

Midway City Council
18 February 2020
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	5805	BUILDING Maintenance-3rd qtr20	10/01/2019	1,430.00	.00		
105	ABE NEERINGS & SON	5807	Repair thermostat in admin office	10/30/2019	224.00	.00		
105	ABE NEERINGS & SON	5808	Repair boilers in town hall (2nd re	11/01/2019	414.50	.00		
105	ABE NEERINGS & SON	5850	BUILDING Maintenance-4th qtr20	12/30/2019	1,430.00	.00		
Total 105:					3,498.50	.00		
200								
200	Blue Stakes of Utah 811	UT202000118	BILLABLE E-MAIL NOTIFICATIO	01/31/2020	54.87	.00		
Total 200:					54.87	.00		
220								
220	BROKEN ARROW	32640	TYPE C ROAD SALT	01/29/2020	508.20	.00		
Total 220:					508.20	.00		
270								
270	CASELLE INC	100036	Contract AND MAINTENANCE 3/	02/01/2020	68.00	.00		
270	CASELLE INC	100036	Contract AND MAINTENANCE M	02/01/2020	358.27	.00		
Total 270:					426.27	.00		
305								
305	COLONIAL FLAG & SPECIALTY	0209490-IN	Administrative Rotations	01/30/2020	112.00	.00		
305	COLONIAL FLAG & SPECIALTY	0209491-IN	Town Hall Rotations	01/30/2020	45.00	.00		
305	COLONIAL FLAG & SPECIALTY	0209492-IN	Cemetery Flag Rotations	01/30/2020	45.00	.00		
305	COLONIAL FLAG & SPECIALTY	0209493-IN	Hamlet Park Rotations	01/30/2020	115.00	.00		
305	COLONIAL FLAG & SPECIALTY	0209550-IN	Administrative Rotations	01/31/2020	65.60	.00		
Total 305:					382.60	.00		
845								
845	MOUNTAINLAND SUPPLY COMP	S103171128.00	Misc water parts	01/30/2020	501.45	.00		
845	MOUNTAINLAND SUPPLY COMP	S103243399.0	Reducer - water parts	01/30/2020	4.36	.00		
845	MOUNTAINLAND SUPPLY COMP	S103362698.0	Misc Water Parts	01/30/2020	821.80	.00		
845	MOUNTAINLAND SUPPLY COMP	S103372989.0	Water check valve	01/30/2020	556.30	.00		
845	MOUNTAINLAND SUPPLY COMP	S103383106.0	Water hydrant key	01/09/2020	851.20	.00		
845	MOUNTAINLAND SUPPLY COMP	S103416684.0	Misc Water Parts	02/10/2020	732.73	.00		
Total 845:					3,467.84	.00		
1045								
1045	STANDARD PLUMBING SUPPLY	KNDJ81	Fuel, oil, starter rope/handle	02/04/2020	11.98	.00		
1045	STANDARD PLUMBING SUPPLY	KNR299	Shelter restrooms	02/12/2020	76.52	.00		
Total 1045:					88.50	.00		
1150								
1150	HOME DEPOT Credit Services	44150208637	Guardrail for stairs-Admin office	01/27/2020	125.43	.00		
1150	HOME DEPOT Credit Services	44150212407	Tool box & tie downs-Preston's tru	01/28/2020	130.97	.00		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1150:					256.40	.00		
1170								
1170	TIMBERLINE ACE HARDWARE	131449	Gloves, earplugs, hydroreflectors (S	02/04/2020	149.86	.00		
1170	TIMBERLINE ACE HARDWARE	131450	Flooring knife, Ice scraper	02/04/2020	46.97	.00		
Total 1170:					196.83	.00		
1210								
1210	UNITED SERVICE AND SALES	34921	ATV Snowplow blades	01/23/2020	257.04	.00		
Total 1210:					257.04	.00		
1305								
1305	VERIZON WIRELESS	9847382259	KELTON WEBB - Phone	02/01/2020	43.71	.00		
1305	VERIZON WIRELESS	9847382259	GEORGIA MCGUIRE-JETPACK	02/01/2020	45.19	.00		
1305	VERIZON WIRELESS	9847382259	Ice Rink-jetpack	02/01/2020	45.19	.00		
1305	VERIZON WIRELESS	9847382259	MONICIA ECHOLS - TABLET	02/01/2020	45.19	.00		
1305	VERIZON WIRELESS	9847382259	BUILDING DEPT-TABLET	02/01/2020	40.01	.00		
1305	VERIZON WIRELESS	9847382259	SHANE OWENS -Phone	02/01/2020	60.88	.00		
1305	VERIZON WIRELESS	9847382259	CORY LOTT Jetpack	02/01/2020	40.03	.00		
1305	VERIZON WIRELESS	9847382259	Michael Henke Phone and New P	02/01/2020	43.71	.00		
1305	VERIZON WIRELESS	9847382259	CORY LOTT Phone	02/01/2020	46.88	.00		
1305	VERIZON WIRELESS	9847382259	On Call Phone	02/01/2020	31.59	.00		
1305	VERIZON WIRELESS	9847382259	Darin Bunker Phone	02/01/2020	52.05	.00		
1305	VERIZON WIRELESS	9847382259	MONICIA ECHOLS - Phone	02/01/2020	51.71	.00		
Total 1305:					546.14	.00		
1310								
1310	WASATCH AUTO PARTS	188966	Sockets, hammer, universal joint	01/28/2020	175.59	.00		
1310	WASATCH AUTO PARTS	189155	Spark plugs, air filters	01/30/2020	40.80	.00		
1310	WASATCH AUTO PARTS	189367	Hose clamp	02/04/2020	4.76	.00		
1310	WASATCH AUTO PARTS	189615	Plow - hydrolic fluid	02/07/2020	213.72	.00		
1310	WASATCH AUTO PARTS	189839	Hitch pin, grease, trailer parts	02/11/2020	71.72	.00		
1310	WASATCH AUTO PARTS	189862	Bearing kit and parts for trailer	02/11/2020	155.67	.00		
Total 1310:					662.26	.00		
1360								
1360	WASATCH COUNTY SOLID WAS	125553	Dump Fee 1.22.20	01/22/2020	7.00	.00		
1360	WASATCH COUNTY SOLID WAS	125838	Dump Fee 1.28.20	01/28/2020	29.00	.00		
1360	WASATCH COUNTY SOLID WAS	125892	Dump Fee 1.29.20	01/29/2020	36.00	.00		
1360	WASATCH COUNTY SOLID WAS	80293 20120	80293 Centennial park	02/01/2020	220.00	.00		
1360	WASATCH COUNTY SOLID WAS	80294 20120	80294 Midway City Hamlet Park	02/01/2020	75.00	.00		
1360	WASATCH COUNTY SOLID WAS	90042 20120	90042 Community Center	02/01/2020	75.00	.00		
1360	WASATCH COUNTY SOLID WAS	90291 20120	90291 Park & Offices	02/01/2020	145.00	.00		
1360	WASATCH COUNTY SOLID WAS	90292 20120	90292 Cemetery	02/01/2020	75.00	.00		
1360	WASATCH COUNTY SOLID WAS	93287 20120	93287 City Shop	02/01/2020	75.00	.00		
Total 1360:					737.00	.00		
1365								
1365	WAVE PUBLISHING	L16752	Public Hearing 1/22, 1/29	01/22/2020	134.12	.00		
1365	WAVE PUBLISHING	L16762	Public NOTICE Parks&Trails	01/29/2020	32.36	.00		
1365	WAVE PUBLISHING	L16765	NOTICE OF PUBLIC Mtg PC 1.29	01/29/2020	108.68	.00		

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Total 1365:					275.16	.00		
1421								
1421	HEBER LIGHT & POWER	238	4th Quarter Streetlight Repair	01/16/2020	1,382.69	.00		
1421	HEBER LIGHT & POWER	3001 13120	18153001 GerberWater Tank	01/31/2020	114.58	.00		
1421	HEBER LIGHT & POWER	3002 13120	18153002 City Office	01/31/2020	310.65	.00		
1421	HEBER LIGHT & POWER	3003 13120	18153003 Cemetery FG PL Light	01/31/2020	242.14	.00		
1421	HEBER LIGHT & POWER	3004 13120	18153004 Cottages 3 pump	01/31/2020	1,705.36	.00		
1421	HEBER LIGHT & POWER	3006 13120	18153006 Maintenance Shop	01/31/2020	248.63	.00		
1421	HEBER LIGHT & POWER	3007 13120	18153007 850 E Main-Hamlet	01/31/2020	16.82	.00		
1421	HEBER LIGHT & POWER	3008 13120	18153008 Town Hall	01/31/2020	725.24	.00		
1421	HEBER LIGHT & POWER	3009 13120	18153009 Ice Rink TS Lights	01/31/2020	672.42	.00		
1421	HEBER LIGHT & POWER	3010 13120	18153010 Ice Rink Chiller	01/31/2020	4,094.04	.00		
1421	HEBER LIGHT & POWER	3012 13120	18153012 ROUNDABOUT	01/31/2020	11.66	.00		
1421	HEBER LIGHT & POWER	3013 13120	18153013 Community Center	01/31/2020	196.25	.00		
1421	HEBER LIGHT & POWER	3014 13120	18153014 Valais Park	01/31/2020	12.11	.00		
1421	HEBER LIGHT & POWER	3015 13120	18153015 Centennial Park	01/31/2020	14.51	.00		
1421	HEBER LIGHT & POWER	3016 13120	18153016 Ball Park Lights	01/31/2020	23.06	.00		
1421	HEBER LIGHT & POWER	3017 13120	18153017 Swiss Days Trailer	01/31/2020	377.51	.00		
1421	HEBER LIGHT & POWER	3018 13120	18153018 Alpinhof Tank	01/31/2020	11.67	.00		
1421	HEBER LIGHT & POWER	3019 13120	18153019 Town Square Shelter	01/31/2020	603.02	.00		
1421	HEBER LIGHT & POWER	3021 13120	18153021 Restrooms	01/31/2020	11.66	.00		
1421	HEBER LIGHT & POWER	3022 13120	18153022 Mahogany Well	01/31/2020	199.28	.00		
1421	HEBER LIGHT & POWER	3033 13120	18153033 Pedestal for Swiss Day	01/31/2020	18.07	.00		
1421	HEBER LIGHT & POWER	3034 13120	18153034 1295 W 310 N	01/31/2020	1,637.01	.00		
1421	HEBER LIGHT & POWER	3035 13120	18153035 New Maint. Building (C)	01/31/2020	171.97	.00		
1421	HEBER LIGHT & POWER	3036 13120	18153036-250 EAST MICHIE LN-	01/31/2020	11.00	.00		
1421	HEBER LIGHT & POWER	3040 13120	18153040 300 S 300 E SPRINKL	01/31/2020	12.48	.00		
1421	HEBER LIGHT & POWER	3041 13120	18153041 350 S 300 E SPRINKL	01/31/2020	12.48	.00		
Total 1421:					12,836.31	.00		
1458								
1458	SHANE OWENS	21120	Water training expenses (St Geor	02/11/2020	454.00	.00		
Total 1458:					454.00	.00		
1542								
1542	STATE OF UTAH GASCARD/FUE	NP57704296	FUEL for fleet	02/03/2020	3,857.83	.00		
Total 1542:					3,857.83	.00		
1615								
1615	PRAXAIR DISTRIBUTION INC.	94578769	Gas for torches at shop (final invoi	01/30/2020	24.00	.00		
1615	PRAXAIR DISTRIBUTION INC.	94578771	Gas for torches at shop (final invoi	01/30/2020	24.80	.00		
1615	PRAXAIR DISTRIBUTION INC.	94578773	Gas for torches at shop (final invoi	01/30/2020	24.00	.00		
1615	PRAXAIR DISTRIBUTION INC.	94578775	Gas for torches at shop (final invoi	01/30/2020	24.80	.00		
Total 1615:					97.60	.00		
1749								
1749	International Code Council, Inc.	1001151115	Certification Renewal Monicia Ech	01/30/2020	800.00	.00		
Total 1749:					800.00	.00		

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1880								
1880	GILBERT & STEWART, PC	13120	Audit	01/31/2020	10,800.00	.00		
Total 1880:					10,800.00	.00		
1989								
1989	BANKCARD CENTER	4717 FEB2020	Rewards fee Winterton card	02/04/2020	25.00	.00		
1989	BANKCARD CENTER	5219 FEB2020	IntermtnBobcat parts	02/04/2020	192.82	.00		
1989	BANKCARD CENTER	5219 FEB2020	Jacquart Fabric - Crew hats	02/04/2020	381.86	.00		
1989	BANKCARD CENTER	5219 FEB2020	Rural Water Assoc - Cert renewal	02/04/2020	150.00	.00		
1989	BANKCARD CENTER	6014 FEB04	Ice sculpture	02/04/2020	350.00	.00		
1989	BANKCARD CENTER	6014 FEB04	Utah Chapter ICC Bldg Dept	02/04/2020	25.00	.00		
1989	BANKCARD CENTER	6014 FEB04	Utah League of Cities New Council	02/04/2020	90.00	.00		
1989	BANKCARD CENTER	6014 FEB04	Utah League of Cities New council	02/04/2020	90.00	.00		
1989	BANKCARD CENTER	6014 FEB04	Cafe Rio Building Dept	02/04/2020	31.60	.00		
1989	BANKCARD CENTER	6014 FEB04	Staples - Jennifer new computer	02/04/2020	2,020.85	.00		
1989	BANKCARD CENTER	6014 FEB04	CrumbleHeberCity BuildingDept F	02/04/2020	12.24	.00		
1989	BANKCARD CENTER	6014 FEB04	Utah Chapter ICC Bldg Dept	02/04/2020	300.00	.00		
1989	BANKCARD CENTER	6014 FEB04	DEQ Storm Water Sanitation Distr	02/04/2020	50.00	.00		
1989	BANKCARD CENTER	6014 FEB04	Amazon Office Supplies	02/04/2020	78.88	.00		
1989	BANKCARD CENTER	6014 FEB04	Oreleans Hotel Bldg Dept	02/04/2020	49.72	.00		
1989	BANKCARD CENTER	6014 FEB04	Oreleans Hotel Bldg Dept	02/04/2020	49.72	.00		
1989	BANKCARD CENTER	6014 FEB04	Intl Code Council Bldg Dept	02/04/2020	90.00	.00		
1989	BANKCARD CENTER	6215 FEB04	Rewards fee	02/04/2020	25.00	.00		
1989	BANKCARD CENTER	6215 FEB04	LeesMkt Flowers	02/04/2020	90.95	.00		
1989	BANKCARD CENTER	6215 FEB04	Ridleys Market Detergent	02/04/2020	15.24	.00		
1989	BANKCARD CENTER	6215 FEB04	UrbandLand Institute Registration	02/04/2020	65.00	.00		
1989	BANKCARD CENTER	6215 FEB04	Utah Taxes	02/04/2020	130.12	.00		
1989	BANKCARD CENTER	6215 FEB04	Holiday Lanes Employee Party	02/04/2020	900.00	.00		
1989	BANKCARD CENTER	6215 FEB04	Subway Employee Party	02/04/2020	60.00	.00		
1989	BANKCARD CENTER	6215 FEB04	McDonald's Employee Party	02/04/2020	40.00	.00		
1989	BANKCARD CENTER	6215 FEB04	Holiday Lanes - Employee party	02/04/2020	559.80	.00		
1989	BANKCARD CENTER	6215 FEB04	Adobe Acrobat Software	02/04/2020	167.57	.00		
1989	BANKCARD CENTER	8789 FEB2020	Ridleys water	02/04/2020	12.30	.00		
1989	BANKCARD CENTER	8789 FEB2020	SamsClub Water	02/04/2020	79.02	.00		
1989	BANKCARD CENTER	8789 FEB2020	SamsClub Water (shop)	02/04/2020	12.58	.00		
1989	BANKCARD CENTER	8789 FEB2020	Sams Club cups	02/04/2020	11.78	.00		
1989	BANKCARD CENTER	8789 FEB2020	Walmart computer mouse	02/04/2020	7.32	.00		
1989	BANKCARD CENTER	8789 FEB2020	IntermtnBobcat Snow shoe	02/04/2020	223.28	.00		
1989	BANKCARD CENTER	8789 FEB2020	Office Depot Cemetery	02/04/2020	300.17	.00		
1989	BANKCARD CENTER	8789 FEB2020	Staples Cemetery	02/04/2020	40.82	.00		
1989	BANKCARD CENTER	8789 FEB2020	Staples Equipment	02/04/2020	70.32	.00		
1989	BANKCARD CENTER	8789 FEB2020	Walmart Windshield wipers, wash	02/04/2020	79.84	.00		
1989	BANKCARD CENTER	8789 FEB2020	Walmart office supply	02/04/2020	13.21	.00		
1989	BANKCARD CENTER	8789 FEB2020	RubberStamp	02/04/2020	29.48	.00		
1989	BANKCARD CENTER	8789 FEB2020	Rural Water - AssocTraining	02/04/2020	530.00	.00		
1989	BANKCARD CENTER	8789 FEB2020	Water Exam	02/04/2020	200.00	.00		
1989	BANKCARD CENTER	8789 FEB2020	Water Exam (Ty)	02/04/2020	150.00	.00		
1989	BANKCARD CENTER	8789 FEB2020	Rural water training	02/04/2020	399.00	.00		
1989	BANKCARD CENTER	8789 FEB2020	Office depot folders	02/04/2020	136.13	.00		
1989	BANKCARD CENTER	8789 FEB2020	Office depot folders	02/04/2020	65.06	.00		
1989	BANKCARD CENTER	8789 FEB2020	Sams Club water	02/04/2020	10.00	.00		
Total 1989:					8,411.68	.00		
2147								
2147	CHEMTECH-FORD LABORATOR	20B0012	Water samples-February	02/04/2020	120.00	.00		

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Total 2147:					120.00	.00		
2186								
2186	SANDERS GLASS ART & ENGR	20211	Engrave customer - niche faceplat	01/24/2020	100.00	.00		
Total 2186:					100.00	.00		
2215								
2215	O'REILLY AUTO PARTS	3664-459816	Shop supplies	01/28/2020	5.99	.00		
Total 2215:					5.99	.00		
2264								
2264	GRAINGER	9437329361	Cold patch - street repair material	02/07/2020	2,438.00	.00		
Total 2264:					2,438.00	.00		
2269								
2269	REDMOND MINERALS INC.	292800	ROAD SALT FEB2020	02/05/2020	2,575.15	.00		
2269	REDMOND MINERALS INC.	293003	ROAD SALT(2) Feb2020	02/11/2020	2,640.31	.00		
Total 2269:					5,215.46	.00		
2377								
2377	RIDLEY'S FAMILY MARKETS	0031	Staff - Phone training refreshment	02/11/2020	5.48	.00		
2377	RIDLEY'S FAMILY MARKETS	0161	propane for shop	02/05/2020	37.98	.00		
Total 2377:					43.46	.00		
2443								
2443	WASATCH COUNTY COMMUNIC	JAN-DEC 2020	2 PORTABLE RADIOS 2020	01/28/2020	1,378.80	.00		
2443	WASATCH COUNTY COMMUNIC	JAN-DEC 2020	2 PORTABLE RADIOS 2020	01/28/2020	1,378.80	.00		
Total 2443:					2,757.60	.00		
2452								
2452	LEAVITT TRUCKING	5704	Haul ROAD SALT (4 LOADS) FEB	02/04/2020	2,749.52	.00		
2452	LEAVITT TRUCKING	5740	Hauling salt	02/10/2020	2,115.70	.00		
Total 2452:					4,865.22	.00		
2509								
2509	Building Permit Refund	20-017 BPR	20-017 Deposit of \$100 not subtra	01/29/2020	100.00	.00		
2509	Building Permit Refund	20-018 BPR	20-018 Deposit was more than a	01/29/2020	279.54	.00		
Total 2509:					379.54	.00		
2563								
2563	CENTURYLINK 76612167	1485798708	435-654-3227	01/31/2020	20.85	.00		
Total 2563:					20.85	.00		
2582								
2582	WEST COAST CODE CONSULT	UT20-504-001	City Hall Remodel 1st review	02/10/2020	85.00	.00		
2582	WEST COAST CODE CONSULT	UT20-504-002	Kanton, Deer Creek, CanyonView,	02/10/2020	6,786.34	.00		

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Total 2582:					6,871.34	.00		
2614								
2614	Executech Utah, Inc.	143507	Monthly Licenses and Subscriptio	01/31/2020	438.20	.00		
2614	Executech Utah, Inc.	EXEC-74173	Monthly Maintenance Agreement	01/31/2020	1,430.00	.00		
2614	Executech Utah, Inc.	EXEC-74173	Monthly Licenses and Subscriptio	01/31/2020	170.55	.00		
Total 2614:					2,038.75	.00		
2627								
2627	Gordon Law Group, P.C.	7522	MONTHLY FLAT FEE	02/01/2020	4,700.00	.00		
2627	Gordon Law Group, P.C.	7522	MONTHLY FLAT FEE	02/01/2020	300.00	.00		
2627	Gordon Law Group, P.C.	7522	Additional Hours	02/01/2020	3,386.35	.00		
2627	Gordon Law Group, P.C.	7522	Additional Hours	02/01/2020	216.15	.00		
2627	Gordon Law Group, P.C.	7523	Hunter LITIGATION	02/01/2020	62.50	.00		
2627	Gordon Law Group, P.C.	7524	Saddle Creek Subdivision	02/01/2020	370.50	.00		
2627	Gordon Law Group, P.C.	7528	Higginson Subdivision	02/01/2020	897.00	.00		
2627	Gordon Law Group, P.C.	7529	Whitaker Farm Annexation	02/01/2020	174.00	.00		
2627	Gordon Law Group, P.C.	7533	CRYSTAL SPRINGS DEVELOPM	02/01/2020	1,072.50	.00		
2627	Gordon Law Group, P.C.	7534	RMP Petition for Review	02/01/2020	700.00	.00		
2627	Gordon Law Group, P.C.	7535	Lynn David Litigation	02/01/2020	1,100.00	.00		
Total 2627:					12,979.00	.00		
2658								
2658	SIGNARAMA	INV-5819	No parking double arrow signs	01/23/2020	220.01	.00		
2658	SIGNARAMA	INV-5891	No Student pick up/drop off signs	02/03/2020	54.00	.00		
2658	SIGNARAMA	INV-5899	EPSC Kiosk banners	02/04/2020	180.00	.00		
Total 2658:					454.01	.00		
2668								
2668	PRICE GUARANTEED DOORS, I	29200	Repair shop door (labor 1)	12/11/2019	170.00	.00		
Total 2668:					170.00	.00		
2672								
2672	Child Richards	103567	Accounting for Quarter	01/30/2020	1,200.00	.00		
Total 2672:					1,200.00	.00		
2691								
2691	Utah Division of Finance	21320	Cemetery Bond - Interest	02/13/2020	1,200.00	.00		
2691	Utah Division of Finance	21320	Cemetery Bond - Principal	02/13/2020	12,000.00	.00		
Total 2691:					13,200.00	.00		
2700								
2700	Car Quest Auto Parts	15341-49952	Welder air and lube	02/04/2020	17.82	.00		
2700	Car Quest Auto Parts	15341-50461	Spare tire for trailer	02/11/2020	129.00	.00		
Total 2700:					146.82	.00		
2701								
2701	Colette Caldwell	23	January 2020 Janitorial Service	02/01/2020	1,000.00	1,000.00	02/04/2020	

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Total 2701:					1,000.00	1,000.00		
2709								
2709	Celeste Johnson	20620	Reimburse for strategic planning	02/06/2020	16.52	.00		
2709	Celeste Johnson	20620	Strategic planning supplies/food	02/06/2020	9.02	.00		
2709	Celeste Johnson	20620	Strategic planning luncheon	02/06/2020	468.60	.00		
Total 2709:					494.14	.00		
2757								
2757	BORDER STATES INDUSTRIES I	919432738	Replace outlets - Admin Office	02/10/2020	682.47	.00		
2757	BORDER STATES INDUSTRIES I	919447247	Office remodel (Admin bldg)	02/12/2020	193.16	.00		
2757	BORDER STATES INDUSTRIES I	9199441620C	Credit Memo #919441620	02/11/2020	71.89-	.00		
Total 2757:					803.74	.00		
2765								
2765	PRESTON BROADHEAD	21120	Water training expenses (St Geor	02/11/2020	454.00	.00		
Total 2765:					454.00	.00		
2776								
2776	RECYCLE SERVICES OF UTAH	INV-29304	Monthly recycle service Oct2019	10/01/2019	17.00	.00		
2776	RECYCLE SERVICES OF UTAH	INV-30206	Monthly recycle service NOV2019	11/01/2019	17.00	.00		
2776	RECYCLE SERVICES OF UTAH	INV-31154	Monthly recycle service Dec2019	12/01/2019	17.00	.00		
2776	RECYCLE SERVICES OF UTAH	INV-32089	Monthly recycle service Jan2020	01/01/2020	17.00	.00		
Total 2776:					68.00	.00		
2795								
2795	BRIDGEPOINTE PARTNERS LL	020220	Deposit on carpet for AdminOffice	02/02/2020	8,976.05	8,976.05	02/03/2020	
Total 2795:					8,976.05	8,976.05		
Grand Totals:					113,417.00	9,976.05		

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

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Midway City Council
18 February 2020
Regular Meeting

Minutes of the
4 February 2020
Regular Meeting



Memo

Date: 14 February 2020
To:
Cc:
From: Brad Wilson, City Recorder/Financial Officer
RE: Minutes of the 4 February 2020 City Council Regular Meeting

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

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

**Tuesday, 4 February 2020, 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 6:02 p.m. She excused Council Member Drury.

Members Present:

Celeste Johnson, Mayor
Steve Dougherty, Council Member
Lisa Orme, Council Member
Kevin Payne, Council Member
JC Simonsen, Council Member

Staff Present:

Corbin Gordon, Attorney
Michael Henke, Planning Director
Wes Johnson, Engineer
Cory Lott, Public Works Crew Chief
Shane Owens, Public Works Assistant Crew Chief
Brad Wilson, Recorder/Financial Officer

Members Excused:

Jeff Drury, 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. Cindy Winfield gave the prayer and/or inspirational message.

2. Consent Calendar

- a. Agenda for the 4 February 2020 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 17 January 2020 City Council Strategic Planning Meeting
- d. Minutes of the 17 January 2020 City Council Closed Meeting
- e. Minutes of the 21 January 2020 City Council Regular Meeting
- f. Minutes of the 21 January 2020 City Council Closed Meeting

- g. Conclude the warranty period and release the remainder of the bond for the Alder Meadows Subdivision, located at 250 East 200 South, subject to the payment of all fees due to Midway City
- h. Jon McKeon as a full member of the Midway City Planning Commission
- i. Heather Whitney as a full member of the Midway City Planning Commission
- j. Michelle Crawford as an alternate member of the Midway City Planning Commission
- k. Craig Simons as an alternate member of the Midway City Planning Commission
- l. Release the construction bond, minus 10% and any amount for landscaping, and begin the one-year warranty period for Phase II of the Sunburst Ranch PUD located at approximately 550 North Olympic Way (1080 West).

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

Council Member Payne asked if the entire discussion in the strategic planning meeting, regarding the receiving of land by the City, should have been included in the closed meeting. Brad Wilson responded that he listened to the audio recording and a portion of the discussion was in the open meeting. The City Council decided that all the discussion, including the portion in the open meeting, should have been in the closed meeting. They asked that the minutes for both the open and closed meetings reflect that change.

Motion: Council Member Dougherty moved to approve the consent calendar with the requested changes to the minutes.

Second: Council Member Orme seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	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.

Trails Planner

Teresa Wharton supported hiring an area trails planner. She was a member of the Wasatch Trails Alliance and thought that good trails helped local businesses.

Terry Davis also supported hiring an area trails planner. He thought that trails added vibrancy to a community and reduced traffic. He asked that the City regularly sweep the shoulders and

sides of its roads which would help cyclists.

Matt Krop, who was also a member of the Wasatch Trails Alliance, supported area trails planning for its recreational and economic benefits.

Accessory Dwelling Units

Leslie Miller distributed documents from the American Planning Association regarding accessory dwelling units (ADUs). She asked that the City look at ADUs in depth and allow them. She recommended against incremental changes.

Note: A copy of the documents distributed by Ms. Miller is contained in the supplemental file.

No further comments were offered.

4. Department Reports

Affordable Housing

Council Member Payne reported that he met with representatives of the area affordable housing entities.

HL&P / Transformer Bills

Mayor Johnson reported that Heber Light & Power Company was researching the two bills to install a new transformer for the ice rink. She thought that the City would have to pay the bill for the transformer but not the bill for the impact fee.

HL&P / Transmission Line Loan

Mayor Johnson reported that she was waiting for the bids to bury the 970 South transmission line. She would ask HL&P to loan the City the money for the work once the bids were received.

HVRR / Charter / Track Maintenance / Disability Access

Mark Nelson, Heber Valley Railroad (HVRR) Executive Director, gave a report including the renewal of the organization's state charter and a request for state funding for track maintenance and disability access.

HVSSD / Additional Land

Mayor Johnson reported that the Heber Valley Special Service District would acquire additional land for agriculture and processing wastewater.

MSD / Grease Traps

Mayor Johnson reported that the Midway Sanitation District (MSD) was still working on improving area grease traps.

- 5. Tree City USA** (PJ Abraham – Approximately 30 minutes) – Receive a presentation on and possibly decide to participate in the Tree City USA program.

PJ Abraham, area forester for the Utah Division of Natural Resources, introduced the Tree City USA program including participation criteria and available grants. He said that the program beautified a city but also reduced risk and liability related to trees.

- 6. Parking Agreement / 70 East Main Street** (City Attorney – Approximately 15 minutes) – Discuss and possibly approve an agreement to use property at 70 East Main Street for public parking.

Corbin Gordan indicated that the agreement had been distributed to the City Council.

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

- The agreement did not give the City first right of refusal, if the property was for sale, but it did require the owner to give notice to the City and allow it to submit an offer.
- The property taxes, which were approximately \$1,400 a year, could not be waived even though the City would lease the land.
- The property could accommodate approximately 20 vehicles.
- Material removed in preparation for the parking lot should be pushed to the side of the property to create a berm and be reused.
- The cost to restore the land would be \$1,000.
- The total cost for the parking lot would be \$26,000 over four years. Was that reasonable?
- The overall cost would be spread out over a longer period if the City increased the term of the lease.
- The City's proposal to allow booths during Swiss Days, in exchange for additional public parking, was a better option.
- The proposed lot was in an area that needed parking.
- Would the lot really be used?
- The lot would be a short-term fix because the owner eventually wanted to sell the property and did not want the lease to go beyond four years.
- UDOT was open to further discussion about the entrances to the property
- The item should be discussed further in a closed meeting.

Note: A copy of the agreement, concept parking plan and location of the property is in the supplemental file.

- 7. Ordinance 2020-02 / Festival Event Parking** (City Planner – Approximately 30 minutes) –

Discuss and possibly adopt Ordinance 2020-02 adding Section 7.08 (Festival Event Parking) to the Midway City Municipal Code.

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

- Current proposal
- Map of the area effected by the proposal
- Large properties that could utilize the proposal
- Requirements and restrictions
- Items to consider

Mr. Henke also made the following comments:

- The area effected by the proposal was limited so that it would be walkable, minimize impact and match the commercial zones on the west end.
- The current proposal did not have a limit on the number of booths.
- Property owners could apply.
- Council Member Dougherty suggested that only business owners be able to apply to address concerns about exactions.
- Booths could only be on the parking area.
- Unlimited booths should not be allowed.

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

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

- Long lots should be able to have parking in the back rather than just along Main Street.
- The affected area should follow the boundaries of the commercial zones on the north, south and west.
- The proposal should not create to many booths or more parking than was needed.
- The proposal could be adopted and expanded in the future if needed.
- Should the booths be allowed on areas with grass?
- The number of booths should be tied to the number of parking spaces.
- If only business owners, who met the festival market business license criteria, could apply then there would be restrooms and the proposal would be consistent.
- Requiring parking from someone who wanted booths was an exaction.
- Allowing a business to have booths, if they installed extra parking, was not an exaction but a reward.
- Jennifer Mangum, who was a business owner, had been waiting since October for the proposal to be adopted. She was on a deadline to pave a portion of her property and get vendors for Swiss Days. She did not want the number of booths limited after she paid to have the parking lot constructed.
- Any requirements should make financial sense.
- The City needed to benefit from the proposal.
- The current proposal limited the booths to the actual locations of the parking spaces and did not include the access areas.
- The City wanted to avoid unintended consequences.

- It was not fair to require approval from year to year.
- The number of booths should be based on the number of usable parking spaces. This would avoid parking spaces being used for other things like storage.
- Should the size of the booths be regulated?
- One booth could be allowed for each parking space, but they could be placed anywhere on the property.
- Too many issues needed to be resolved for action to be taken that night.
- Ms. Mangum needed action at the next meeting and wanted to see the proposal before the meeting.

Motion: Council Member Simonsen moved to table the proposal with staff preparing a final version based on the following items:

- The discussion between Council Member Dougherty and Mr. Gordon regarding exactions.
- Each booth be limited to 150 sq. ft.
- A fair exchange between the number of parking spaces and the number of booths.
- It should avoid extremes.
- Booths could be on grass.
- Restrooms had to be provided.

Second: Council Member Payne seconded the motion.

Discussion: Council Member Dougherty raised the following issues:

- Should the number of booths be tied to the number of parking spaces?
- Booths could be allowed on all the parking lot and not just the parking spaces.
- Should smaller booths be allowed?

Council Member Payne was concerned about the disparity between parking lots that were the same size but provided a different number of parking spaces.

Amended Motion: Council Member Simonsen moved to table the proposal with staff preparing a final version based on the following items:

- The discussion between Council Member Dougherty and Mr. Gordon regarding exactions.
- Each booth be limited to 150 sq. ft.
- One version with a fair exchange between the number of parking spaces and the number of booths.
- Another version addressing Council Member Dougherty's issues.
- It should avoid extremes.
- Booths could be on grass.
- Restrooms had to be provided.

Second: Council Member Payne seconded the amended motion.

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

8. Resolution 2020-01 / Non-Residents Connecting to Culinary Water (City Attorney – Approximately 45 minutes) – Discuss and possibly approve Resolution 2020-01 adding a policy, regarding property owners outside of the city limits connecting to culinary water, to the Midway City Policies and Procedures Manual.

9. Connect to Culinary Water System (Jim May – Approximately 10 minutes) – Discuss and possibly allow a property at 1242 North Homestead Drive, which is outside of the city limits, to be connected to Midway City’s culinary water system.

Corbin Gordon presented the proposed policy and indicated that it clarified the procedure for connecting properties, outside of the city limits, to the City’s culinary water system.

Michael Henke gave several examples of past connection requests. He indicated that some had been allowed while others had not. He also indicated that water rights had to be provided to the City, applicable fees paid, and the water rates were increased by 50%.

Jim May, who lived outside of the City but wanted to connect to culinary water, made the following comments:

- Could meet all the requirements but did not want to annex.
- Annexing would increase his taxes by \$800 a year.
- The three lot owners next to him also did not want to annex and he did not want to force them to do so.
- Most of his lot could not be used because of wetlands.

Mayor Johnson explained that the property taxes on a residential parcel did not cover the services provided to it by the City.

Michael Henke gave a presentation regarding Mr. May’s request and reviewed the following items:

- Location of Mr. May’s property and its relation to the Wasatch Mountain State Park Annexation.
- Surrounding properties
- Zoning map

Mr. Henke also made the following comments:

- There was a vacant lot near Mr. May’s property and the owner wanted to build a house and connect to the culinary water system. The lot could be annexed with the Wasatch Mountain State Park.
- All the lots next to Mr. May’s property should be included in any annexation. Two of the lots had homes that were connected to the culinary system.

- There were costs to annexation.
- These lots would be brought into the City when the warm springs property was annexed.

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

Corbin Gordon indicated that the proposal was a policy which allowed for some flexibility. Council Member Simonsen encouraged the City to be consistent. Council Member Dougherty discouraged connecting to the culinary system without annexation.

Motion: Council Member Dougherty moved to accept Resolution 2020-01 as drafted.

Second: Council Member Simonsen seconded the motion.

Discussion: Council Member Simonsen noted that the policy formalized what the City had been doing in practice.

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Mr. May withdrew his request to connect to the culinary water system.

10. Pine Canyon Paradise / Plat Amendment (Summit Engineering – Approximately 10 minutes) – Discuss and possibly amend the Pine Canyon Paradise Subdivision located at 523 North Pine Canyon Road (Zoning is R-1-15). **Public Hearing**

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

- Land use summary
- Location of the subdivision
- Recorded plat map
- Proposed plat map
- Possible findings.

Mr. Henke also made the following comments:

- The property had previously been subdivided into two lots.
- The amendment would recombine the two lots which would reduce density.
- The west boundary of the property followed Snake Creek.

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 amendment for the Pine Canyon Paradise Subdivision reducing the number of lots from two to one.

Second: Council Member Simonsen seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Motion: Without objection, Mayor Johnson recessed the meeting at 8:25 p.m. She reconvened the meeting at 8:34 p.m.

11. One-Family Dwellings (City Planner – Approximately 30 minutes) – Discuss amending Title 16 (Land Use) of the Midway City Municipal Code regarding one-family dwellings and second kitchens. Recommended by the Midway City Planning Commission. **Public Hearing**

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

- Current code
- Examples
- Impact of two families in one unit
- Determining what was realistically rentable
- Definition of a single-family house
- Options to address the issue
- Possible findings

Mr. Henke also made the following comments:

- The City needed to define a one-family dwelling. This would help staff determine what could and could not be built.
- Could not validate units that were built without a permit.
- This issue needed to be resolved no matter what was decided with accessory dwelling units (ADUs).

- A work meeting would be held to discuss ADUs.
- The proposal would clarify the Municipal Code and avoid abuse.
- ADU's approved prior to a prohibition were legal non-conforming uses.
- Residents expected single-family homes in a single-family zone.

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 issue was directly related to ADUs and the two should be considered together.
- Mother-in-law apartments should be allowed.
- There should not be a blanket prohibition of ADUs.
- What problem did the proposal address?
- Larger homes contributed to the problem because they had room for extended family. They also included more cars, etc.
- Council Member Drury should be able to comment on the proposal.

Public Hearing

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

Tracy See

Ms. See made the following comments:

- Youth and the elderly were moving in with their families. They wanted some independence and separation in the house.
- ADUs would help some families survive.

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

Motion: Council Member Simonsen moved to table consideration of the item, discuss it with ADUs, and then bring it back for further consideration.

Second: Council Member Orme seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

12. Accessory Buildings (City Planner – Approximately 30 minutes) – Discuss amending Title 16 (Land Use) of the Midway City Municipal Code regarding accessory buildings. Recommended by the Midway City Planning Commission. **Public Hearing**

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

- Current code
- Determination of living space
- Determination of non-living space
- Proposed code language
- Possible findings

Mr. Henke also made the following comments:

- Some people did not like accessory buildings.
- They had been allowed in the City, but regulations were needed.
- Breezeways were used to create one structure and avoid having an illegal accessory building.
- The proposal loosened the regulations.
- This issue should be discussed with ADUs.
- Duplexes and two homes on one lot were allowed in certain zones and under certain conditions in the City.

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.

Tracy See

Ms. See asked the status of existing accessory buildings? Mr. Henke responded that if they predated any prohibition then they were a legal non-conforming use.

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

Motion: Council Member Orme moved to table the issue for a larger discussion on dwelling units.

Second: Council Member Payne seconded the motion.

Discussion: None

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

Council Member Dougherty Aye

Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

13. MAG / Trail Planner (City Planner – Approximately 15 minutes) – Discuss the Mountainlands Association of Governments (MAG) hiring an individual to assist with area trails planning.

Michael Henke gave a presentation regarding the request and made the following comments:

- The planner would work with trails throughout Wasatch County and improve cooperation between entities.
- Midway City had a strong trails plan but would benefit from connecting its trails with those of other entities.
- The position would be part-time.
- The planner would be an employee of MAG.
- MAG would participate for one year.

Mr. Henke explained the financial contribution for each entity as proposed by MAG.

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

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

- Wasatch County should contribute some transient room tax money.
- The planner could help with grants, etc.
- Hopefully the position would become full-time.

Mayor Johnson indicated that a memorandum of understanding would be prepared for the Council's consideration.

14. Wasatch Mountain State Park Annexation / Further Consideration (City Attorney – Approximately 15 minutes) – Discuss and possibly approve for further consideration the Wasatch Mountain State Park Annexation which includes an area around Golf Course Drive and Pine Canyon Road.

Corbin Gordon made the following comments regarding the proposed annexation:

- The annexation petition had been prepared and an annexation agreement finalized.
- The payment of taxes was explained in the agreement.
- The State Park would retain zoning control over its property.

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

- Proposed zone for the annexation
- Location and area being annexed

- Annexation plat map

Mr. Henke also made the following comments:

- There would be an unincorporated island that should be annexed later because it was zoned resort and a development plan should be considered at that time.
- The State and Wasatch County had to agree to the island.
- UDOT would continue to plow Pine Canyon Road.
- The City would plow the roads, in the annexation area, that had been plowed by the County.
- The City would plow Pine Canyon Road from the city limits to the section currently being plowed by UDOT. A trail along this section of road would hopefully be built when it was annexed.
- The City would not take over the maintenance of any state roads.
- Only a portion of the growth boundary in the area was being annexed.
- The size of the annexation was reduced because Wasatch County wanted to retain the golf course club house and the associated tax revenue.
- The annexation would help the City retain the Resort Communities Tax.
- The proposed zone would apply to any private property.

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

Council Member Payne noted that the decreased size of the annexation reduced the City’s responsibilities.

Tracy See, Wasatch Mountain State Park Superintendent, stated that the City should not do the water testing for the Park’s culinary water system, which had previously been discussed, because of the size reduction.

Council Member Simonsen indicated that the City needed to plan for future retention of the Resort Tax.

Brad Wilson explained that a project area would need to be created by the Midway City Community Development and Renewal Agency to return tax revenue to the State Park.

Motion: Council Member Simonsen moved to approve the Wasatch Mountain State Park annexation for further consideration.

Second: Council Member Dougherty seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye

15. Reimbursement for Damage / 1206 North Cottage Way (City Engineer – Approximately 15 minutes) – Discuss and possibly reimburse the property owners for water damage at a home at 1206 North Cottage Way.

Wes Johnson reviewed the location of the effected property and made the following comments:

- A manhole in the area had water leaking into it. A contractor sealed the entire interior of the manhole.
- The owners of the damaged property submitted detailed records including a timeline and costs. They were requesting \$25,000.
- The City's public works department initially thought the problem was groundwater. However, the water stopped when the nearby culinary water line was shut off.
- The water in the basement of the house also tested positive for chlorine.
- The City's water line was repaired, and the water stopped going into the house.
- The water line break was discovered when water started running down the road.
- Was not present when the line was uncovered for repairs.
- The owners had to take out sheetrock and dig a trench in their basement to remove the water.

Mayor Johnson made the following comments:

- Any reimbursement would come from the City's water budget.
- Homeowners should obtain additional insurance to cover this type of damage. Proposed mailing a notice to residents with this recommendation.
- The City was informed of the problem but took some time to address it.
- The City regularly inspected its water lines.

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

- The City should take responsibility when it was responsible, but it should not take responsibility when it was not responsible.
- The homeowners' insurance did not cover any of the cost of the damage.
- The City should always test for chlorine in this type of situation.

Ms. Hillam, one of the homeowners, made the following comments:

- The problem had persisted for two and half months.
- City representatives said it was the City's fault and it should cover any cost.

Council Member Dougherty asked Ms. Hillam if she was suing the City. Ms. Hillam responded that she did not threaten to sue because of the assurance that it was the City's fault. She added that she would sue if it was necessary.

Mr. Gordon suggested that the item be further discussed in a closed meeting.

16. Closed Meeting to Discuss Pending or Reasonably Imminent Litigation and for a Strategy Session to Discuss the Purchase, Exchange, or Lease of Real Property,

Including Any Form of a Water Right or Water Shares.

Motion: Council Member Orme moved to go into a closed meeting to discuss litigation and the purchase or lease of real estate.

Second: Council Member Simonsen seconded the motion.

Discussion: Council Member Dougherty thought that the water damage did not qualify as pending or reasonably imminent litigation. Mr. Gordon responded that the Council needed to have a frank discussion and Ms. Hillam indicated that she would sue if necessary. Mayor Johnson indicated that Ms. Hillam never talked about suing until asked about it that evening.

Council Member Simonsen wanted advice from the City Attorney and asked if that advice was public or private.

Council Member Orme worried that any open discussion of the issue could be used in court.

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

Council Member Dougherty	Nay
Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	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 Dougherty moved to go out of the closed meeting.

Second: Council Member Payne seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Reimbursement for Damage / 1206 North Cottage Way (City Engineer – Approximately 15 minutes) – Discuss and possibly reimburse the property owners for water damage at a home at 1206 North Cottage Way. **(Continued)**

Motion: Council Member Simonsen moved that the City Attorney contact the property owners

and discuss ways to resolve the issue in a mutually agreeable way.

Second: Council Member Dougherty seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

Parking Agreement / 70 East Main Street (City Attorney – Approximately 15 minutes) – Discuss and possibly approve an agreement to use property at 70 East Main Street for public parking. **(Continued)**

Motion: Council Member Dougherty moved that the City Attorney go to the property owner and negotiate a longer term or as good of terms as he could get, including a right to contest an increase in the property taxes, and then bring back the modifications to the Council.

Second: Council Member Payne seconded the motion.

Discussion: None

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

Council Member Dougherty	Aye
Council Member Drury	Excused from the Meeting
Council Member Orme	Aye
Council Member Payne	Aye
Council Member Simonsen	Aye

17. Adjournment

Motion: Council Member Simonsen moved to adjourn the meeting. Council Member Dougherty seconded the motion. The motion passed unanimously.

The meeting was adjourned at 11:50 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder

Midway City Council
18 February 2020
Regular Meeting

Revision to the
Minutes of the
19 November 2019
Regular Meeting



Memo

Date: 14 February 2020
To: Mayor, City Council and Staff
Cc: File
From: Brad Wilson, City Recorder/Financial Officer
RE: Revision of the Minutes

Mayor Johnson asked that the City Council approve a revision to the minutes of the 19 February 2019 city council regular meeting (Attached). She wants the minutes to reflect on page 291 that Elizabeth Brereton, an attorney representing VOLT, read in the meeting a letter addressed to the City Attorney. She also wants the letter to be included in the supplemental file.

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

**Tuesday, 19 November 2019, 5:00 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 5:15 p.m.

Members Present:

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

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 Orem gave the prayer and/or inspirational message.

2. Consent Calendar

- a. Agenda for the 19 November 2019 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 15 October 2019 City Council Work Meeting
- d. Minutes of the 15 October 2019 City Council Regular Meeting
- e. Minutes of the 15 October 2019 City Council Closed Meeting
- f. Conclude the warranty period and release the remainder of the bond for the Neerings Subdivision located at 300 South and 700 East subject to the payment of all fees due to Midway City

- g. Release the construction bond, minus 10% and any amount for landscaping, and begin the one-year warranty period for Phase II of the Canyon View PUD located at Burgi Lane and Canyon View Drive

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

Mayor Johnson indicated that Saddle Creek Ranch would be the first regular item considered.

Motion: Council Member Probst moved to approve the consent calendar.

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. Department Reports

Chamber Gala

Council Member Orme reported that the gala for the Heber Valley Chamber of Commerce would be held on December 3rd.

Special Service District Conference

Mayor Johnson reported on a conference she attended for special service districts.

HVRR / New Cars

Mayor Johnson reported on the new railroad cars received by the Heber Valley Railroad (HVRR).

HVTED / Reorganization

Council Member Orme reported that Ryan Starks left Heber Valley Tourism and Economic Development (HVTED). She said the entity might be reorganized.

- 4. Saddle Creek Ranch, Phase 1 / Final Approval** (Berg Engineering – Approximately 10 minutes) – Discuss and possibly grant final approval for Phase 1 of the Saddle Creek Ranch Subdivision located at 970 South 250 West (Zoning is R-1-22). Recommended for approval without conditions by the Midway City Planning Commission.

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

- Land use summary
- Location of the proposed subdivision
- Master plan
- Phase 1
- Landscaping plan
- Proposed plat map
- Detention pond and trail
- Items of discussion
- Transmission line
- Off-site improvements
- Water line extension agreements
- Possible findings
- Proposed conditions
- Location of the clustered mailboxes

Mr. Henke also made the following comments:

- The applicant wanted to pay portions of the two water line extension agreements when each phase was recorded.
- One agreement holder had finalized the request.
- The revised agreements would have to be signed by the agreement holder, developer and the City.

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

Wes Johnson noted that approving the subdivision would require alternate plan “B” for an above ground transmission line.

Paul Berg, Berg Engineering Resource Group and representing the applicants, reviewed why the transmission line would be located on the north side of 970 South.

Mr. Berg indicated that one agreement holder approved of the change while several family members, holding the other agreement, still needed to grant approval.

Motion: Council Member Simonsen moved to grant final approval with the following findings and conditions:

- The proposed plans for phase 1 complied with the requirements of the land use code.
- The proposal met the vision as described in the General Plan for the R-1-22 zone.
- Road improvements along Center Street and 970 South would benefit the community in

general.

- The public trail built along 970 South would help complete the master trail plan that would benefit members of the community.
- Each water lease agreement could be paid over time if everyone signed an agreement otherwise the lump sums had to be paid before the recording of 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 to the City.

Second: Council Member Probst seconded the motion.

Discussion: None

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

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

- 5. Resolution 2019-28 / Saddle Creek Ranch, Phase 1 Development Agreement** (City Attorney – Approximately 5 Minutes) – Discuss and possibly approve Resolution 2019-28 adopting a development agreement for Phase 1 of the Saddle Creek Ranch Subdivision located at 970 South 250 East.

Corbin Gordon reviewed the proposed development agreement. Paul Berg, representing the applicants, responded that the applicants requested some changes. Mayor Johnson suggested that the item be continued so the changes could be discussed.

Motion: Council Member Simonsen moved to continue Resolution 2019-28, adopting a development agreement for Phase 1 of the Saddle Creek Ranch Subdivision, until the next council meeting

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. Lime Canyon Meadows Subdivision / Final Approval** (Brett Walker – Approximately 10 minutes) – Discuss and possibly grant final approval for the Lime Canyon Meadows Subdivision located at 960 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 request and reviewed the following items:

- Land use summary
- Location of the proposed subdivision
- Judge line and easement
- Homestead easements
- Discussion items
- Drainage and hydrology study with mitigation plan
- Canyon drainage
- Water board recommendation
- Possible findings
- Proposed conditions

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

Wes Johnson was comfortable that all hydrology issues had been resolved.

Motion: Council Member Van Wagoner moved to grant final approval with the staff report and the following condition:

- The hydrology study and proposed improvements plan as described in the letter from Paul Berg dated August 8, 2019 and reviewed and accepted by Matt Lindon was followed and was part of the required construction improvements for the subdivision.

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

- 7. Resolution 2019-13 / Lime Canyon Meadows Development Agreement** (City Attorney – Approximately 5 minutes) – Discuss and possibly approve Resolution 2019-13 adopting a development agreement for the Lime Canyon Meadows Subdivision located at 960 Lime Canyon Road (Zoning is R-1-22).

Corbin Gordon reviewed the proposed development agreement. He indicated that Rocky Mountain Power would enforce restrictions on landscaping in the transmission line easement. He would also change the name of the subdivision to Lime Canyon Meadows.

Motion: Council Member Probst moved to approve Resolution 2019-13 adopting a development agreement for the Lime Canyon Meadows Subdivision with the development name corrected.

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

8. Resolution 2019-29 / Hughes Property Culinary Water Agreement (Johnathan Hughes – Approximately 30 minutes) – Discuss and possibly approve Resolution 2019-29 adopting a will serve agreement allowing the Hughes property, located at 282 East 520 South, to be connected to the Midway City’s culinary water system.

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

- Master trail plan
- Location of the planned trail in the area
- Master road plan
- Proposed road in the area

Mr. Henke also made the following comments:

- The property was adjacent to the City.
- The applicants would petition for annexation maybe the end of the month.
- The City usually required property to be annexed into the City when the owner wanted access to the culinary water system.
- The property was currently on a well.
- The City had a great deal of control when a property was annexed.
- Would have similar conditions as the water agreement for the Pelo Subdivision to the east.
- The applicants wanted access from 300 East.
- The parcel was a lot of record.
- There was a new house on the property.
- There would have to be access from the west for the rest of the parcel to be developed.

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:

- Limiting development to one home, dedicating a road easement, constructing a trail, and dedicating another trail easement was too much to ask for one culinary water connection.
- The applicants would dedicate the trail easement.
- The applicants should be able to use 300 East because it was dedicated for public use.
- The well would be used if the City would not change its conditions.
- If the City was willing to negotiate then the item could be tabled to another meeting.

Motion: Council Member Orme moved to talk to the applicants, study the issue and continue the request to the next council meeting.

Second: Council Member Simonsen seconded the motion.

Discussion: Council Member Orme asked that it be considered at a work meeting if one was held.

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. 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.

10. Rocky Mountain Power / Conditional Use Permit for Transmission Line (City Planner – Approximately 1 hour) – Discuss and possibly approve a conditional use permit for Rocky Mountain Power to improve a transmission line along 970 South, Stringtown Road and Wards Lane. **Public Hearing**

Mayor Johnson explained the reason for the second public hearing.

She asked the Council if the line was above ground should it be wood wherever possible, the taller poles with the longer spans and rust colored steel poles. The Council agreed.

Mayor Johnson explained the rules for the public hearing. She noted that a survey would be taken of residents to guide the Council's decision.

Corbin Gordon noted that a voluminous document had been submitted by VOLT and a letter from Heber Light & Power Company (HL&P), regarding compensatory damages had been received that day. He indicated that the City did not have an opportunity to thoroughly review the documents.

Michael Henke gave a presentation on the proposal.

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

Mr. Henke indicated that the City did not receive a photo simulation of the proposed steel poles.

Public Hearing

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

Steve Dougherty

Mr. Dougherty made the following comments:

- A decision should be postponed for the results of the survey, because of untimely information received and for information to be received in the future.
- Public comment should be continued beyond that night.
- The applicants had not provided all the needed information.

James Beck

Mr. Beck made the following comments:

- Midway was a beautiful place.
- The City needed to be proactive.
- New residents needed to engage with long-time residents.
- Growth could be controlled, and open areas protected.
- Warren Buffett, whose company owned RMP, should be invited to come and walk the line. He would agree that it should be buried.

Willy Holdman

Mr. Holdman made the following comments:

- Heber City and Wasatch County gave up too easily on the proposal.
- The proposal did not match the City's vision statement.
- The line should be buried.

Abraham Geake

Mr. Geake made the following comments:

- Transmission lines were a health and safety hazard.
- Esthetics and noise were also concerning.

- The project should be let out for bid to reduce the cost.

Elizabeth Brereton

Ms. Brereton made the following comments:

- Was an attorney with the law firm of Snell & Wilmer.
- Represented VOLT.
- Had emailed a letter to Mr. Gordon.
- VOLT was concerned about the process especially with the Planning Commission.
- Another meeting should be held to review the information submitted.
- The applicants assumed the value of properties would not be damaged.
- VOLT had invested time and money to hire an appraiser to survey properties.
- It was determined that properties would be impacted in the millions of dollars.
- The costs presented by the applicants were not accurate.
- Requested any documents discussing penalties for delaying or denying the request.
- The application from Rocky Mountain Power (RMP) was not complete.

Mr. Gordon responded that he had not seen the letter from Ms. Brereton.

Ms. Brereton read a portion of the letter alleging inappropriate activity by the City and Mr. Gordon when the issue was considered by the Planning Commission. She asked Mr. Gordon to respond to the charges in the letter. Mr. Gordon said that he would respond in writing.

Clint Coleman

Mr. Coleman made the following comments:

- Needs should be prioritized over wants.
- Better infrastructure and more schools were needed.
- Some residents wanted the Council to slow down, but they wanted the City to hurry on approving an open space bond.
- The line had been planned for years.
- Owners should do their due diligence when buying property.
- It was not the City's job to maintain someone's property value.
- Fundraising should have begun two years earlier.
- Burying the line would put two dip poles in someone's front yard.
- Did those wanting to bury the line also fight to have lines buried in other communities?
- If a bond was issued to bury the line, then he wanted the line in front of his house buried.

Kevin Payne

Mr. Payne made the following comments:

- Was not speaking as a council member-elect or member of the Planning Commission.
- Good people could have varying opinions.
- It was more important to come together as a community.

- The best decisions were made when the information was complete.
- The actual cost of easements and compensatory damages was needed.
- The dip poles should be pushed back from roads.
- The senior planner for Wasatch County indicated that their conditional use permit could be amended without reopening it or having another public hearing.
- More time should be granted to consider additional information and the results of the survey.
- Disagreed that RMP would not reconsider the route and approval by the County.
- The City should request that the HL&P Board bond to front the money to bury the line.
- Public comment should be allowed at the next meeting.
- Was not directly affected by the line.
- Did not have children at home but continued to pay for schools.
- The costs to bury the line would have been less if RMP had not been involved.

Holly Bodily

Ms. Bodily made the following comments:

- Spoke to a past attorney for RMP who indicated that the City still had a lot of power.
- Once the conditional use permit (CUP) was approved then there was no going back.
- A lot of information had been requested by the Planning Commission which was not provided by the applicants.
- The Council could not make a good decision without the needed information.
- The average for burying a transmission line was \$1 million a mile not the \$5 million to \$6 million stated by the applicants.
- Easements had to be purchased at fair market value.

Beth Lawrence

Ms. Lawrence wanted the line buried. She also asked the Council to be better prepared for the next transmission line request.

Ginny Tuite

Ms. Tuite made the following comments:

- RMP would take over the easements from HL&P.
- Property owners should be fairly compensated.
- Could not find any recorded easements for the line.
- Fair easement costs were needed before a decision should be made.
- Any approval should be on the City's terms.
- The survey needed to be completed before a decision was made.
- RMP had wanted a second point of interconnect for a long time.

Andrew Nygren

Mr. Nygren explained that his daughter had a cochlear implant which was negatively affected by transmission lines. Society needed to be better at eliminating this and other types of impacts such as lead and asbestos.

Scott Lewis

Mr. Lewis made the following comments:

- It was unfortunate that RMP wanted to stop a good faith discussion.
- The majority was making a good faith effort to bury the line.
- There should be reasonable setbacks for dip poles.
- RMP should listen to its customers and residents that gave it a monopoly.

Josh Wright

Mr. Wright made the following comments:

- The cost of living was increasing so much that his children would not be able to live in the area.
- Did not care if the line was buried but that cost should not be borne by all residents.
- It was easy to spend other people's money.
- The impact of the dip poles should be considered.

Linda Bruderer

Ms. Bruderer said that the survey should be worded so that respondents knew fundraising was a possibility.

Susan Prince

Ms. Prince made the following comments:

- Was frustrated by the deadline and the timing of the survey.
- The issue could have been on the ballot for the recent election.
- Many residents were not educated on the issue.
- Transmission lines already existed along the propose route.
- The money should be spent on schools and school children.

Heather Whitney

Ms. Whitney made the following comments:

- The existing transmission line was not being used for the proposal.
- The size of the poles would be increased.
- The easements would be transferred to RMP and residents would lose control.
- Wanted to preserve the area for the entire community.

- Owned ten acres along the route of the line.
- Was not notified of the CUP until that month.
- The lane next to her property was private but discussed as if it was public.
- Information should have been provided sooner.

David Hawkins

Mr. Hawkins made the following comments:

- The survey would only be as good as the questions. Was there time to do it right?
- Why did the line have to be completed by the end of 2020?
- There was too great a difference in the cost estimates.
- Why fabricate the poles before the easements were acquired?

Kevin Kehoe

Mr. Kehoe made the following comments:

- There was not a spirit of partnership.
- RMP made time the enemy.
- RMP should work with Midway not against it.
- Heber Valley was a masterpiece.

Kent Kohler

Mr. Kohler made the following comments:

- Did not care if the line was buried but did not want to pay for it.
- Did not notice the line until it was pointed out to him.
- The project was presented to the Council when he was a member. It was being done to keep down costs.
- Costs for his business could increase if the line was buried.
- No one would be happy either way.
- The Council needed to hammer out a deal.

Adam Jewel

Mr. Jewel made the following comments:

- Moved from Los Angeles and had cancer.
- Was concerned about the health effect of the line.
- Would the tree house on his property be taken down for the line?
- Midway was known for its beauty.
- A solution could be found in one or two months.
- The project should be let out for bid.

Hollie Kent

Ms. Kent asked the timeline for the project. Mayor Johnson responded that the applicants wanted it completed the following year.

Ms. Kent asked if RMP indicated how much it would cost to wait. Mayor Johnson responded they said it would be in the hundreds of thousands of dollars.

Ms. Ken said that RMP should deal in better faith. She also said that residents should have been notified earlier.

Britt Poppinga

Ms. Poppinga explained that she bought her home four and a half years earlier but did not receive any notification of the project until September of that year.

Devan Ken

Mr. Ken made the following comments:

- Every possible means should be exhausted to bury the lines.
- The real cost of the project including easements was needed. This could reduce the cost of the project because residents were willing to donate the easements to bury the line.
- Several bids should be sought.
- No one would want to buy his house if it was next to a large transmission line.
- The project would be a mark on the community that would never heal.

Mayor Johnson responded that an independent third party did the cost study.

Cassey Poppinga

All residents should be notified about conditional use permits.

Justin Kelly

Mr. Kelly made the following comments:

- Did not care if the line was buried but did not want to pay for it.
- If we did not want to take someone's view, then we would only have one house in the City.
- People are what made a community.
- The money should be spent on schools and school children.

Darrin Wilcox

Mr. Wilcox asked how much power rates would increase. Mayor Johnson responded that rates would increase 4% in 2019, 2% in 2020 and 2% in 2021 for an above ground line. She noted that area power rates were some of the lowest in the United States.

Mr. Wilcox made the following comments:

- It was easy for cities to borrow money.
- Those with hardships or who did not want to participate could opt out.
- No one was questioning the need for power.
- The section for Wards Lane to the substation should also be buried.
- No one knew the actual costs.
- Precedence was being set for the next transmission line.

Chris Newitt

Mr. Newitt questioned how the Council could approve the request after listening to the public's comments.

Robin Stone

Ms. Stone made the following comments:

- Had spoken to someone who owned land that touched 970 South. He indicated that he gave away millions of dollars to keep his property rural. He would contribute to burying the line.
- People wanted to know the true cost of the line.
- People outside of the community would donate.

Scott McCullough

Mr. McCullough said the line should be buried. The Council had to make a tough decision right.

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

Motion: Without objection, Mayor Johnson recessed the meeting at 9:22 p.m. She reconvened the meeting at 10:00 p.m.

Council Member Orme made the following comments:

- The Council had been studying, reading, listening, and receiving a lot of information.
- People were concerned about the cost of burying the line.
- The line should be buried but who would pay for it?
- The cost could be paid through fundraising.
- The City did not have the money.

- HL&P might be able to loan the City the money.
- Those on fixed incomes should not have to worry about paying.
- It would be too expensive to bury all lines.
- Mr. Gordon did not say the things alleged by VOLT's attorney.

Council Member Van Wagoner made the following comments:

- RMP and HL&P did a joint presentation in 2014 to the City Council regarding the line.
- The line was discussed at other meetings.
- A decision was made for RMP and HL&P to partner on the project.
- Midway City did not own the right-of-way.
- The request could be approved with wooden poles, longer spans, buried distribution and communications lines, changing the route to match 970 South, the smallest corner poles possible, and contacting all effected property owners.
- The applicants agreed to wait while the City adopted an ordinance for transmission lines.
- The request spent a lot of time at the Planning Commission. The Commission recommended it with some conditions.
- If the Council denied the request, then it would face litigation which cost money that it did not have.
- Did not know if HL&P was willing to bond so the line could be buried.
- He had three power services.
- His cost would be \$7,140 over 20 years with a 4% increase. It would be \$10,000 with a 6% increase.
- A decision needed to be made that night.

Council Member Drury made the following comments:

- The request was a conditional use permit which was permitted with conditions to mitigate reasonable issues.
- Had not received the photo simulation of the steel poles that he requested.
- The steel poles were the biggest issue that needed to be mitigated.
- There had not been time to do the survey, but it was needed.
- There had not been time to review recently received information.
- The areas outside of Midway were out of the City's control.
- There would be large metal poles either way along a main entrance to Midway.
- The Council should take more time.

Council Member Simonsen made the following comments:

- Few properties were severely impacted.
- Came from a background where people accepted negative impacts.
- Everyone needed the power.
- Residents needed to decide how much they were willing to pay.
- If the line was buried there would still be large metal poles.
- Did not want to pick who would have the metal poles on their property.
- Growth brought challenges.
- Did not want people to be swamped by the additional cost.

- The dip poles had to be moved away from Hwy 113 if the line was buried.
- There was money available, but someone had to get it.
- There was not a lot of time to raise money.
- Wanted to know what people thought.
- More time was needed.
- Needed to know if external funding sources were available.

Council Member Probst made the following comments:

- The issue needed to be settled.
- Hoped the survey served the community well. Hoped that it would be random.
- The results of the survey were needed.
- The issue was a no-win situation.
- Somebody would have to pay to bury the line.
- Did not want to pay for it.

Motion: Council Member Orme moved to continue the item to the December 3rd meeting to allow the City to review the large amount of information received the previous few days.

Second: Council Member Simonsen seconded the motion.

Discussion: None

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

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

Mayor Johnson suggested that supporters of burying the line come back with some hard financial commitments to put it underground.

Council Member Van Wagoner asked that information be submitted in a timely manner.

11. Ordinance 2019-12 / Land Use Map Amendment (City Planner – Approximately 30 minutes) – Discuss and possibly adopt Ordinance 2019-12 amending the Midway City Land Use Map to include a portion of the Wasatch Mountain State Park. Recommended for approval by the Midway City Planning Commission. **Public Hearing**

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

- Land use summary
- Midway's growth boundary
- Current land use map
- Proposed land use map

- Proposed findings

Mr. Henke also made the following comments:

- A special zone could be considered for the property in the Wasatch Mountain State Park.
- The State Park was their own land use authority.
- Some of the property could become private in the future.
- Needed to make sure no unincorporated peninsulas were created.
- Steep slopes were being avoided.
- The new area included the golf course and campgrounds which would help the City maintain the Resort Communities Tax. This tax would be lost without annexing the property. The tax helped keep other taxes lower.
- The State would have to petition for the annexation. They had agreed to do this if the City would sample and monitor the Park's culinary water system, plow the public roads and not subject it to the local land use code.
- Any motion approving the ordinance could leave the zone determination until annexation.
- The private property, to the south with the hot springs, should not be included in the annexation. If it was, then the ability to impose conditions on the property would be lost.
- The clubhouse and the concessioners would also be included in the annexation.
- Snake Creek Road was plowed up to Mill Flat.
- The City would receive additional class "C" road money.

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

Mayor Johnson indicated that the City promised the State Park that the annexation would be revenue neutral. The City would refund any new taxes beyond what was currently paid. The fee for the campgrounds was set by the State and could not change based on the taxes.

Council Member Van Wagoner indicated that an agreement could be made with the County for plowing Snake Creek Road.

Public Hearing

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

Jason Norlen, HL&P

Mr. Norlen noted that HL&P would have to take over any customers in the annexation based on an agreement with RMP. HL&P would have to buy RMP's property in the area.

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

Motion: Council Member Simonsen moved to adopt Ordinance 2019-12 amending the Midway City Land Use Map, to include a portion of the Wasatch Mountain State Park as presented with

the following findings and conditions:

- The proposed amendment would allow the area in the proposed growth boundary to be considered for annexation if a petition was submitted to the City.
- Annexing the campground into the City limits would help the City to continue to collect the resort tax which was beneficial to all residents of Midway.
- The State was agreeable to the proposal and had worked with the City so that the annexation could occur.
- The proposed boundary would not create any future unincorporated parcel peninsulas or islands which were not allowed by State Code.
- The zone would be determined at the time of annexation
- The official land use map could be changed at that time.

Second: Council Member Probst seconded the motion.

Discussion: None

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

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

12. Burgi Hill Ranches PUD / Second Plat Amendment (City Planner – Approximately 30 minutes) – Discuss and possibly approve a second amendment to the Burgi Hill Ranches PUD located at 290 East Saddle Drive. **Public Hearing**

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

- Land use summary
- Location of the lot
- Existing plat map
- Points of discussion
- Current and proposed pad location
- Site plan
- Three-dimensional view
- Proposed findings

Mr. Henke also made the following comments:

- The building pad would be adjusted and enlarged by 400 feet.
- The lot was subject to the City's sensitive lands ordinance.
- Moving the building pad for Lot #43 was controversial and was denied.
- This change appeared not to alter the views.
- The home would be built for a veteran that needed a one floor house. This required the increase in square footage.
- Visited the property with Mayor Johnson

- The impact was minimal.
- No one had called him regarding the amendment.
- The house would be almost 35 feet high.
- All the neighbors had been notified of the proposed amendment.
- The home would be built by the Gary Sinise Foundation.

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 Drury moved to approve the amendment with no conditions and the following findings:

- State law allowed for the consideration of a plat amendment if the proposed amendment complied with the zoning ordinance.
- State law stated a plat amendment could be considered by the land use authority at a public meeting.
- The proposal appeared to conform better with existing code than the current plat.
- No public street, right-of-way, or easement would be vacated or altered.

Second: Council Member Van Wagoner seconded the motion.

Discussion: Wes Johnson asked if the elevation of the home would change. Mr. Henke responded that it would not.

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

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

13. Farm Springs Subdivision / Amendment (Summit Engineering – Approximately 30 minutes) – Discuss and possibly amend the Farm Springs Subdivision located at 544 North Meriwether Way (Zoning is R-1-15). Recommended for approval without conditions by the Midway City Planning Commission. **Public Hearing**

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

- Land use summary
- Location of the proposed amendment
- Recorded plat map

- Proposed plat map.
- Points of discussion
- Proposed findings

Mr. Henke also made the following comments:

- The land would be removed from the common area of the Farm Springs Subdivision and attached to Randall Probst's property. The change would allow Randall Probst to have a rural preservation lot.
- It would be a lot line adjustment.
- There would be a perpetual use easement.
- Farm Springs would still have more than the needed open space.
- The owners in Farm Springs approved of the amendment.

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 Drury moved to approve the Farm Springs amendment located at 544 North Meriwether Way (Zoning was R-1-15) with no conditions and the following findings:

- State law allowed for the consideration of a plat amendment if the proposed amendment complied with the zoning ordinance.
- State law stated a plat amendment could be considered by the land use authority at a public meeting.
- The proposal appeared to conform better with existing code than the current plat.
- No public street, right-of-way, or easement would be vacated or altered.

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

14. Whitaker Farm Subdivision / Plat Amendment (Summit Engineering – Approximately 15 minutes) – Discuss and possibly approve a plat map amendment for the Whitaker Farm Subdivision located at 455 North River Road. **Public Hearing**

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

- Land use summary
- Location of the amendment
- Recorded plat map
- Proposed plat map
- Possible findings

Mr. Henke also made the following comments:

- Laterals had not yet been installed in the subdivision.
- Lots nine and ten would be combined.
- The public utility easement between the two lots would be eliminated.
- No access easement would be altered.

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

Mike Johnston, Summit Engineering and representing the applicants, made the following comments:

- The plat map for the access north of the Memorial Hill had been approved by the County. Was working on an associated boundary line agreement. This should be resolved the first week in December.

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 Van Wagoner moved to approve the Whitaker Farm plat amendment with no conditions and the following findings:

- Potential trips per day generated from the two lots would be reduced.
- Density in the subdivision would be reduced.
- The area would feel more open because of the reduction of one lot.
- No public street, right-of-way, or easement would be vacated or altered.

Second: Council Member Probst seconded the motion.

Discussion: None

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

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye

Council Member Simonsen Aye
Council Member Van Wagoner Aye

15. Cascades at Soldier Hollow, Phase 2 / Plat Amendment (Summit Engineering – Approximately 15 minutes) – Discuss and possibly approve a plat map amendment for Phase 2 of the Cascades at Soldier Hollow located at 500 West Cascade Parkway. **Public Hearing**

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

- Land use summary
- Location of the amendment
- Recorded plat map
- Proposed plat map
- Possible findings

Mr. Henke also made the following comments:

- Lots 82 and 83 would be combined.
- The laterals had already been installed.

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

Wes Johnson was comfortable leaving the laterals in place because the lots were being combined.

Public Hearing

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

Motion: Council Member Simonsen moved to approve the plat map amendment for Phase 2 of the Cascades at Soldier Hollow located at 500 West Cascade Parkway with the following findings and conditions:

- Only one set of laterals would be used.
- Potential trips per day generated from the two lots would be reduced.
- Density in the subdivision would be reduced.
- The area would feel more open because of the reduction of one lot.
- No public street, right-of-way, or easement would be vacated or altered.

Second: Council Member Probst seconded the motion.

Discussion: None

Note: 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

16. General Plan / Review Affordable Housing Chapter (City Planner – Approximately 15 minutes) – Review and discuss the affordable housing chapter of the Midway City General Plan.

Michael Henke presented the affordable housing chapter. He indicated that State law now required municipalities to review and report on its affordable housing plan annually.

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

Council Member Orme recommended that the Council consider accessory dwelling units to improve affordable housing. She thought that a lot of homeowners were already doing it illegally.

17. 2019 General Election / Canvass Ballots (City Recorder – Approximately 5 minutes) – Canvass the Ballots for the 2019 Municipal General Election.

Brad Wilson reviewed the following returns from the 2019 General Election.

Number of Precincts	4	
Precincts Reporting	4	100%
Registered Voters	3,579	
Ballots Cast	2,198	61.41%

Candidate	Votes	%
Kevin Payne	1,370	28.90%
Lisa Kohler Orme	1,262	26.62%
Steve Dougherty	1,167	24.62%
Bob Probst	941	19.85%

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

Motion: Council Member Van Wagoner moved to approve the canvass of the ballots.

Second: Council Member Simonsen seconded the motion.

Discussion: None

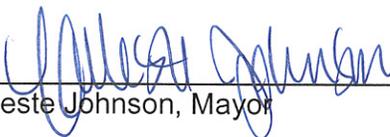
Vote: The motion was approved with the Council voting as follows:

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

18. Adjournment

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

The meeting was adjourned at 11:44 p.m.



Celeste Johnson, Mayor



Brad Wilson, Recorder

Midway City Council
18 February 2020
Regular Meeting

Wasatch Mountain State Park
Annexation / Certification

Midway City Corporation

Mayor

Celeste Johnson

City Council

Steve Dougherty • Jeff Drury
Lisa Orme • Kevin Payne
JC Simonsen



75 North 100 West
P.O. Box 277
Midway, Utah 84049
Phone: 435-654-3223
Fax: 435-654-4120
midwaycityut.org

14 February 2020

Midway City Council
P.O. Box 277
Midway, UT 84049

Dear City Council:

This letter is to notify you that I have determined and certify that the petition for the Wasatch Mountain State Park Annexation, accepted by the City Council for further consideration on 4 February 2020, meets the requirements of Utah Code Section 10-2-403(3), (4), (6) and (7).

Please contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Brad Wilson". The signature is fluid and cursive.

Brad Wilson
City Recorder

Cc: Wasatch County Council



PETITION FOR ANNEXATION

We the undersigned owners of certain real property hereby submit this Petition for Annexation and respectfully represent the following:

1. That this petition and the annexation meet the requirements of the Utah Code and the Midway City Municipal Code.
2. That the real property is described as follows:

Approximate location:

See Map Attached

Legal description:

See Map Attached

3. That up to five of the signers of this petition are designated as sponsors, one of whom is designated as the contact sponsor, with the name and mailing address of each sponsor indicated as follows:

<u>Contact Sponsor</u>	<u>Mailing Address</u>
Jeff Rasmussen Division of Natural Resources	1594 W. North Temple, Suite 116 P.O Box 146001 Salt Lake City, UT 84114-6001

4. That this petition is accompanied by an accurate and recordable map, prepared by a licensed surveyor, of the area proposed for annexation.
5. A copy of this petition and the accompanying map was also delivered or mailed to the Wasatch County Clerk and the chair of the Midway City Planning Commission.
6. That the petitioner(s) request the property, if annexed, be zoned **SP 160**.
7. That this petition contains the following signatures of the owners of private real property that:
 - a. Covers a majority of the private land area within the area proposed for annexation.

b. Is equal in market value to at least 1/3 of the market value of all private real property within the area proposed for annexation.

<u>Petitioner</u>	<u>Signature</u>	<u>Acres</u>	<u>Market Value</u>	<u>Serial Number</u>
<u>Jeff Rasmussen</u>	<u></u> Acting For Director Rasmussen	<u>349</u>	<u>N/A</u>	<u>00-0020-8244</u>

