

- The market facilitated farming

- Would like a permanent space on the Town Square
- Asked that the fees for the use of the Square be waived
- Focused on local items
- Provided a community booth
- Wanted sponsorships
- Had a good response from the community

The Council agreed that the fees should be waived.

7. ULGT / TAP (Jason Watterson) – Receive a presentation on the Trust Accountability Program (TAP) of the Utah Local Governments Trust.

Mr. Watterson reviewed TAP and gave the City a gift for meeting the goals of the program. He added that the City also received a cash award.

8. Urban Deer / Population Control Program (Chris Crittenden – Approximately 20 minutes) – Receive a presentation on and discuss a population control program for the deer population within Midway City.

Chris Crittenden explained that the program would not eliminate deer but would restore balance to the ecosystem.

Wes Alexander, Utah Department of Wildlife Resources, gave a presentation regarding the program and made the following comments:

- It would not eliminate all the deer.
- Feeding deer should be prohibited so that it would not attract them from the mountains.
- Non-lethal deer removal had been discontinued because it spread disease.
- The City had to set up and run the program.
- The City could contract with someone to kill deer from a stand with a bow.
- Another option was to trap and cull the deer which was less liability.
- The meat had to be used.
- Counting the number of deer, which was needed to apply for the program, could be challenging.

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

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

- A lot of education was needed at the beginning of the program.
- Did the City have the resources to run the program?
- The City should first gather more information.
- Was deer in the City a significant problem?

9. Elmer Mixed-Use Development / Conditional Use Permit (Debbie Elmer – Approximately

20 minutes) – Discuss and possibly grant a conditional use permit for the Elmer Mixed-Use Development located at 65 South Center Street (Zoning is C-2). Recommended 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 summary
- Preschool proposal
- Location of the proposed development
- Overview of the site
- Street view of the site
- Picking up and dropping off children
- Discussion items
- Possible findings
- Proposed conditions.

Mr. Henke also made the following comments:

- All other necessary organizations had approved the proposal.
- The only identifiable safety issue might be picking up and dropping off children.
- The backyard was fully fenced.
- Vehicles could wait on the shoulder of the road because it was wide enough.
- No issues had been raised with people also living in the home. All occupants had to have background checks.

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

Debbie Elmer, applicant, made the following comments:

- Had owned and operated a daycare for many years.
- Now wanted a preschool so the that children would leave at 3 p.m.
- Owned a 14-foot area on the north of the house that could be used for parking.
- Had been on the state board related to daycares.

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 a conditional use permit for the Elmer mixed-use development, for the use described, with the following findings and conditions:

- The proposed mixed-use development was a conditional use in the C-2 zone.
- Preschools and daycares were permitted uses in the C-2 zone.
- The proposal would increase traffic on Center Street.
- The applicant would need to receive approval for a business license which required

health, fire district, and building department approvals.

- The Utah Department of Health, Child Care Licensing Program would need to approve the business before operations could commence.
- The facility had a through driveway for pick up and drop off.
- The through driveway had to be kept clear year-round including snow in the Winter.
- Any increase in the number of students or classes above what had been proposed would require the conditional use permit be reevaluated and approved by the City Council.
- All inspections must be completed, and a business license issued before the preschool could hold any classes.
- If any safety issues were identified after approval was granted, then the applicant had to work with the City to alleviate any issues and if the issues could not be alleviated then the conditional use permit and business license might be revoked.
- The backyard children's play area would be fenced.

Second: Council Member Drury 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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

10. Pot Rock Place / Plat Amendment (Summit Engineering – Approximately 10 minutes) – Discuss and possibly amend the plat map for the Pot Rock Place Subdivision located at approximately 255 East 600 North (Zoning is R-1-22). **Public Hearing**

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

- Land use summary
- Location of the subdivision
- Recorded plat map
- Proposed plat map
- Codes regarding these types of changes
- Possible findings

Mr. Henke also made the following comments:

- The proposed amendment would resolve the issue of a portion of the driveway, for Lot #1, being on Lot #2.
- If the amendment was approved, then all the driveway would be on Lot #1.
- Recommended amending the plat map rather than changing the lot lines with a metes and bounds description.
- The amended lots would still comply with the Municipal Code.
- The public utility easements would remain in the same locations

- The sports court would remain on Lot #2.

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 Orme moved to approve the plat map amendment, for the Pot Rock Place Subdivision, according to the staff recommendations.

Second: Council Member Drury 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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

11. Cowboy Poetry Gathering / Presentation (Diane Pope – Approximately 15 minutes) – Receive a report on the Heber Valley Western Music & Cowboy Poetry Gathering and possibly approve a donation for the event.

Mary Kelly, producer for the Gathering, gave a presentation and made the following comments:

- Thanked the City for its support.
- That year would be the 25th anniversary of the Gathering.
- Additional money was being spent on more famous performers.
- Diane Pope would be the next producer.

Tom Fowler, financial officer for the Gathering, gave a presentation. He requested a continued grant of \$10,000 from the City.

Note: A copy of Ms. Kelly's and Mr. Fowler's presentation is contained in the supplemental file.

Motion: Council Member Drury moved to continue support with a \$10,000 donation.

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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Unavailable

12. Cozens Subdivision / Preliminary & Final Approval (Albert Cozens – Approximately 15 minutes) – Discuss and possibly grant preliminary and final approval for the Cozens Subdivision located at 840 South Stringtown Road (Zoning is RA-1-43). Recommended for approval without conditions by the Midway City Planning Commission. **Public Hearing**

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

- Land use summary
- Location of the subdivision
- Proposed plat map
- FEMA flood plain
- Existing accessory dwelling unit
- Discussion items
- Water Board recommendation
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The applicant needed to prove that the accessory dwelling unit was approved by Wasatch County. If it was not approved, then it needed to be removed because it was not allowed by the Municipal Code.
- A 50-foot setback from the road was required.
- The property could be re-subdivided for up to three lots.
- The applicant was only requesting that the property be a single lot. The existing home would have to be raised if another one was built.
- The approval was needed to make the property a legal lot and have a clear title.
- The house had a leach field instead of a septic tank.
- Nothing could be built in the flood plain.

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.

Adam Buhl

Mr. Buhl confirmed that there would be just one lot in the subdivision. He also expressed concern with the construction traffic in the area and a child almost being hit.

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

Motion: Council Member Drury moved to grant preliminary and final approval for the Cozens Subdivision adopting the staff report and including the following findings and conditions:

- A 50-foot setback would be included on the plat map.
- The living space in the barn would be removed or the applicant would show that it was approved by Wasatch County. The City Planner had authority to determine which had occurred.
- The existing house was a legal non-conforming use.
- Any new dwelling had to meet the 50-foot setback if the existing house was raised.

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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

13. Resolution 2019-22 / Cozens Subdivision Development Agreement (City Attorney – Approximately 5 minutes) – Discuss and possibly approve Resolution 2019-22 adopting a development agreement for the Cozens Subdivision located at 840 South Stringtown Road (Zoning is RA-1-43).

Corbin Gordon reviewed the development agreement for the subdivision.

Council Member Simonsen asked that development agreements have shorter terms. Mr. Gordon responded that he would make that change.

Motion: Council Member Simonsen moved to approve Resolution 2019-22 with a shorter term.

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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Motion: Without objection, Mayor Johnson recessed the meeting at 8:09 p.m. She reconvened the meeting at 8:17 p.m.

14. Midway Farms / Plat Amendment (Tom Hansen – Approximately 30 minutes) – Discuss and possibly amend the plat map for the Midway Farms Subdivision, located at 180 West Farm Road, to remove 0.89 acres from Lot #11 (Zoning is R-1-22). **Public Hearing**

15. Swiss Farm / Plat Amendment (Tom Hansen – Approximately 5 minutes) – Discuss and possibly amend the plat map for the Swiss Farm Subdivision, located at 846 North Swiss Farm Court, to add 0.89 acres to Lot #13 (Zoning is R-1-22). **Public Hearing**

Mayor Johnson indicated that the applicants' engineer had not yet arrived. She added that any questions for the engineer could be addressed later in the meeting.

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

- Summary
- Location of the subdivision
- Drawing of the proposed change
- Recorded plat map for Midway Farms
- Recorded plat map for Swiss Farm
- Proposed plat map for Midway Farms
- Proposed plat map for Swiss Farm
- Items of discussion
- Public comment
- Possible findings

Mr. Henke also made the following comments:

- The adjusted lots would conform to the Municipal Code. They would also comply with the Utah Code regarding the exchange of title.
- The process was the same as the amendment to the Pot Rock Place Subdivision.
- The amendments would include a vacation process.
- The Utah Code allowed the land use authority to approve the requests.
- Plat amendments were discretionary, but it appeared the Utah Code required the City to approve this request.
- The Midway Farms Covenants, Conditions & Restrictions (CC&Rs) applicability to the adjusted lots depended upon how the CC&Rs were written.
- The City Council previously approved a lot line adjustment between two lots in Midway Farms. It had also approved adding property from the Farm Springs Subdivision to a lot in Midway Farms.
- Frontage would have to be created for the adjusted lot in Swiss Farm to be subdivided.

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

Corbin Gordon made the following comments:

- The City was not involved with the CC&Rs. They were a private document between private property owners.
- The question was if the City Council had discretion in the matter.
- Was this a boundary line change, which was not discretionary, or was this a plat amendment which was discretionary?
- The Utah Code wanted to avoid a cumbersome process for minor changes.
- Wanted to hear both sides' arguments then issue a legal opinion.
- The City needed to focus on the law.
- If the Council had discretion, then other issues needed to be considered and conditions could be added to an approval.
- A public hearing could be held that night, but any comments needed to be directed to the Council.

Tom Hansen, applicant, made the following comments:

- The Utah Code referenced that exact issue.
- He owned both lots and could amend common lot lines even if they were in two different developments.
- A public hearing was not required for the issue.
- Grew up on ten acres raising livestock.
- Had been using his father's property to raise livestock.
- Now wanted his own property so that his children could have chores.
- Others would try to confuse the issue.
- The Council should rely on the staff's presentations.

Sara Hansen, applicant, made the following comments:

- Their intentions were clear.
- Had known the owners of the lot in Midway Farms for some time. The wife wanted to sell it to them now that her husband had passed away.
- The adjustment would increase their backyard and not negatively affect anyone.
- A neighbor's chain-link fence, for their tennis court, was right next to their property.
- Would not subdivide the property in the future.
- Was not setting precedence.
- If they built a barn it would be next to the neighbor's tennis court.
- Was not doing anything wrong or illegal.

Steve Hansen, representing the applicants, made the following comments:

- Was Tom Hansen's father.

- Needed to defend the applicants from intimidation, scare tactics and bullying.
- The issues should have been delayed until the engineer, a paid expert, was present.
- The law addressed the issue being considered.
- People were trying to create confusion about the issue.
- A new lot would not be created.
- The Council could deny a request to create an additional lot.
- There was no specific statute that said the issue was illegal.
- The idea that the Midway Farms CC&Rs would apply, to the land being attached to the applicants' lot in Swiss Farm, was not based on any law. The CC&Rs would not apply to that land.
- The City could not be arbitrary or caprices.
- The Council did not have unbridled discretion.
- The District Court could only consider the issue if the Council denied it and all administrative remedies were exhausted. The Court would consider if the Council's decision was based on substantive evidence.
- The applicants chose to be transparent and not just record deeds adjusting the boundary lines.
- Nothing in Utah law said that property could not be removed from an HOA.

Public Hearing

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

Melyssa Davidson

Ms. Davison, Wrona Dubois Law Firm and representing the Midway Farms HOA, made the following comments:

- Requested that the amendments be denied or continued to receive a formal legal opinion from the City Attorney.
- The amendments were a legislative item and the Council had discretion to approve them or not.
- The HOA believed that the item was a re-subdivision and prohibited by its CC&Rs.
- Was not asking that the City enforce the CC&Rs.
- The CC&Rs did run with the property being discussed that evening.
- In the Utah Code a super majority of the HOA was needed to release the CC&Rs from a property.
- The applicants were attempting an "end-run" around the CC&Rs.
- The issue was hotly contested.
- The HOA had to enforce its CC&Rs. Litigation to enforce them and an injunction on the Council's decision was anticipated.
- Wanted to know the City Attorney's opinion on approving something that was contrary to the CC&Rs.
- The previous lot line adjustments, approved by the Council, did not vacate any property or transfer any property out of Midway Farms. Lot lines were squared up. The adjustments had the consent of a majority of the HOA.
- A de minimis amount of land from the Farm Springs Development was attached to a lot

- in Midway Farms.
- Wanted the Council to take note of the CC&Rs.
- The staff report said that the issue was a plat amendment.

David Carson

Mr. Carson, Midway Farms HOA President, made the following comments:

- The applicants came to a meeting of the HOA and had been forthright and transparent.
- Mr. Hansen indicated to the HOA that the change was to facilitate agriculture on his lot. He also indicated that he wanted each lot to be a certain size but under three acres because it maximized their value. This was like land speculation.
- The request was to amend existing plat maps.
- Land speculation was not a good reason to amend a plat map.
- The Council should consider the precedence that would be set by approving the amendments, which would undermine the HOA's ability to govern.
- The same request could be made of two more properties.
- As the City grew there would be pressure to develop.

Rich Broadbent

Mr. Broadbent made the following comments:

- Lived in Midway Farms.
- More property owners could make the same request.
- Knew about the HOA when he bought his lot in Midway Farms.
- The HOA worked hard to protect the size of the lots.
- The HOA voted 19 to three to oppose the request.
- Not aware of any insinuations about the applicants and had no animosity towards them.

Randon Wilson

Randon Wilson made the following comments:

- Owned lots five and six in Midway Farms.
- Was one of the original owners in the subdivision.
- The subdivision HOA had met every year since it was organized.
- The HOA took seriously its CC&Rs.
- Any structure or fence had to be approved by the HOA's architectural committee.
- Had been the secretary/treasurer for the HOA for over 40 years.
- There was a good discussion at an HOA meeting about the request.
- The HOA voted to sustain its CC&Rs. A terrible precedence would be set if it did not sustain them.
- The current home could be demolished, and another home put on the lot.
- Requested that the Council deny the request.
- If the Council wanted to approve the request, then it should at least wait until the issues had been resolved between the HOA and applicant.

Roger Dibb

Mr. Dibb preferred open space and green space. He thought that the request could lead to further subdividing.

Tate McCotter

Mr. McCotter made the following comments:

- Lived in Midway Farms.
- Was a member of the Midway Farms HOA Board.
- Moved to Midway in 1991 and always wanted to live on Farm Road.
- Liked that the HOA protected the development
- The issue was not personal.

Tommy Deaver

Mr. Deaver made the following comments:

- Lived in Midway Farms.
- Knew what the CC&Rs said when he purchased his property.
- Was willing to abide by the CC&Rs and so should all the other property owners who lived in the subdivision.
- Wanted to maintain the status quo which the applicants wanted to change.
- Did not want to prevent them from having chickens, etc. but they should do it with the lots as currently established.
- There were four of five situations where another home could be built on the expanded Swiss Farm lot.
- The applicants' property rights violated the CC&Rs which they signed when they bought in the subdivision.
- The feelings of the property owners should be considered.
- Any letters supporting the request were from people who did not live near Midway Farms.

Sheila Probst Siggard

Ms. Siggard made the following comments:

- Was a native of Midway.
- Had seen a lot of change to the area in 40 years.
- A variance should be granted so that livestock could be on the property.
- A survey had been done which showed that residents wanted to keep the area rural.
- Three acres was not too much for livestock.
- The deer lived in the area for hundreds of years.
- Wanted to keep the area rural.

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:

- Plat amendments were not unusual.
- The use of the land would not change.
- Only a property line was being moved.
- Was requesting a plat map amendment because the change coincided with the lot lines. The applicant could do the same thing in another way.
- The request met the requirements of the Municipal Code and the zone.
- No roads would be affected.
- No new lots would be created.
- The request was not a subdivision or re-subdivision.
- There would be no increase in density.
- Additional homes could not be built on either lot because there was not the frontage on a street.
- The request did not violate the Utah Code.

Steve Hansen made the following comments:

- There was nothing illegal or improper with moving a fence line and selling one of the lots.
- In the past the applicants spoke to the owner of the lot in Midway Farms about buying a portion of the property.
- The request would leave the Midway Farms lot with enough acreage.
- It was appropriate to make a profit on a real estate deal.
- It was improper for the Midway Farms HOA to have such oversight and dictatorial control.
- The applicants were being disrespected.
- The request was allowed by Utah law.
- The HOA said that it would sue.
- The HOA could not appeal the Council's decision until all administrative remedies were exhausted.

Tom Hansen read the definition of subdividing in the Utah Code and made the following comments:

- The request would not subdivide any of the properties into additional lots.
- The vote by the HOA was if he was violating the CC&Rs by re-subdividing.
- Would have voted against himself if he was subdividing property.
- Anyone could come to his house and discuss the issue with him.

Sara Hansen made the following comments:

- The land would look the same after the amendments.

- They could not keep both lots because of the financial burden.
- The Midway Farms CC&Rs required one acre lots. The Midway Farms lot would be two acres after the amendments.

Motion: Council Member Van Wagoner moved to approve both amendments with the following findings:

- The amendments were lot line adjustments.
- The request was not subdividing property according to the Utah Code.
- No additional lots were being created.
- The General Plan encouraged agriculture.
- The property could not be legally subdivided at that time because there was not frontage on a road.

Second: Council Member Drury seconded the motion.

Discussion: Council Member Drury said that the Council had the right to decide on the request. He also said that nothing in the request was prohibited.

Council Member Simonsen made the following comments:

- The greatest concern of the Midway Farms HOA was enforcing its CC&Rs.
- It was the HOA's responsibly to enforce the CC&Rs.
- Wanted more legal advice but the request did not look like a subdivision of property.
- The City had authority to approve the request.

Council Member Orme made the following comments:

- The request did not subdivide property.
- It complied with the zone and what was the jurisdiction of the Council.

Corbin Gordon made the following comments:

- Utah Code stated that the request only had to meet certain criteria for approval.
- No argument had been presented that the request would subdivide property.

Mayor Johnson asked if the lots should be deed restricted. Council Member Simonsen did not think the Council had that discretion. He noted that could be done voluntarily by the applicant.

Council Member Van Wagoner noted that if anyone wanted to subdivide the lots in the future that would require Council approval.

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

Council Member Drury	Aye
Council Member Orme	Aye

Council Member Probst
Council Member Simonsen
Council Member Van Wagoner

Excused from the Meeting
Aye
Aye

16. Saddle Creek Ranch, Phase 1 / Preliminary Approval (Berg Engineering – Approximately 20 minutes) – Discuss and possibly grant preliminary approval for Phase 1 of the Saddle Creek Ranch Subdivision located at 970 South 250 West (Zoning is R-1-22). Recommended 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 summary
- Location of the phase
- Master plan approval
- Phasing plan
- Trails and sidewalks
- Phase 1 site plan
- Landscaping plan
- Items of discussion
- Transmission line
- Water line extension agreements
- Possible findings
- Proposed conditions
- Clustered mailboxes

Mr. Henke also made the following comments:

- A temporary cul-de-sac would be required for the phase.
- Lump sums were required to be paid for two water line extension agreements. These amounts had been recalculated based on the new density.
- Better coordination regarding the location of clustered mailboxes was needed with the United States Postal Service (USPS).
- Nothing had changed since the master plan was approved.

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 CC&Rs would be submitted with final approval.
- Would work with the USPS on the location of the mailboxes.
- Asked that the water line extension agreements be paid by phase.

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

- Needed to determine if the extension agreements allowed payment by phases. Usually

- all phases were paid at once. Some were paid with each building permit.
- The City should work with the applicants, but it should also be consistent.

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 grant preliminary approval for Phase 1 of the Saddle Creek Ranch Subdivision with the following conditions:

- The required water extension line agreement fees would be paid for all 36 lots before the recording of the plat map for Phase 1.
- The developer would work with the post office to find a location, out of the sight visibility triangle, for the Cluster Box Unit that would service the subdivision and submit that plan with the application for final approval.
- Draft codes, covenants and restrictions would be submitted with the application for final approval that would form the HOA and have a maintenance plan for the common area and amenities.

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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

17. Scotch Fields, Phases 3 & 4 / Final Approval (Berg Engineering – Approximately 15 minutes) – Discuss and possibly grant final approval for Phases 3 and 4 of the Scotch Fields PUD located west of Valais (Zoning is RA-1-43). Recommended without conditions by the Midway City Planning Commission.

Note: Corbin Gordon recused himself from consideration of the approval and left at 10:15 p.m.

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

- Land use summary
- Location of the phases
- Site plan
- Phasing plan
- Site plan for the two phases with a new road alignment

- Trails
- Open space
- Possible findings
- Water Board recommendation

Mr. Henke also made the following comments:

- The amenities for the PUD would be in Phase 4.
- The Planning Commission recommended that the units be staggered. It also recommended an island of native grass.
- Was fine with the landscaping with a bond in place.
- Did not have any recommended conditions.

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 phases were consistent with the General Plan and preliminary approval granted by the Council.
- Some native grass would be used to breakup the landscaping and reduce maintenance.

Motion: Council Member Orme moved to grant final approval for Phases 3 and 4 of the Scotch Fields PUD.

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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

18. Resolution 2019-23 / Scotch Fields, Phases 3 & 4 Development Agreement (City Attorney – Approximately 5 minutes) – Discuss and possibly approve Resolution 2019-23 adopting a development agreement for Phases 3 and 4 of the Scotch Fields PUD located west of Valais (Zoning is RA-1-43).

The Council and staff discussed the duration of development agreements. It was suggested that the issue be discussed at a work meeting.

Motion: Council Member Simonsen moved to approve Resolution 2019-23.

Second: Council Member Drury 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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Note: Corbin Gordon returned.

19. 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 with conditions by the Midway City Planning Commission. **Public Hearing**

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

- Land use summary
- Location of the proposed subdivision
- Transmission line
- Site plan
- Proposed plat map
- Easements
- Drainage and hydrology
- Discussion items
- Possible findings

Mr. Henke also made the following comments:

- The property proposed for development was a remnant parcel in an existing rural preservation subdivision.
- The Planning Commission recommended not granting preliminary approval until the hydrology study was approved by the Cities' staff.

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 consultants had provided the results of their hydrology study but had not provided the final study. Thought that this would be enough for preliminary approval.
- Some additional surveying was being done.

- Changes needed to be made to address the City Engineer's concerns.
- The applicant should not have to fix all the problems further up the canyon.

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

- The City Engineer needed to approve granting preliminary approval and indicate that any issues could be resolved.
- A house in Lime Canyon had flooded so the hydrology of the area was important.
- The study should be completed and done right to protect everyone involved.
- If someone's home flooded, then they would look to the City to see if everything was done correctly.
- The approval should be tabled until the study was completed and approved.

Public Hearing

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

Brett Walker, Applicant

Mr. Walker made the following comments:

- Did his due diligence when he purchased the property.
- Checked with the State, Wasatch County and FEMA and there were no flood plains on the property.
- Allowed for large areas for water to dissipate.
- The City should be fair to everyone.
- Everyone near a drainage should be treated the same way he was being treated.
- It was arbitrary for the City to require him to do a hydrology study.
- Had never hired an attorney for a development.
- There was not a creek running down Lime Canyon.
- Would have to build 20-foot-high berms to meet the requirements regarding a 100-year storm.
- His property had nothing to do with a home further up Lime Canyon that had been flooded.
- It was not his responsibility to fix the City's problem.
- What could the City do to remediate the water on his property?

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

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

- All developments in the City had to have a storm drain system.
- The lots in the rural preservation subdivision had been moved west to avoid having to do a hydrology study.
- A hydrology expert was needed to help the Council make an informed decision.
- The study request was not personal.

- Problems with other developments in the area should have been addressed when they were approved.
- The water issues had been discussed for many years with potential buyers of the property. Everyone knew the area flooded.
- The City Engineer needed to approve the response to the water issue.
- The proposed development was at the bottom of a drainage.
- The City should not continue to make mistakes with drainage and flooding in the area.
- Enough information should be provided to make a good decision.

Motion: Council Member Simonsen moved to table consideration of preliminary approval to get the hydrology study, have the City Engineer review it to ensure that the project met the standards for building in that area and appropriate language be included on the plat map for the Rocky Mountain Power easement.

Second: Council Member Drury 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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

20. Closed Meeting to Discuss Pending or Reasonably Imminent Litigation

Motion: Council Member Simonsen 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	Excused from the Meeting
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 Drury moved to go out of the 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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

21. Settlement Agreement / John Probst Lawsuit (City Attorney – Approximately 15 minutes)
– Consider and possibly approve a settlement agreement in the John Probst lawsuit.

Motion: Council Member Van Wagoner moved to approve the settlement agreement with John Probst as agreed to by all parties.

Second: Council Member Drury 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	Excused from the Meeting
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

22. 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 11:37 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder