

# MIDWAY CITY COUNCIL REGULAR MEETING

Tuesday, 3 September 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](mailto: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 3 September 2019 City Council Regular Meeting

b. Warrants

c. Minutes of the 20 August 2019 City Council Regular Meeting

d. Release the construction bond, minus 10%, and begin the one-year warranty period for Phase I of the Watts Remund Farms PUD located at approximately 200 East 600 North

## 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. Ordinance 2019-07 / Small Wireless Communications (City Planner – Approximately 15 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.

## 6. Watts Remund Farms PUD / Master Plan Amendment (Berg Engineering – Approximately 30 minutes) – Discuss amending the master plan for the Watts Remund Farms PUD located at approximately 200 East 600 North (Zoning is R-1-15). Recommended with conditions by the Midway City Planning Commission.

### Public Hearing

7. **Haven Farms / Preliminary & Final Approval** (Stephen Quesenberry – Approximately 30 minutes) – Discuss and possibly grant preliminary and final approval for the Haven Farms Rural Preservation Subdivision located at approximately 1170 South Center Street (Zoning is RA-1-43). Recommended with conditions by the Midway City Planning Commission. **Public Hearing**
8. **Resolution 2019-26 / Haven Farms Development Agreement** (City Attorney – Approximately 5 minutes) – Discuss and possibly approve Resolution 2019-26 adopting a development agreement for the Haven Farms Rural Preservation Subdivision located at approximately 1170 South Center Street (Zoning is RA-1-43).
9. **Parking / Main Street** (Mayor Johnson – Approximately 15 minutes) – Discuss parking along Midway Main Street.
10. **Closed Meeting to Discuss the Purchase, Exchange, or Lease of Real Property and to Discuss the Character, Professional Competence, or Physical or Mental Health of an Individual.**
11. **Adjournment**

Published on the Utah Public Notice Website on 29 August 2019 at 5:00 p.m. by Brad Wilson (City Recorder)  
Posted on 29 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](mailto:bwilson@midwaycityut.org).

Midway City Council  
3 September 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
<b>305</b>								
305	COLONIAL FLAG & SPECIALTY	0200412-IN	Administrative Rotations	08/15/2019	38.32	.00		
305	COLONIAL FLAG & SPECIALTY	0200441-IN	Administrative Rotations	08/15/2019	112.00	.00		
305	COLONIAL FLAG & SPECIALTY	0200443-IN	Town Hall Rotations	08/15/2019	45.00	.00		
305	COLONIAL FLAG & SPECIALTY	0200444-IN	Cemetery Flag Rotations	08/15/2019	45.00	.00		
305	COLONIAL FLAG & SPECIALTY	0200445-IN	Hamlet Park Rotations	08/15/2019	112.00	.00		
Total 305:					352.32	.00		
<b>545</b>								
545	HICKEN OXYGEN @ PLAZA	R063019-51	OXYGEn June 2019	06/30/2019	24.00	.00		
Total 545:					24.00	.00		
<b>720</b>								
720	LATIMER DO IT BEST HARDWA	B262493	Water timer, plastic end cap	08/15/2019	52.78	.00		
720	LATIMER DO IT BEST HARDWA	C148824	Blade trimmer heads, trimmer bla	08/21/2019	22.98	.00		
Total 720:					75.76	.00		
<b>845</b>								
845	MOUNTAINLAND SUPPLY COM	S103179080.0	Repair couplings	08/21/2019	12.67	.00		
845	MOUNTAINLAND SUPPLY COM	S103198338.0	Couplings, unions, elbows, bushin	08/14/2019	206.66	.00		
845	MOUNTAINLAND SUPPLY COM	S103198338.0	Pack joint	08/15/2019	245.61	.00		
845	MOUNTAINLAND SUPPLY COM	S103198338.0	PJ Adapter	08/15/2019	213.77	.00		
845	MOUNTAINLAND SUPPLY COM	S103199542.0	Flex tube	08/14/2019	43.24	.00		
845	MOUNTAINLAND SUPPLY COM	S103201488.0	Single Port pitset meters, 6ft cable	08/19/2019	11,175.65	.00		
845	MOUNTAINLAND SUPPLY COM	S103205887.0	Swing joint, sst tee	08/19/2019	33.85	.00		
845	MOUNTAINLAND SUPPLY COM	S103207460.0	Waterbase spray, etc	08/21/2019	139.20	.00		
845	MOUNTAINLAND SUPPLY COM	S103208571.0	Sprinkler solenoids	08/20/2019	350.18	.00		
845	MOUNTAINLAND SUPPLY COM	S103208571.0	water parts	08/22/2019	26.65	.00		
845	MOUNTAINLAND SUPPLY COM	S103214849.0	Valais park sprinkler parts	08/26/2019	47.60	.00		
Total 845:					12,495.08	.00		
<b>875</b>								
875	OFFICE DEPOT	366920872001	Office supplies (tape, postits, label	08/21/2019	45.17	.00		
875	OFFICE DEPOT	366920872001	Folders & label tape replacement f	08/21/2019	73.16	.00		
Total 875:					118.33	.00		
<b>930</b>								
930	Dominion Energy	2731063797 08	2731063797 COMMUNITY CENT	08/13/2019	14.80	.00		
930	Dominion Energy	5770020000 08	5770020000 TOWN HALL	08/13/2019	46.86	.00		
930	Dominion Energy	65585500000 0	6558550000 Maintenance Shop	08/13/2019	6.75	.00		
930	Dominion Energy	65585500000 0	6558550000 New Public Works B	08/13/2019	10.89	.00		
930	Dominion Energy	6801020000 08	6801020000 Admin Office	08/13/2019	13.31	.00		
Total 930:					92.61	.00		
<b>1015</b>								
1015	SAFETY SUPPLY & SIGN CO IN	169349	Anchor, brackets, ubolts	07/02/2019	752.40	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1015:					752.40	.00		
<b>1045</b>								
1045	STANDARD PLUMBING SUPPLY	JYRW03	PVC pipe, Galv tee, etc	08/20/2019	209.48	.00		
1045	STANDARD PLUMBING SUPPLY	JYVR76	Outlet timer, ball valve, etc	08/21/2019	62.29	.00		
1045	STANDARD PLUMBING SUPPLY	JYVT06	Galv stakes 8" 15pk	08/21/2019	4.29	.00		
1045	STANDARD PLUMBING SUPPLY	JYWJ63	Pipe cleaner, PVC primer, etc	08/21/2019	24.45	.00		
Total 1045:					300.51	.00		
<b>1150</b>								
1150	HOME DEPOT Credit Services	44073547791	Multitool, AH Battery, etc	08/22/2019	651.00	.00		
1150	HOME DEPOT Credit Services	44150284265	Gal crates, totes, tape measures,	08/07/2019	136.23	.00		
1150	HOME DEPOT Credit Services	44150284307	Outlet tester, GFI tester, scraper,	08/07/2019	24.39	.00		
1150	HOME DEPOT Credit Services	44152289486	soil pep	07/31/2019	311.01	.00		
Total 1150:					1,122.63	.00		
<b>1170</b>								
1170	TIMBERLINE ACE HARDWARE	128288	Faucet timer outlet, parts	08/21/2019	73.95	.00		
1170	TIMBERLINE ACE HARDWARE	128298	gate powder creek	08/21/2019	279.98	.00		
Total 1170:					353.93	.00		
<b>1255</b>								
1255	UTAH LOCAL GOVERNMENTS	1576430	MONTHLY PREMIUM April2019	07/10/2019	1,709.11	1,709.11	08/22/2019	
Total 1255:					1,709.11	1,709.11		
<b>1365</b>								
1365	WAVE PUBLISHING	L16557	Trails&Parks PublicNotice 7/31 - 8	07/31/2019	32.36	.00		
1365	WAVE PUBLISHING	L16558	OpenSpace Committee mtg 7/31-	07/31/2019	32.36	.00		
1365	WAVE PUBLISHING	L16559	Planning-Notice of PublicMtg 7/31	07/31/2019	166.50	.00		
1365	WAVE PUBLISHING	L16566	City Council NoticeofPublicHearin	08/07/2019	157.24	.00		
1365	WAVE PUBLISHING	L16575	PublicNotice Open Space 8/14-8/	08/14/2019	27.74	.00		
Total 1365:					416.20	.00		
<b>1542</b>								
1542	STATE OF UTAH GASCARD/FU	NP56670760	BG632476 FUEL	08/02/2019	1,819.38	1,819.38	08/21/2019	
Total 1542:					1,819.38	1,819.38		
<b>1603</b>								
1603	ROCKY MOUNTAIN POWER	52369498 0821	868 W GOLF COURSE DR.	08/21/2019	12.40	.00		
Total 1603:					12.40	.00		
<b>1933</b>								
1933	SNOW, CHRISTENSEN & MARTI	458302	John Probst Lawsuit	08/08/2019	3,225.00	.00		
Total 1933:					3,225.00	.00		
<b>1934</b>								
1934	SKAGGS COMPANIES INC	3182768 RI	EQUIPMENT	08/22/2019	336.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1934:					336.00	.00		
<b>1989</b>								
1989	BANKCARD CENTER	07/2019 - 5219	fence posts	08/02/2019	37.98	37.98	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 5219	Equiupment	08/02/2019	189.98	189.98	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 5219	park supplies	08/02/2019	27.65	27.65	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	zoom - subsription	08/02/2019	549.90	549.90	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	mailing-water board packet	08/02/2019	8.15	8.15	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	TReasurer academy	08/02/2019	400.00	400.00	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	batteries	08/02/2019	18.25	18.25	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	Flowers	08/02/2019	31.63	31.63	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	flowers	08/02/2019	29.95	29.95	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	employee lunch - Steve going way	08/02/2019	312.32	312.32	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	KELTON WEBB - VERIZON PHO	08/02/2019	43.32	43.32	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	GEORGIA MCGUIRE - VERIZON	08/02/2019	45.19	45.19	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	ICE RINK - JET PACK	08/02/2019	45.19	45.19	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	MONICIA ECHOLS - TABLET	08/02/2019	45.19	45.19	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	STEVE RHOADS - VERIZONPH	08/02/2019	43.32	43.32	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	STEVE RHOADS TABLETS	08/02/2019	40.01	40.01	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	SHANE OWENS VERIZON PHO	08/02/2019	60.46	60.46	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	SEWER PHONE/TABLET	08/02/2019	90.01	90.01	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	CoRY LOTT - VERIZON PHONE	08/02/2019	40.09	40.09	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	MICHAEL HENKE - VERIZON PH	08/02/2019	50.31	50.31	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	CoRY LOTT VERIZON PHONE	08/02/2019	46.46	46.46	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	ON CALL PHONE- VERIZON PH	08/02/2019	31.15	31.15	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	DARIN BUNKER - VERIZON PH	08/02/2019	51.50	51.50	08/26/2019	
1989	BANKCARD CENTER	07/2019 - 6014	MONICA ECHOLS - PHONE	08/02/2019	51.32	51.32	08/26/2019	
1989	BANKCARD CENTER	07/2019 4717	travel	08/02/2019	416.60	416.60	08/26/2019	
1989	BANKCARD CENTER	07/2019 4717	travel	08/02/2019	416.60	416.60	08/26/2019	
1989	BANKCARD CENTER	07/2019 4717	conference registration	08/02/2019	900.00	900.00	08/26/2019	
1989	BANKCARD CENTER	07/2019 4717	Equipment	08/02/2019	79.48	79.48	08/26/2019	
1989	BANKCARD CENTER	07/2019 4717	Equipment	08/02/2019	234.95	234.95	08/26/2019	
1989	BANKCARD CENTER	07/2019 4717	bikes	08/02/2019	1,354.50	1,354.50	08/26/2019	
1989	BANKCARD CENTER	07/2019 4717	FOod	08/02/2019	33.18	33.18	08/26/2019	
1989	BANKCARD CENTER	07/2019 4717	Drinks	08/02/2019	40.18	40.18	08/26/2019	
1989	BANKCARD CENTER	07/2019 4717	Drinks	08/02/2019	78.93	78.93	08/26/2019	
1989	BANKCARD CENTER	07/2019 6215	QUICKBOOKS	08/02/2019	720.25	720.25	08/26/2019	
1989	BANKCARD CENTER	07/2019 6215	HR CONFERENCE	08/02/2019	225.36	225.36	08/26/2019	
1989	BANKCARD CENTER	07/2019 6215	SOFTWARE UPDATE	08/02/2019	70.40	70.40	08/26/2019	
1989	BANKCARD CENTER	07/2019 6215	SOFTWARE UPDATE	08/02/2019	11.18	11.18	08/26/2019	
1989	BANKCARD CENTER	07/2019 8789	office supplies	08/02/2019	3.12	3.12	08/26/2019	
1989	BANKCARD CENTER	07/2019 8789	car wash	08/02/2019	9.00	9.00	08/26/2019	
1989	BANKCARD CENTER	07/2019 8789	clothing	08/02/2019	48.93	48.93	08/26/2019	
1989	BANKCARD CENTER	07/2019 8789	foreign tran fee	08/02/2019	.98	.98	08/26/2019	
Total 1989:					6,932.97	6,932.97		
<b>2213</b>								
2213	WRIGHT HEATING AND AIR CO	072419	Coleman 60,000BTU furnace	07/24/2019	5,480.00	.00		
Total 2213:					5,480.00	.00		
<b>2244</b>								
2244	PEAK ALARM CO, INC	973562	MONITORING - 09/1/19 - 11/30/2	09/01/2019	160.71	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2244:					160.71	.00		
<b>2361</b>								
2361	WASATCH WESTERN HERITAG	082219	Tourism - donation	08/22/2019	10,000.00	.00		
Total 2361:					10,000.00	.00		
<b>2377</b>								
2377	RIDLEY'S FAMILY MARKETS	0005	Dixie bowls & spring water	08/22/2019	32.21	.00		
Total 2377:					32.21	.00		
<b>2400</b>								
2400	BRANDEN RUSSELL	081919	Uber - LNOA Travel	08/19/2019	35.69	.00		
2400	BRANDEN RUSSELL	081919 2	Uber - LNOA Travel	08/19/2019	37.02	.00		
Total 2400:					72.71	.00		
<b>2418</b>								
2418	FINAL COMPLETION DEPOSIT	15-221 FCD	15-221 FINAL COMPLETION DE	08/13/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	18-107 FCD	18-107 FINAL COMPLETION DE	08/12/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	18-132 FCD	18-132 FINAL COMPLETION DE	08/26/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	18-166 FCD	18-166 FINAL COMPLETION DE	07/26/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	18-174 FCD	18-174 FINAL COMPLETION DE	08/15/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	18-183 FCD	18-183 FINAL COMPLETION DE	08/06/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-009 FCD	19-009 FINAL COMPLETION DE	08/21/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-039 FCD	19-039 FINAL COMPLETION DE	08/08/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	19-040 FCD	19-040 FINAL COMPLETION DE	09/15/2019	1,500.00	.00		
Total 2418:					13,500.00	.00		
<b>2421</b>								
2421	PUBLIC FACILITIES DEPOSIT	17-063 PFD	17-063 Public Facilities Deposit	08/16/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	17-179 PFD	17-179 Public Facilities Deposit	08/22/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	17-192 PFD	17-192 Public Facilities Deposit	08/20/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	17-197 PFD	17-197 Public Facilities Deposit	08/22/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	17-203 PFD	17-203 Public Facilities Deposit	08/22/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	18-025 PFD	18-025 Public Facilities Deposit	08/18/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	18-057 PFD	18-057 Public Facilities Deposit	08/18/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	18-120 PFD	18-120 Public Facilities Deposit	08/16/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	18-123 PFD	18-123 Public Facilities Deposit	08/22/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	18-128 PFD	18-128 Public Facilities Deposit	08/22/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	18-146 PFD	18-146 Public Facilities Deposit	08/18/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	18-174 PFD	18-174 Public Facilities Deposit	08/18/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	18-183 PFD	18-183 Public Facilities Deposit	08/06/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-004 PFD	19-004 Public Facilities Deposit	08/16/2019	1,750.00	.00		
2421	PUBLIC FACILITIES DEPOSIT	19-005 PFD	19-005 Public Facilities Deposit	08/22/2019	1,750.00	.00		
Total 2421:					26,250.00	.00		
<b>2502</b>								
2502	UTAH DIVISION OF WATER QU	2070000081	PESTICIDE GENERAL PERMIT	08/14/2019	200.00	.00		
Total 2502:					200.00	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
<b>2520</b>								
2520	Staker Parson Companies	5012601	Crushed rock & commercial rd ba	08/13/2019	733.89	.00		
2520	Staker Parson Companies	5012661	Crushed rock for Michi lane fence	08/13/2019	177.16	.00		
Total 2520:					911.05	.00		
<b>2598</b>								
2598	IIMC	081219	Annual Membership Fee	08/12/2019	170.00	.00		
Total 2598:					170.00	.00		
<b>2614</b>								
2614	Executech Utah, Inc.	136058	Monthly Licenses and Subdcriptio	07/31/2019	710.28	.00		
2614	Executech Utah, Inc.	EXEC-65056	Monthly Maintenance Agreement	07/31/2019	1,430.00	.00		
Total 2614:					2,140.28	.00		
<b>2627</b>								
2627	Gordon Law Group, P.C.	6644	John Probst Lawsuit	08/06/2019	1,288.00	.00		
2627	Gordon Law Group, P.C.	6646	Whitaker Farm Annexation	08/06/2019	2,398.50	.00		
2627	Gordon Law Group, P.C.	6657	MONTHLY FLAT FEE	08/05/2019	4,700.00	.00		
2627	Gordon Law Group, P.C.	6657 2	MONTHLY FLAT FEE	08/05/2019	300.00	.00		
Total 2627:					8,686.50	.00		
<b>2636</b>								
2636	CenturyLink 435-654-4120	1474446285	435-654-4120 Phone Services	08/11/2019	939.48	.00		
Total 2636:					939.48	.00		
<b>2658</b>								
2658	SIGNARAMA	INV-4250	Fireworks restriction signs	06/21/2019	1,406.56	.00		
2658	SIGNARAMA	INV-4337	Paint stencils - crosswalk & bike	07/01/2019	154.25	.00		
2658	SIGNARAMA	INV-4449	City street address blades	07/18/2019	553.95	.00		
2658	SIGNARAMA	INV-4590	Planning Dept - shirts embroidere	07/31/2019	377.00	.00		
2658	SIGNARAMA	INV-4591	Embroidery - Shane	07/31/2019	342.00	.00		
2658	SIGNARAMA	INV-4683	Street address blades for CtrSt&M	08/08/2019	946.59	.00		
2658	SIGNARAMA	INV-4723	Embroidery - Eric	08/14/2019	54.00	.00		
2658	SIGNARAMA	INV-4786	Mont Blanc ct & CascadeFalls str	08/22/2019	275.81	.00		
2658	SIGNARAMA	INV-4839	Embroidery - mayor shirts	08/26/2019	150.00	.00		
Total 2658:					4,260.16	.00		
<b>2701</b>								
2701	Colette Caldwell	17	August 2019 Janitorial Service	08/23/2019	1,000.00	1,000.00	08/28/2019	
Total 2701:					1,000.00	1,000.00		
<b>2728</b>								
2728	MONICIA ECHOLS	081919	Gas reimburse - inspections in per	08/19/2019	8.73	.00		
Total 2728:					8.73	.00		
<b>2757</b>								
2757	BORDER STATES INDUSTRIES	917675668 917	Credit on acct (refund) Ck21821	06/21/2019	207.87-	.00		
2757	BORDER STATES INDUSTRIES	918368742	Twist lock photocell	08/22/2019	14.96	.00		
2757	BORDER STATES INDUSTRIES	918376054	misc parts	08/23/2019	414.72	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2757:					221.81	.00		
<b>2767</b>								
2767	XACT DATA DISCOVERY	46-22927	Data hosting for Probst Lawsuit	07/31/2019	973.28	.00		
Total 2767:					973.28	.00		
<b>2772</b>								
2772	BD BUSH EXCAVATION	082119	Pay request#3 600 North project	08/21/2019	142,124.75	142,124.75	08/21/2019	
Total 2772:					142,124.75	142,124.75		
Grand Totals:					247,270.30	153,586.21		

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

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\_\_\_\_\_

City Recorder: \_\_\_\_\_

City Treasurer: \_\_\_\_\_

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Midway City Council  
3 September 2019  
Regular Meeting

Minutes of the  
20 August 2019  
Regular Meeting



# Memo

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**Date:** 29 August 2019  
**To:**  
**Cc:**  
**From:** Brad Wilson, City Recorder/Financial Officer  
**RE:** Minutes of the 20 August 2019 City Regular Meeting

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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, 20 August 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 6:05 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  
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. Council Member Van Wagoner gave the prayer and/or inspirational message.

**2. Consent Calendar**

- 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

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

Wes Johnson asked that a payment to BD Bush for \$142,124.75 be added to the warrant list. He indicated that it was the third partial payment for reconstructing 600 North.

Council Member Drury asked about the monthly payment to Horrocks Engineers which he thought was high. Brad Wilson indicated that it was for two months rather than one.

Council Member Drury asked about the payment to Watts Enterprises. Brad Wilson explained that it returned unused fees and out-of-pocket for the withdrawn Homestead master plan amendment.

Council Member Simonsen asked about the payment for the construction of the Michie Lane Park. Michael Henke responded that it was the second payment to the contractor and the project was within budget. He reviewed the progress of the project.

**Motion:** Council Member Probst moved to approve the consent calendar as outlined with the payment to BD Bush.

**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

**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 / Roads / Berm / Shed / Restrooms

Council Member Probst reported that the roads had been repaved and extended in the cemetery. He said that some shoulder work needed to be done on the roads. He also said that a berm needed to be landscaped, the original maintenance shed had been removed and the restrooms needed to be refurbished.

##### Town Hall / Floor

Council Member Probst was still considering redoing the hardwood floor in the main room of the Town Hall.

##### Community Center / Drinking Fountain

Council Member Probst reported that the replacement drinking fountain, for the Community Center, had been delivered but was not yet installed.

#### Main Street / Hanging Flowers

Council Member Orme reported that the hanging flowers, in front of the Town Hall, were dying.

#### Public Works / Swiss Days

Council Member Van Wagoner reported that the Public Works Department was preparing for Swiss Days.

#### Weed Control

Council Member Van Wagoner noted that noxious weeds in the area were out of control. He reported that the area weed board was not functioning and the City needed to address the problem. He suggested that a public works employee be completely certified to spray them and that the City better enforce its weed restrictions.

#### Main Street / Lights

Council Member Van Wagoner reported that street lights were out on Main Street between Center Street and 100 East.

#### Roads / Repairs

Council Member Simonsen reported that he and Wes Johnson reviewed the City's roads to determine what repair work needed to be done. Wes Johnson reviewed the specific roads that needed work.

#### Michie Lane / Striping

Council Member Drury indicated that because of the striping on Michie Lane it incorrectly appeared that there were two lanes on the north side of the road. The Council and Wes Johnson discussed ways to solve the problem.

#### Traffic and Safety Committee

Council Member Simonsen reported on an informal committee that was meeting to discuss traffic, speeding and safety. He said that the public was welcome to attend the meetings. He also said that the group was considering becoming an official city committee.

#### Parking / Swiss Days / Main Street

Council Member Simonsen reported on a postcard that was sent to residents around the Town Square regarding parking during Swiss Days. He indicated that the Council was still looking at solutions for the parking problems along Main Street.

#### Trails / Survey

Council Member Simonsen reported that a survey on the City's trails would close on September 5<sup>th</sup>.

#### Michie Lane Park

Council Member Simonsen reported on the progress of constructing the Michie Lane Park.

#### Trails / Grants

Council Member Simonsen noted that the City had received two grants to build trails. He reported that, because of some engineering issues and availability of contractors, the planned work could not be done in one year. He said that a bid opening would be held for the work on August 29<sup>th</sup>.

#### Animal Control

Council Member Simonsen reported that he met with Justin Hatch, Heber City Animal Services, regarding animal control. He added that the leash laws would be enforced in designated areas.

#### Dog Park

Mayor Johnson reported that a meeting was held at the City's dog park. She indicated that a subcommittee for the park would be formed under the Trails and Parks Committee. She said that it would advise the City on how to use money for the park. She also indicated that Preston Broadhead with the Public Works Department would be the liaison for the park.

#### Main Street / Improvement

Council Member Orme asked that more emphasis be placed on Main Street and obtaining grant money for its improvement.

- 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.

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

- Land use summary
- Location of the subdivision
- Site plan
- Transmission line easement
- Plat map
- Homestead easements
- Discussion items
- Lime Canyon drainage
- Water Board recommendation
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The item had been continued from the previous council meeting.
- The hydrology study and mitigation plan had been prepared and it had been reviewed by staff. The mitigation plan had been approved by the company that did the study and the City Engineer.
- Rocky Mountain Power, which owned the transmission lines going through the subdivision, did not object to the project.

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

Brett Walker, applicant, made the following comments:

- A spring used by the Homestead Resort was on the property. Met with the resort owner and manager of the Resort regarding a spring and the location of its service line.
- The spring was being cleaned up and documented.
- The owner approved of the new location for the line.
- There was an abundance of clay material that could be used on the property.

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

- The City needed to ensure that the new homes did not flood, and the ground could absorb the same amount of water.
- The City Engineer needed to approve the hydrology study and mitigation plan.
- The proposed berm needed to be at least 18 inches high but could be higher if the applicant wanted. The berm would increase the capacity of the property to dissipate water.
- There should be a berm by the trees on the northwest side of the property.

**Motion:** Council Member Simonsen moved to grant preliminary approval for Lime Canyon Meadows subject to the building diagrams and mitigation plans being reviewed and approved by the City Engineer.

**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	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

**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**

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

- Land use summary
- Irrigation easement
- Discussion items
- Water board recommendation
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The proposed project was tied to the Bonner Meadows Subdivision.
- It could only happen if 100 South was built with Bonner Meadows
- Duplexes were allowed in the zone but the lots in the subdivision did not have the required frontage.
- The water requirement was based on single family homes.
- The plat map should have a note restricting the lots to single-family homes.
- The plat map for Bonner Meadows had not yet been recorded.
- The property owner and the developer needed to work together to develop the projects.
- There would be five-foot sidewalks and a park strip on both sides of 100 South.
- The laterals for Bonner Landing would be installed with Bonner Meadows.

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

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

- The plat map could be recorded after the required improvements were in or bonded for.
- The applicant could install 100 South if necessary, to do the project.

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

- There were no improvements on the property proposed for the project.
- Lots should not be sold in Bonner Landing until the necessary infrastructure was installed.
- It would be difficult for the City to take over the bond and install the improvements.
- Contractors did not want to warranty another contractor's work.

### **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.

Paul Berg, Berg Engineering Resource Group and representing the applicant, indicated that the developer for Bonner Landing should be allowed to put in 100 South with the consent of the property owner and after acquiring the right-of-way.

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

- Bonner Meadows had already been approved to include 100 South. That plat map would have to be amended if the road was built first by the Bonner Landing developer.
- Was the City creating leverage that one developer could use against another developer?
- Should the plat map for Bonner Landing not be recorded until 100 South was built and approved by the City Engineer?
- The applicants for both projects should resolve the issue with 100 South and then come back to the Council for approval.

**Motion:** Council Member Simonsen moved to grant preliminary approval for the Bonner Landing Subdivision with the findings and conditions presented subject to the plat map not being recorded until 100 South was built and approved by the City Engineer.

Council Member Drury wanted the applicants for both Bonner Landing and Bonner Meadows to resolve the issue of 100 South before any approval was granted.

**Withdrawal:** Council Member Simonsen withdrew his motion.

**Motion:** Council Member Drury moved to continue consideration of the Bonner Landing Subdivision and asked the applicant to return with a proposed solution for 100 South. If a solution was not presented within 60 days, then the request would be approved or denied based on the information provided that night.

**Second:** Council Member Simonsen seconded the motion.

**Discussion:** Council Member Orme asked why the issue needed to be continued. Council Member Drury responded that he did not want to approve a development without an access.

Paul Berg asked how the two developments were any different from a phased project. Michael

Henke responded that phased projects had a master plan indicating how each phase would be developed.

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

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

Paul Berg asked what the Council wanted brought back to them. Council Member Drury responded that he wanted to see language or an agreement, between the applicants and landowners for Bonner Landing and Bonner Meadows, on how the problem with 100 South would be resolved. Mayor Johnson wanted the issue resolved before it came back to the Council. Council Member Drury did not want to approve the development and then have the construction of 100 South become the City's problem.

**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**

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

- Land use summary
- Location of the subdivision
- Vegetation
- Ditch
- Pictures of the property
- Plat map
- Wetlands delineation map approved by the United States Army Corps of Engineers
- Wetlands buffer
- 50-foot setback from the road
- Public trail easement
- Discussion items
- Water Board recommendation
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- If a piece of property was determined to not be a lot of record, then it needed to go through the subdivision process.
- A building permit could be issued for the property if the proposed subdivision was approved.
- The applicant had applied to encroach into the wetlands.

- A house would be designed specifically for the lot.
- A pull through or hammerhead driveway should be required.
- A driveway but not structures could be in the wetlands buffer.
- The applicant would not be required to contribute to a trail fund if the developer, for the Whitaker Farm, built the trail first.
- Water was only needed for the areas outside of the wetlands.
- The Municipal Code prohibited wetlands from being disturbed.

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

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

- If the wetlands dried up, then more water rights would have to be dedicated to the City to irrigate the property.
- The Corps of Engineers allowed wetlands to be mowed and trees planted in them.
- What could be done in wetlands also depended upon the depth of the water.
- Any restrictions on the wetlands could be included in the development agreement.
- Mowing could destroy a wetland.
- The issue of wetlands should be discussed further by the Council.
- There should be a note on the plat map limiting irrigation to the amount of water rights dedicated to the City.

### **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.

Paul Berg, Berg Engineering Resource Group and representing the applicant, indicated that a couple of items still needed to be done for the Corps of Engineers to allow any encroachment into the wetlands.

**Motion:** Council Member Drury moved to grant preliminary and final approval for the Raynor Subdivision with the following findings and conditions:

- The proposed lot met the minimum requirements for the R-1-15 zoning district.
- The proposal met the intent of the General Plan for the R-1-15 zoning district.
- The subdivision would contribute to the master trails plan by either building the bike lane along the frontage of the project or adding funds to the general trails fund that would be used to help complete the master trails plan.
- Wetlands that were present on the property were subject to the City's sensitive lands code.
- The wetlands delineation was approved by the Army Corps of Engineers.
- The proposed 0.01 acre encroachment into the wetlands had not been approved by the Army Corps of Engineers.
- The encroachment into the wetlands be approved by the Army Corps of Engineers

before the plat map was recorded.

- The 1.46 acre feet of water rights, dedicated to the City, could only be used on land not designated as wetlands.
- The driveway off River Road had to be a pull through or have a hammerhead turnaround to allow forward access to the road.

**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

- 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).

Corbin Gordon reviewed the proposed development agreement and made the following comments:

- Would add a condition that only the non-wetlands could be irrigated.
- Would add language regarding disturbing the wetlands.
- The owner should dedicate more water rights to the City rather than simply pay to use more water.

**Motion:** Council Member Probst moved to approve the development agreement with the additional language from the City Attorney.

**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

- 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**

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

- Code text amendment
- Proposed language
- Examples of the proposed ordinance applied to existing developments
- Reasons for the request
- Taxes and rollback taxes
- Flexibility
- Development risk
- Items to consider
- Possible findings

Mr. Henke also made the following comments:

- The request was submitted by a resident.
- It allowed multiple plat maps to be recorded per phase in a development.
- It would not modify but add language to the Municipal Code.
- All required improvements for a phase would be in the first plat map.
- It would be more difficult for someone to understand the entire phase if it had multiple plat maps.
- Theoretically there could be a plat map per unit.
- It was time consuming to review and obtain signatures for each plat map.
- There would be a lot of meetings and public hears if each plat map was instead a phase. It had been proposed that the phases in Watts Remund Farms be increased.

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

**Note:** Council Member Probst and Corbin Gordon recused themselves from consideration of the item and left at 8:21 p.m.

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

- The current process could be used but it would create more work for the City's staff.
- The proposed ordinance eliminate staff reports and meetings. It would also take pressure off the Planning Commission and City Council.
- More developers wanted to limit the number of recorded lots or units because of worries with the economy. Smart developers did this before the last recession while others lost their projects.
- When a project was lost then the City was no longer dealing with the original applicant.
- There was no risk to residents if the ordinance was approved.
- The infrastructure would be installed with the first plat map for a phase.

- The City could restrict the number of units per plat map to a minimum of five.
- The first plat map might be just infrastructure and open space.
- There would be fewer phases in a development if the ordinance was approved.

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

- Would developers market lots or units that were part of an unrecorded plat map?
- The developer could take reservations but could not sell unrecorded lots or units.
- The City would have to maintain the infrastructure once it was turned over to the City even though no houses had been built. The City would receive the full tax revenue only when a house was built.
- Signature gathering for plat maps was time consuming.
- Signers might wait until formal meetings to sign if there were a lot of plat maps.
- Could the applicant show what each plat map would cover when approval was granted for the phase?
- Would the number of phases really be reduced?
- There were developments that were an eyesore during the last recession.
- Lenders cared less than a developer about the property they owned.
- Sometimes developers did not pay the taxes during a recession hoping they could pay them when a lot or unit eventually sold.

### **Public Hearing**

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

#### **Hollie Kent**

Ms. Kent stated that developers already wanted to build in Midway and the City should not make it any easier for them. She thought that the proposed ordinance would be a burden to the City and its residents.

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

**Motion:** Council Member Orme moved to continue consideration of the proposed ordinance.

Council Member Orme indicated that the ordinance should be continued so that the Council could get more information and look at the proposal for more phases in Watts Remund Farms.

Council Member Drury asked if the City was better off addressing the number of phases rather than the number of plat maps?

Mr. Henke explained that the Planning Commission suggested a minimum number of units or lots per plat map.

**Withdrawal:** Council Member Orme withdrew her motion.

**Motion:** Council Member Drury moved to deny Ordinance 2019-09 with staff and the Planning Commission returning to the Council with a code text amendment limiting the minimum number of houses, within a plat map, or looking at the minimum or maximum number of phases allowed per development.

**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	Recused
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

**Note:** Council Member Probst and Corbin Gordon returned at 8:54 p.m.

#### **10. Midway City / Branding (Rob Foster) – Discuss branding for Midway City**

Mayor Johnson explained that she asked Rob Foster, who was a graphic designer, to give a presentation on branding for the City.

Mr. Foster gave a presentation on several logos and how they could be used in branding for Midway. He indicated that they were based on tradition and history while creating a solid foundation for the future.

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

- Any branding should be uniform and long lasting.
- There should be input and buy-in from residents.
- Any logo should be unique to Midway and look good on a flag.
- The idea could be presented to the Midway Boosters.
- Decals of the new logo should be put on the existing street signs.

**Motion:** Without objection, Mayor Johnson recessed the meeting at 9:15 p.m. She reconvened the meeting at 9:24 p.m.

#### **11. 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**

Michael Henke gave a presentation regarding the proposed ordinance and reviewed the

following items:

- Pending ordinance change
- Requirements by the Federal Government
- Difference between a current cellular tower and a 5G tower
- Examples of 5G towers
- Cantennas and support equipment
- Co-locating
- Location of support equipment
- Aesthetics review
- Federal and State regulations
- What can the City regulate?
- Proposed code
- Possible findings
- What did the Council want?

Mr. Henke also made the following comments:

- The City did not have to pay the cost of making the 5G towers aesthetically pleasing.
- The City could not deny a request to install 5G towers and equipment.
- Many cities left approval of towers and equipment to staff.
- It would be some time before a request was made to the City.
- A request could not go through the conditional use process because of imposed time limits.
- Electricity usage for each pole would be metered.

**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 support equipment on poles was not attractive.
- Groundwater and potrock could be a problem for buried support equipment.
- The proposed ordinance should allow for some flexibility.
- Could equipment be installed beyond existing poles?
- Directional poles should be defined in the ordinance.
- Wireless service should be defined as including but not limited to Wi-Fi.
- Was a width of two feet too wide for a 20-foot pole?
- Third party standards applied when the equipment was placed on power poles, etc.
- The ordinance needed to be refined before it was approved.

### **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 continue consideration of the proposed ordinance

until the next council meeting with staff addressing the issues discussed that evening.

**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

**12. Airport Advisory Council** (Mayor Johnson) – Discuss appointing someone to an airport advisory council for Heber City's airport.

Mayor Johnson reported that Heber City wanted to make changes and adjustments to its airport. She added that an advisory council was being set up and the Midway City Council needed to appoint a member. She asked for nominees.

**13. Main Street / Parking at Post Office** (Council Member Orme)

Council Member Orme made the following comments:

- The building, associated property and parking lot, where the post office was located, had been sold.
- The new owner was willing to lease 33 of the 48 parking spaces to the City for general public parking.
- This should be the first parking that was used to solve the parking problems along Main Street.
- The owner was worried about liability and would block off parking in the lot except for the post office.

Mayor Johnson made the following comments:

- The City could offer to lease the spaces for the same amount that was proposed to the owner of the vacant lot at approximately 70 East Main Street.
- The lease for the funeral home would expire in two months. This could make parking behind the business available for general public parking.

**14. Closed Meeting to Discuss the Purchase, Exchange, or Lease of Real Property and 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:** Closed meeting minutes are sealed and strictly confidential. Access to such minutes must be obtained through a court of law.

**Motion:** Council Member Probst moved to go out of the 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

## 15. Adjournment

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

The meeting was adjourned at 11:08 p.m.

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Celeste Johnson, Mayor

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Brad Wilson, Recorder

Midway City Council  
3 September 2019  
Regular Meeting

Watts Remund Farms /  
Release Construction Bond

728 West 100 South  
Heber, UT 84032  
www.horrocks.com



Heber Office  
Tel: 435.654.2226  
Fax: 435.657.1160

August 23, 2019

Brad Wilson  
Midway City Recorder  
75 North 100 West  
Midway, Utah 84049

**Subject: Remund Farms PUD – Phase 1, Construction Final, Warranty to Begin**

Dear Brad:

Remund Farms PUD – Phase 1 has received a final construction inspection. All items appear to be complete as shown on the approved construction drawings. Horrocks Engineers recommends the one year warranty period to begin. With construction final approval the construction bond may be released, minus the items shown below.

Midway City Items to be held and Not released:

Landscaping for Open Space Area	\$60,000.00
10% Warranty Bond	\$229,915.96

Midway Sanitation District Items to be held and Not released:

10% Warranty Bond	\$23,272.30
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The 10% warranty bond should be held through the one year warranty period. Occupancy Permits may now be issued. A slurry seal will be required before the end of the warranty period expiration, as well as the sewer lines being cleaned and videoed.

We appreciate working with you on this project. Please call our office with any questions.

Sincerely,  
HORROCKS ENGINEERS



Wesley Johnson, P.E.  
Midway City Engineer

cc: Michael Henke, Midway City Planner (sent by e-mail)  
Monica Echols, Midway Building Department (sent by e-mail)  
Mike Tagliabue, Remund Farms Developer (sent by e-mail)  
Becky Wood, Midway Sanitation District Manager (sent by e-mail)

H:\Midway City\City Developments\Remund Farms (Midway Springs)\Remund Farms Phase 1\Construction Final, Begin the Warranty Letter.docx