

MIDWAY CITY COUNCIL REGULAR MEETING

Tuesday, 1 October 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 1 October 2019 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 17 September 2019 City Council Regular Meeting
- d. Minutes of the 17 September 2019 City Council Closed Meeting
- e. Release the construction bond, minus 10%, and begin the one-year warranty period for the Lime Canyon Rural Preservation Subdivision located at approximately 950 West Lime Canyon Road

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. Open Space Committee / Presentation (Courtland Nelson – Approximately 15 minutes) – Receive a presentation from the Midway City Open Space Advisory Committee.

6. Homestead Resort Master Plan / Transfer of Rights (Steve Eddington – Approximately 10 minutes) – Discuss and possibly approve the transfer of rights for the master plan for the Homestead Resort located at 700 North Homestead Drive.

7. Walker Farm Subdivision / Preliminary & Final Approval (Mike Johnston – Approximately 30 minutes) – Discuss and possibly grant preliminary and final approval for the Walker Farm Rural Preservation Subdivision located at 500 West

Main Street (Zoning is RA-1-43). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing**

8. **Resolution 2019-17 / Walker Farm Development Agreement** (City Attorney – Approximately 10 minutes) – Discuss and possibly approve Resolution 2019-17 adopting a development agreement for the Walker Farm Rural Preservation Subdivision located at 500 West Main Street (Zoning is RA-1-43).
9. **Resolution 2019-25 / Watts Remund Farms Master Plan Amendment** (City Attorney – Approximately 10 Minutes) – Discuss and possibly approve Resolution 2019-25 adopting an amendment to the master plan for the Watts Remund Farms PUD located at approximately 200 East 600 North (Zoning is R-1-15).
10. **Watts Remund Farms PUD, Phase I / Amendment** (Berg Engineering – Approximately 20 minutes) – Discuss and possibly amend Phase I of the Watts Remund Farms PUD located at 552 North Granary Lane (Zoning is R-1-15). Recommended for approval without conditions by the Midway City Planning Commission. **Public Hearing**
11. **Midway Wrangler Subdivision / Preliminary Approval** (Berg Engineering – Approximately 30 minutes) – Discuss and possibly grant preliminary approval for the Midway Wrangler Subdivision located at 180 East Michie Lane (Zoning is R-1-15). Recommended for approval with conditions by the Midway City Planning Commission. **Public Hearing**
12. **Land Use Agreements / Duration** (City Attorney – Approximately 15 minutes) – Discuss the duration for various agreements related to land use including annexation agreements, master plan agreements, development agreements, etc.
13. **Parking / Main Street** (Mayor Johnson – Approximately 15 minutes) – Discuss parking along Midway Main Street.
14. **Closed Meeting to Discuss the Purchase, Exchange, or Lease of Real Property**
15. **Adjournment**

Published on the Utah Public Notice Website on 28 September 2019 at 11:00 a.m. by Brad Wilson (City Recorder)
Posted on 28 September 2019 at 5:00 p.m. by Brad Wilson (City Recorder)

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

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

Midway City Council
1 October 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
105								
105	ABE NEERINGS & SON	5707	Mini split heat pump installed Tow	05/29/2019	4,200.00	.00		
105	ABE NEERINGS & SON	5755	Drinking fountain install CommCtr	08/21/2019	719.25	.00		
105	ABE NEERINGS & SON	5756	City office AC repair	08/16/2019	376.00	.00		
105	ABE NEERINGS & SON	5762	Plugged pipes after repaired wate	07/25/2019	372.00	.00		
105	ABE NEERINGS & SON	5764	Council room AC repair	08/30/2019	100.00	.00		
105	ABE NEERINGS & SON	5765	Community Center toilet repairs	08/30/2019	100.00	.00		
105	ABE NEERINGS & SON	5766	Mens Restroom repair	09/12/2019	100.00	.00		
Total 105:					5,967.25	.00		
565								
565	HORROCKS ENGINEERS INC	52702	Indian Summer (Const)	09/17/2019	537.95	.00		
565	HORROCKS ENGINEERS INC	52702	Scotch Fields, Phase 2 (Const)	09/17/2019	700.00	.00		
565	HORROCKS ENGINEERS INC	52702	Whitaker Farm Subdivision(Planni	09/17/2019	3,954.85	.00		
565	HORROCKS ENGINEERS INC	52702	Remund Farms, Phase1 (Const)	09/17/2019	7,008.55	.00		
565	HORROCKS ENGINEERS INC	52702	Appenzell, Phase2 (Const)	09/17/2019	2,242.80	.00		
565	HORROCKS ENGINEERS INC	52702	Lodges at Snake Creek, Amende	09/17/2019	2,679.55	.00		
565	HORROCKS ENGINEERS INC	52702	Canyon View PUD, Plat B (Const)	09/17/2019	412.80	.00		
565	HORROCKS ENGINEERS INC	52702	Scotch Fields, Phases 3&4 (Plann	09/17/2019	525.00	.00		
565	HORROCKS ENGINEERS INC	52702	Lime Canyon Meadows (Planning	09/17/2019	175.00	.00		
565	HORROCKS ENGINEERS INC	52702	Ray Farms Subdivision (Const)	09/17/2019	2,876.70	.00		
565	HORROCKS ENGINEERS INC	52702	Haven Farms (Planning)	09/17/2019	1,057.00	.00		
565	HORROCKS ENGINEERS INC	52702	Midway Crest (Planning)	09/17/2019	350.00	.00		
565	HORROCKS ENGINEERS INC	52702	Midway Crest (Const)	09/17/2019	175.00	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	Update Construction Standards	09/17/2019	81.00	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	Attend council meetings	09/17/2019	306.00	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	General Engineering Tasks	09/17/2019	1,710.00	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	Attend Planning Commission	09/17/2019	306.00	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	Update Trail Plan	09/17/2019	612.00	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	Probst Way Road & Utility (Const)	09/17/2019	554.60	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	2019 Trail, Care to State Park (De	09/17/2019	6,883.90	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	2019 Trail, 350 S to 970 S (Desig	09/17/2019	15,316.90	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	600 North (Design & Const)	09/17/2019	6,785.80	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	Cemetery road (Const)	09/17/2019	3,457.30	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	Tate Lane Water Line (Const)	09/17/2019	236.20	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	2020 Trail, Homestead & RiverRd	09/17/2019	2,230.95	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	2019 Surface Treatments	09/17/2019	16,745.10	.00		
565	HORROCKS ENGINEERS INC	52702 (PART 2	2020 Water Line Design	09/17/2019	2,503.70	.00		
Total 565:					80,424.65	.00		
705								
705	LABRUM CHEVROLET/FORD	31568	Gasket	09/19/2019	8.14	.00		
Total 705:					8.14	.00		
720								
720	LATIMER DO IT BEST HARDWA	B265574	Weed eater string and handle	09/17/2019	61.97	.00		
Total 720:					61.97	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
800								
800	MIDWAY IRRIGATION COMPAN	091919	AS PER RESOLUTION 2013-08 2	09/19/2019	19,219.82	.00		
800	MIDWAY IRRIGATION COMPAN	091919 3RD Q	AS PER RESOLUTION 2013-08 3	09/19/2019	19,326.09	.00		
Total 800:					38,545.91	.00		
845								
845	MOUNTAINLAND SUPPLY COM	S103026196.0	Credit memo double pmt	04/17/2019	35.37-	35.37-	09/18/2019	
845	MOUNTAINLAND SUPPLY COM	S103166569.0	100 ea waterproof connect/bulk	07/23/2019	160.00	160.00	09/18/2019	
845	MOUNTAINLAND SUPPLY COM	S103194934.0	Adapters, pack joints, couplings	08/12/2019	402.88	402.88	09/18/2019	
845	MOUNTAINLAND SUPPLY COM	S103234830.0	Water meter gaskets	09/10/2019	13.38	.00		
845	MOUNTAINLAND SUPPLY COM	S103243399.0	Water misc parts	09/17/2019	3,452.34	.00		
Total 845:					3,993.23	527.51		
930								
930	Dominion Energy	2731063797 09	2731063797 COMMUNITY CENT	09/11/2019	33.33	.00		
930	Dominion Energy	577002000 091	5770020000 TOWN HALL	09/11/2019	109.20	.00		
930	Dominion Energy	6558550000 09	6558550000 Maintenance Shop	09/11/2019	37.28	.00		
930	Dominion Energy	680102000 091	6801020000 Admin Office	09/11/2019	25.41	.00		
Total 930:					205.22	.00		
945								
945	CENTURYLINK - 435-654-3223 2	090719	City of Midway 435-654-3223 269	09/07/2019	460.07	.00		
Total 945:					460.07	.00		
1015								
1015	SAFETY SUPPLY & SIGN CO IN	170262	Rechargeable lead-acid battery fo	09/11/2019	320.00	.00		
Total 1015:					320.00	.00		
1045								
1045	STANDARD PLUMBING SUPPLY	KBPR15	Black enamel	09/16/2019	15.87	.00		
1045	STANDARD PLUMBING SUPPLY	KBQR48	Fuel/Oil	09/16/2019	15.98	.00		
Total 1045:					31.85	.00		
1090								
1090	SUNRISE ENGINEERING	0105473	Midway City Bldg Inspection Servi	09/10/2019	2,358.00	.00		
Total 1090:					2,358.00	.00		
1115								
1115	TAYLORS FIRE CONTROL SER	11360	ANNUAL INSPECTION PER SHA	08/21/2019	1,200.00	.00		
Total 1115:					1,200.00	.00		
1170								
1170	TIMBERLINE ACE HARDWARE	128948	USBC vehicle charger	09/20/2019	20.99	.00		
Total 1170:					20.99	.00		
1255								
1255	UTAH LOCAL GOVERNMENTS	1577737	WORKERS COMP Policy - Month	09/10/2019	1,709.11	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1255:					1,709.11	.00		
1310								
1310	WASATCH AUTO PARTS	180152	2014 Ford Truck Throttle part	09/19/2019	194.99	.00		
1310	WASATCH AUTO PARTS	180172	Core deposit credit	09/19/2019	31.01-	.00		
Total 1310:					163.98	.00		
1340								
1340	WASATCH COUNTY SHERIFFS	INV0819	LAW ENFORCEMENT (AUG2019	09/17/2019	14,120.83	.00		
Total 1340:					14,120.83	.00		
1365								
1365	WAVE PUBLISHING	L16599	Public Notice Open Space 9/11, 9	09/11/2019	32.36	.00		
Total 1365:					32.36	.00		
1639								
1639	WASATCH COMMUNITY FOUND	0001	Booth sponsorship FamilyDinner i	09/03/2019	175.00	.00		
Total 1639:					175.00	.00		
1821								
1821	WEX BANK	61000220	FUEL	08/31/2019	751.90	751.90	09/24/2019	
1821	WEX BANK	61000220	LATE FEE	08/31/2019	75.00	75.00	09/24/2019	
Total 1821:					826.90	826.90		
2165								
2165	INTERMOUNTAIN FARMERS AS	1012185819	Tape measure, Miracle gro	08/15/2019	125.66	.00		
Total 2165:					125.66	.00		
2377								
2377	RIDLEY'S FAMILY MARKETS	092419	SALES and Use Tax (June 2019)	09/24/2019	5,139.13	.00		
2377	RIDLEY'S FAMILY MARKETS	092419	RESORT TAX (June 2019)	09/24/2019	3,004.25	.00		
Total 2377:					8,143.38	.00		
2418								
2418	FINAL COMPLETION DEPOSIT	18-163 FCD	18-163 FINAL COMPLETION DE	09/11/2019	1,500.00	.00		
2418	FINAL COMPLETION DEPOSIT	18-164 FCD	18-164 FINAL COMPLETION DE	09/11/2019	1,500.00	.00		
Total 2418:					3,000.00	.00		
2480								
2480	STEVE RHOADS	091619	Refund overpmt of SelectHealth	09/16/2019	541.00	.00		
Total 2480:					541.00	.00		
2520								
2520	Staker Parson Companies	5035764	road base and asphalt	09/05/2019	59.80	.00		
2520	Staker Parson Companies	5046364	water line repairs	09/18/2019	161.14	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2520:					220.94	.00		
2561								
2561	CENTURYLINK -435-654-3924 4	090719	Phone/Internet	09/07/2019	133.43	133.43	09/24/2019	
Total 2561:					133.43	133.43		
2562								
2562	CENTURYLINK 435-654-4204 77	090719	435-654-4204 775B	09/07/2019	50.17	.00		
Total 2562:					50.17	.00		
2563								
2563	CENTURYLINK 76612167	1475779605	Phone Service 435-654-3227	08/31/2019	22.72	.00		
Total 2563:					22.72	.00		
2587								
2587	Wasatch County Parks & Recreati	1723	Pickle Ball Construction Donation	09/09/2019	10,000.00	.00		
Total 2587:					10,000.00	.00		
2614								
2614	Executech Utah, Inc.	137505	Monthly Licenses and Subscriptio	08/31/2019	700.02	700.02	09/24/2019	
2614	Executech Utah, Inc.	EXEC-65970	Monthly Maintenance Agreement	08/31/2019	1,430.00	1,430.00	09/24/2019	
Total 2614:					2,130.02	2,130.02		
2625								
2625	Sunburst Ranch Phase 2	104	Reimburse for resolution 2010-07	08/05/2019	1,000.00	.00		
Total 2625:					1,000.00	.00		
2636								
2636	CenturyLink 435-654-4120	1476430144	Phone Services 435-654-4120	09/11/2019	939.48	.00		
Total 2636:					939.48	.00		
2658								
2658	SIGNARAMA	INV-4982	Crew sweatshirts mayor	09/11/2019	165.00	.00		
2658	SIGNARAMA	INV-5039	Eric shirt embroidery (4)	09/18/2019	72.00	.00		
2658	SIGNARAMA	INV-5046	Drinking water sign	09/19/2019	65.38	.00		
2658	SIGNARAMA	INV-5073	Scout project signage	09/24/2019	215.00	.00		
Total 2658:					517.38	.00		
2700								
2700	Car Quest Auto Parts	15341-39931	FUEL and oil filter	09/23/2019	5.78	.00		
2700	Car Quest Auto Parts	15341-39932	CFI 88611 AIR	09/23/2019	22.05	.00		
2700	Car Quest Auto Parts	15341-39981	CFI 86166 fuel	09/24/2019	3.78	.00		
2700	Car Quest Auto Parts	15341-39990	Lube, radial seal, filter	09/24/2019	171.41	.00		
Total 2700:					203.02	.00		
2709								
2709	Celeste Johnson	091719	Reimburse for lunch w/Rep John	09/17/2019	161.71	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2709:					161.71	.00		
2757								
2757	BORDER STATES INDUSTRIES	918494652	Supplies - cable, shelter	09/11/2019	83.41	.00		
2757	BORDER STATES INDUSTRIES	918503947	Supplies - cable, shelter	09/12/2019	1.42	.00		
2757	BORDER STATES INDUSTRIES	918521922	Genn - CR5.30.07	09/16/2019	83.19	.00		
2757	BORDER STATES INDUSTRIES	918582033	Parts for new hoist power	09/24/2019	407.70	.00		
Total 2757:					575.72	.00		
2763								
2763	PRECISION MANHOLES Inc.	19-2148	Repair storm drain collar	08/14/2019	500.00	.00		
2763	PRECISION MANHOLES Inc.	19-2148	Repair water valve collar	08/14/2019	350.00	.00		
Total 2763:					850.00	.00		
2772								
2772	BD BUSH EXCAVATION	091819	PARTIAL PAYMENT #4 - 600 Nor	09/18/2019	169,473.49	.00		
Total 2772:					169,473.49	.00		
2773								
2773	RIVER HOLLOW ENTERPRISES	812	Michie Lane Park-Final draw for p	09/19/2019	160,663.00	.00		
Total 2773:					160,663.00	.00		
Grand Totals:					509,376.58	3,617.86		

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
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Report Criteria:

- Detail report.
 - Invoices with totals above \$0 included.
 - Paid and unpaid invoices included.
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Midway City Council
1 October 2019
Regular Meeting

Minutes of the
17 September 2019
Regular Meeting



Memo

Date: 27 September 2019
To:
Cc:
From: Brad Wilson, City Recorder/Financial Officer
RE: Minutes of the 17 September 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, 17 September 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 6:14 p.m. She excused Council Member Probst and Council Member Van Wagoner.

Members Present:

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

Staff Present:

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

Members Excused:

Bob Probst, Council Member
Ken Van Wagoner, 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. She also gave the prayer and/or inspirational message.

2. Consent Calendar

- a. Agenda for the 17 September 2019 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 3 September 2019 City Council Regular Meeting
- d. Conclude the warranty period and release the remainder of the bond for the Kelson Rural Preservation Subdivision, located at 943 West Swiss Alpine Road, subject to the payment of all fees due to Midway City

- e. Release the construction bond minus 10%, \$21,000 for landscaping, \$25,576.80 to slurry seal, and \$5,850.29 for a survey for as-built drawings and begin the one-year warranty period for Phase II of the Appenzell PUD located at 600 South Center Street

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

Brad Wilson asked that the closed meeting minutes from 3 September 2019 also be included on the consent calendar.

Motion: Council Member Orme moved to approve the consent calendar including the closed meeting minutes from 3 September 2019.

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	Excused from the Meeting

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.

High Valley Arts / Performance Space

Anna McMaster gave a presentation on the High Valley Arts Foundation including its benefits to the community. Andrea Scott also talked about the benefits of the Foundation and indicated that it wanted its own space in which to perform.

Parking / Blocking

Cecil Duval expressed concern that residents, especially part-time residents, were blocking off the public parking in front of their properties. He indicated that parking was a problem and the Council needed to act.

Volksmarch

Athina Koumarela gave a presentation on the planned Volksmarch and thanked those who supported it.

No further comments were offered.

4. Department Reports

Road Work

Council Member Simonsen and Wes Johnson reported on the road work happening in the City.

Striping

Council Member Simonsen reported on the road striping in the City. He indicated that a crosswalk had been striped on Pine Canyon Road for a trail.

Roads / Surface Treatments

Council Member Simonsen and Wes Johnson reported on the roads being chip sealed in the City.

Trails / Grants

Council Member Simonsen reviewed the grants that had been received for trails. He also reported on the associated trails projects.

Trails / Survey

Council Member Simonsen reported on the recent survey regarding trails in the City.

Town Square / Pickleball Courts

Council Member Simonsen reminded the Council that the City's trails and parks committee was still considering recommending pickleball courts on the Town Square.

Swiss Days / Dogs

Council Member Simonsen asked if dogs were allowed on the Town Square during Swiss Days. Mayor Johnson responded they had been allowed that year because of a miscommunication. She said that the Midway Boosters was considering the issue but thought that they should not be allowed.

ULCT Conference

Council Member Orme reported on the conference held by the Utah League of Cities and Towns. She suggested that the entire Council attend the following year.

5. Main Street Streetlights (Carson Fillin – Approximately 15 minutes) – Discuss streetlight options and examples for Midway Main Street.

Mayor Johnson explained that Heber Light & Power Company (HL&P) wanted to change the streetlight fixtures, along Main Street, to LED lights. The change would reduce power consumption and HL&P would pay the changeout cost. She added that HL&P would also pay to change the pole if the number of fixtures on each pole was reduced from two to one.

Mr. Fillin gave a presentation on the project, dark sky compliance, safety, types of fixtures, costs, etc.

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

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

- The definition for dark sky compliance needed to be amended in the Municipal Code.
- The brightness of the new fixtures would be adjustable.
- Two fixtures per pole was twice the maintenance.
- A logo could be put on the poles.
- The LED fixtures would reduce power consumption by 50%.
- Having one fixture per pole would further reduce consumption.
- Irrigation lines could be run inside of the poles. The poles could also hold banners and flower baskets.
- A new LED fixture with comfort lighting, which looked like the current fixtures on Main Street, would be available the following month. Pricing for that fixture would be available at that time.

Mayor Johnson asked that the item again be placed on the agenda in November.

Athina Koumarela suggested that streetlights throughout the City also be changed to the LED comfort light.

6. Watts Remund Farms PUD / Master Plan Amendment (Berg Engineering – Approximately 30 minutes) – Discuss and possibly amend 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.

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

- Land use summary
- Location of the PUD
- Master plan approval
- Proposed amendments with recent adjustments
- Approved site plan
- Approved phasing plan
- Amended phasing plan considered by the Planning Commission

- Amended phasing plan recommended by the Planning Commission
- Most recent phasing plan
- Open space plan
- Pad #84 changes
- Proposed plat map note for private areas
- Items to consider
- Proposed findings
- Items being requested

Mr. Henke also made the following comments:

- Some adjustments had been made since the amendment was considered at the previous council meeting.
- The amendment with the adjustments met the requirements of the Municipal Code.
- The City would only oversee structural items in the proposed private areas. Other items like fire pits would be an issue for the HOA.
- Water rights would be turned over to the City with each phase.
- Some of the trails would be completely constructed with Phase I. Others would be constructed but not asphalted with Phase I.

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 City Council would have granted more phases with the original approval.
- The Municipal Code did not limit the number of phases.
- An amendment would be needed to reduce or eliminate the existing buffers with the neighbors.
- Should site obscuring fences be prohibited in the proposed private areas? The HOA not the City should enforce this prohibition.
- Property owners had planned based on the original approval. Was it fair to then change the approval?
- The temporary loss of tax revenue, caused by additional phases, was a concern.
- Should there be a limit on the number of phases?
- The amendment should only be approved if it was in the best interest of all involved.
- Staggering of units was only required if they were next to a road.
- There would be silt fences installed during construction.
- Wetlands in the City had not been impacted by runoff from a development.
- There was an existing master plan agreement and there needed to be significant benefits for the community to justify it being changed.
- The existing master plan and phasing worked.
- The City should not have to maintain infrastructure without the benefit of the full tax revenue.
- When a phase was recorded then the higher amount of tax revenue would be collected for the prior five years.
- Would support the amendment if the agreement terminated in five years.
- An agreement should not terminate if the related development had been recorded.
- The applicant was now requesting an increase of phases to five instead of eight.

- The final two phases were small which would defer less tax revenue.
- Phase I was already being taxed for the lots.
- Phasing would leave land undisturbed for longer.
- The Wasatch County School District had to plan for new growth.
- Asphaltting more of the trails, as part of the amendment, would be a benefit to the community. Reducing the number of units would be a benefit. Extending the trail to River Road would also be a benefit.

Russ Watts, applicant, made the following comments:

- Site obscuring fences could be prohibited in the proposed private areas.
- Was limited by a stream and trails when staggering some of the units.
- It was natural for phases to be changed as a project was developed. This was not an effort to avoid the regulations in the Municipal Code but to protect the project from a recession.
- Adjusting phasing also protected the City from having to finish the infrastructure in an abandoned development.
- Had collaborated with the neighbors, during the original approval, regarding trails and setbacks. Had agreed to additional trails, improving 600 North, looping water lines, connecting sewer lines, and would construct four park areas. A lot of community benefits had been agreed to during the original approval.
- There was little cost to maintaining sewer and water infrastructure. The greater cost would be finishing a project during an economic downturn.
- There would not be an impact on schools, emergency services, etc. until people moved into the units.
- Was willing to make the south and east perimeter trails a public use but maintained by the HOA.
- Was willing to extend the trail through Swiss Paradise and along River Road to the planned roundabout at the entrance to Memorial Hill.
- Had a trails and utility easement on a lot in Swiss Paradise that would be used to extend the trail.

Motion: Council Member Simonsen moved that staff prepare an amended master plan agreement that addressed the following items:

- The proposed private areas would not encroach on the wetlands and wetlands buffer.
- No site obscuring fences would be allowed in the proposed private areas. The HOA not the City would enforce this restriction. The Municipal Code could be referenced for guidance.
- The number of phases would be changed to five because each was of a reasonable size. In this case the increase did not seem egregious.
- A public trail easement across the perimeter trail would be granted.
- The developer would build an asphalt trail along 300 North and River Road to the planned roundabout at the entrance to the Memorial Hill. The developer would work with the City on its design.
- Units 84 to 87 would not be staggered.
- Unit 84 would have the same setbacks as in the original approval.
- The proposed master plan appeared to meet the requirements of the code.

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	Excused from the Meeting

7. Zermatt Resort / Business Growth Grant (Maxine Jensen – Approximately 30 minutes) – Discuss Zermatt Resort’s application for a business growth grant.

Mayor Johnson reviewed the request from the Zermatt Resort. She also explained that there were not many options to get large groups of skiers from Midway the ski resorts. She noted that Ms. Jensen was unable to attend that evening’s meeting.

Note: A copy of the Zermatt Resort’s request is contained in the supplemental file.

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

- The Zermatt Resort was an important part of the City’s tax base.
- A process should be established to fairly and thoughtfully award grants and ensure that the money was used as planned.
- Businesses would scrutinize how any grants were awarded.
- The cultural as well as the economic benefit needed to be considered.
- How should businesses be treated as opposed to non-profit organizations?
- The issue needed to be considered further. It also needed to be considered by the Midway Business Alliance.

8. Ice Rink / Management Agreement (City Attorney – Approximately 15 minutes) – Discuss and possibly approve an agreement with the Midway Boosters to manage the Midway City Ice Rink for the 2019 - 2020 season.

Corbin Gordon made the following comments:

- A management agreement had been negotiated the previous year but not signed.
- The proposed agreement allowed the Midway Boosters to keep any money in its account if the Rink closed.
- Several exhibits needed to be finalized.
- The Boosters had already signed the agreement.
- The Boosters would keep any skates that it purchased.
- The City would remove the snow from the rink.

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

- The City owned but did not maintain the Zamboni.
- The City should not require the return of the \$25,000 of start-up funds provided to the Boosters.
- Would the Boosters loose money if the City was unable to immediately remove snow from the Rink?
- The City should not lay down the ice, paint the ice or remove the snow.

Motion: Council Member Orme moved to approve the management agreement, with the changes discussed, and authorized the Mayor to sign it.

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	Excused from the Meeting

Motion: Without objection, Mayor Johnson recessed the meeting at 9:15 p.m. She reconvened the meeting at 9:26 p.m.

9. Land Use Agreements / Duration (City Attorney – Approximately 15 minutes) – Discuss the duration for various agreements related to land use including annexation agreements, master plan agreements, development agreements, etc.

Mayor Johnson indicated that the issue would be discussed on October 1st when the rest of the Council was present.

10. Closed Meeting to Discuss the Purchase, Exchange, or Lease of Real Property and the Character, Professional Competence, or Physical or Mental Health of an Individual.

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	Excused from the Meeting

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	Excused from the Meeting

11. Adjournment

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

The meeting was adjourned at 10:34 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder

Midway City Council
1 October 2019
Regular Meeting

Lime Canyon Subdivision /
Release Construction Bond

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



Heber Office
Tel: 435.654.2226
Fax: 435.657.1160

October 1, 2019

Brad Wilson
(Sent by E-Mail)
Midway City Recorder
75 North 100 West
Midway, Utah 84049

**Subject: Lime Canyon, Rural Preservation Subdivision, Construction Final,
Warranty to Begin**

Dear Brad:

Lime Canyon Rural Preservation Subdivision 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 10% warranty bond. Occupancy Permits may now be issued.

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

Sincerely,
HORROCKS ENGINEERS

A handwritten signature in blue ink, appearing to read "Wesley Johnson".

Wesley Johnson, P.E.
Midway City Engineer

cc: Michael Henke, Midway City Planner (sent by e-mail)
Monicia Echols, Midway Building Department (sent by e-mail)
Brett Walker, Developer (sent by e-mail)