

MINUTES OF THE MIDWAY CITY COUNCIL

(Regular Meeting)

Wednesday, 13 April 2016, 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 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; Opening Remarks or Invocation; Pledge of Allegiance

Mayor Bonner called the meeting to order at 6:00 p.m. She excused Council Member Dodge.

Members Present:

Colleen Bonner, Mayor
Ken Van Wagoner, Council Member
Kent Kohler, Council Member
Lisa Christen, Council Member
Bob Probst, Council Member

Staff Present:

Michael Henke, Planning Director
Kraig Powell, Attorney
Wes Johnson, Engineer
Brad Wilson, Recorder/Financial Officer

Members Excused:

Karl Dodge, Council Member

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

Mayor Bonner asked if a Midway City resident in attendance would like to give the opening remarks or invocation. Council Member Christen gave the opening remarks or invocation. Mayor Bonner led the Council and meeting attendees in the pledge of allegiance.

2. Consent Calendar

- a. Agenda for the 13 April 2016 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 23 March 2016 City Council Regular Meeting
- d. Elizabeth Crittenden as a Full Member of the Historic Preservation Committee and the

Vision Architectural Committee

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

Motion: Council Member Van Wagoner moved to approve the consent calendar.

Second: Council Member Christen seconded the motion.

Discussion: None

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

Council Member Van Wagoner	Aye
Council Member Dodge	Excused from the Meeting
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Aye

- 3. Public Comment** – Comments will be Taken on Any Item Not Scheduled for a Public Hearing, as Well as on Any Other City Business. Comments are Limited to Two Minutes per Speaker. The Council Cannot Act on Items Not Listed on the Agenda, and Therefore, the Council may or may not Respond to Non-Agenda Issues Brought up Under Public Comment. Those Wishing to Comment Should use the Podium, State Their Full Name and Address, Whom They Represent and the Subject Matter to be Addressed. Total Time Allocated to Public Comments will be no More than 10 Minutes.

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

- 4. Grand Valley Bank/Banking Services (City Treasurer)** – Discuss and Possibly Move Midway City’s Operating Account and Associated Financial Services to Grand Valley Bank.

Kevin Stocking, Grand Valley Bank Senior Vice President, made the following comments:

- Grand Valley Bank had a branch in Midway since 2006.
- The bank had donated to various causes and its employees had served in the community.
- It supported local activities.
- It just completed a new bank building in the City.
- It had \$355 million in assets and eight branches.
- It was financially sound and was on the approved list, since its inception, to hold public funds.
- Had met with the City’s treasurer and the financial officer to encourage the City to transfer its operating account and associated financial services to the bank.
- The bank had invested in Midway.

- It also paid property taxes to the City.

Mayor Bonner reported that representatives of Zions Bank met that day with her, the Treasurer, and the Financial Officer to reiterate the services that it offered and to encourage the City not to move its business. She recommended that the decision to move the banking services be left to the staff.

Council Member Kohler asked Mr. Stocking what lending opportunities his bank provided. Mr. Stocking responded that Grand Valley Bank had lent money since its inception. He noted that the City spoke with him about getting a loan for a new snow plow. He indicated that the bank's rates were competitive but since it had to pay taxes would not be as low as those from a credit union.

Council Member Van Wagoner asked if Grand Valley Bank could issue bonds for the City. Mr. Stocking responded that it would have to outsource any bond issuance.

Council Member Christen noted that the Council was not part of the meetings with either bank. She said that she banked with and appreciated both banks.

Council Member Probst indicated that Grand Valley Bank had made a significant investment in Midway and its new building was near the City Office Building. He added that a bank's ability to administer bonds was a concern. He suggested that the City support both Grand Valley Bank and Zions Bank.

Council Member Kohler asked how many accounts might be moved. Mr. Stocking responded that there were two accounts. He said the remainder of the City's money was deposited with the State Treasurer.

Steve Hallows, Grant Valley Bank, made the following comments:

- The Council should make any decision rather than staff.
- Sometimes an entity needed to break out of its comfort zone.
- Had worked for Zions Bank.
- Grand Valley Bank had made a huge commitment to Midway by building a new bank branch in the City.
- People noticed which bank an entity used.
- Doing business with Grand Valley Bank would promote a local company.
- Zions Bank ran a deficit during the recent recession while Grant Valley Bank did not.
- Decisions at Zions Bank were not made at the local level.

Mayor Bonner noted that the City would have to work with Zions Bank to issue bonds.

Council Member Van Wagoner, referring to a memo from staff, indicated that Zions Bank also offered cash management services such as direct deposit.

Council Member Christen again expressed concern with the Council making a decision when it had not been part of the discussions with the banks. She recommended that staff make the decision or the issue be tabled so presentations could be given to the Council.

Mayor Bonner asked the opinion of staff. Brad Wilson responded that staff considered both tangible and intangible items. He said that direct deposit or cash management services cost less with Grand Valley Bank. He also said that Grand Valley Bank having a branch and a new building in Midway also effected the recommendation.

Motion: Council Member Christen moved that staff make the decision because they worked with the banks every day and had knowledge of the services that they provided.

Second: Council Member Kohler seconded the motion.

Discussion: None

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

Mayor Bonner	Aye
Council Member Van Wagoner	Nay
Council Member Dodge	Excused from the Meeting
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Nay

5. The Cascades at Soldier Hollow/Second Amendment (Chris and Kristine Clason) – A Request for a Second Amendment to the Plat Map for The Cascades at Soldier Hollow Subdivision, Combining Lots #18 and #19, Located at Stringtown Road and Cascade Parkway (Approximately 925 South) (Zoning is R-1-15).

5a. Presentation – Receive Presentations on the Request from Staff and the Applicants.

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

- Land use summary
- Location of the effected lots
- Plat maps
- Proposed location of the home on the combined lots
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The amount of property taxes would be reduced if the lots were combined.
- The owners of Lot #20 were concerned about the size of the proposed home on the combined lots.
- The proposed home would be just under 8,000 sq. ft.

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

Council Member Van Wagoner asked if the Cascades at Soldier Hollow HOA had been contacted regarding the request. Mr. Henke responded that Doug Dance confirmed that the proposal was allowed and had been approved by the HOA.

5b. Public Hearing – Receive Public Comment on the Request

Mayor Bonner opened the public hearing. She closed the hearing when no public comment was offered.

5c. Action – Discuss and Possibly Approve the Request

Mayor Bonner indicated that one set of water and sewer laterals would have to be capped if the request was granted.

Motion: Council Member Kohler moved to approve a second amendment to the plat map for The Cascades at Soldier Hollow Subdivision, combining Lots #18 and #19, located at Stringtown Road and Cascade Parkway (Approximately 925 South) with the findings of staff and subject to the unused water and sewer laterals being capped.

Second: Council Member Van Wagoner seconded the motion.

Discussion: None

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

Council Member Van Wagoner	Aye
Council Member Dodge	Excused from the Meeting
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Aye

6. Fox Meadow Subdivision/Preliminary & Final Approval (Sarah and Ben Severson) – A Request for Preliminary and Final Approval for the Fox Meadows Subdivision Located at 370 South Fox Den Drive (Zoning is R-1-11). Recommended without Conditions by the Midway City Planning Commission.

6a. Presentation – Receive Presentations on the Request from Staff and the Applicants

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

- Land use summary
- Location of the proposed subdivision
- Plat map
- Water requirements
- Possible findings

Mr. Henke also made the following comments:

- The zone for the area allowed up to four lots or even more with a cul-de-sac.
- The needed right-of-way for Michie Lane and Fox Den Road would be dedicated to the City.
- The developer would install the curb and gutter along Fox Den Road.
- The City would install the trail along Michie Lane.
- There were no proposed conditions.

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

6b. Public Hearing – Receive Public Comment on the Request

Mayor Bonner opened the public hearing. She closed the hearing when no public comment was offered.

6c. Action – Discuss and Possibly Approve the Request

Mayor Bonner noted that the project would have less than the maximum allowed density.

Kraig Powell said that the applicant wanted it made clear that the City would pay for the infrastructure and improvements on Michie Lane. He said that arrangement was made before the owners decided to develop the property. He encouraged other property owners along Michie Lane to also dedicate the right-of-way and then the City would install the infrastructure.

Motion: Council Member Van Wagoner moved to grant preliminary and final approval for the Fox Meadows Subdivision conditioned upon the required water being turned into the City, the easement on the south side of the project referred to by staff being dedicated to the City, and accepting the findings of staff.

Second: Council Member Kohler seconded the motion.

Discussion: None

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

Council Member Van Wagoner	Aye
Council Member Dodge	Excused from the Meeting
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Aye

7. Ordinance 2016-05/Roof Pitches (Todd and Cindy Drennan) – Ordinance 2016-05 Amending Section 16.13.40 (Requirements for Single Family Dwelling Units) of the Midway City Municipal Code Regarding Roof Pitches. Recommended without Conditions by the Midway City Planning Commission.

7a. Presentation – Receive Presentations on the Proposed Ordinance from Staff and the Applicants.

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

- Requirements for single family dwellings
- Impact of the requirements
- Findings for and against the proposed ordinance.

Mr. Henke also made the following comments:

- The City received a formal application to amend the single family dwelling requirements.
- A public hearing was held by the Planning Commission.
- There were very few requirements for single family dwellings with only three in the Municipal Code. These requirements were adopted in August of 2010.
- They limited some structures such as yurts, trailers and prefabricated homes.
- The City had a right to adopt minimum standards.
- A lot of zoning requirements were community preference.
- The applicant proposed that the second rule, regarding roof pitches and eave overhangs, be eliminated.
- Some of the reasons for the restrictions were aesthetics, encouraging an alpine feel, and to match other homes in the community.

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

Todd Drennan, applicant, gave a presentation to the Council and reviewed the following areas:

- Modern architecture in Switzerland
- Reinforcing the Midway General Plan
- Modern Swiss pitched roofs
- Green roofs

- Flat roof commercial buildings
- Flat roof houses in Midway
- Snow design failures
- Good snow country design

Mr. Drennan also made the following comments:

- Met with Mr. Henke over several months regarding roof pitches.
- Wanted to build a home with a flat roof for himself.
- Was an architect and clients had asked him to design homes with flat roofs.
- Designed and built the home at 315 East 100 North which had a flat roof.
- The Swiss pioneered homes with flat roofs.
- There were homes in Switzerland with flat roofs.
- The City's general plan did not say that homes had to have a historic Swiss feel.
- Most homes in the City were a cottage rather than a Swiss style.
- The Soldier Hollow Clubhouse was controversial when it was built.
- Buildings used 80% of the energy in a city.
- Some homes had flat roofs to meet the City's height limit.
- Pitched roofs could overload a portion of a house.
- Many pitched roofs were designed to hold all of the potential snow load.
- Property owners should be able to decide what type of home they could build.
- HOA's should regulate the types of homes in developments.

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

7b. Public Hearing – Receive Public Comment on the Proposed Ordinance.

Mayor Bonner opened the public hearing.

Calder Stratford, 610 North Center Street

Mr. Stratford made the following comments:

- Supported the proposed ordinance.
- Was a member of the City's planning commission when the current restrictions were adopted. The intent was to prohibit trailers, yurts, etc. rather than regulate the style of a house.
- The City Council seemed more concerned about architectural style rather than the pitch of roofs.
- The property owner should decide what style of home they built.
- Broader regulations should be considered if the Council was more concerned about style.

Cindy Drennan, 1218 Ranch Circle

Ms. Drennan made the following comments:

- 311 people signed a petition in support of the proposed ordinance. That was 10.5% of the City's population.
- 90% of the people that she spoke with were willing to sign the petition.
- Some people did not like flat roofs but felt that the City should not dictate the roof type.
- 65% of the people at the planning commission meeting, when the ordinance was considered, had also signed the petition.

Jessica Ashurst, 89 West 300 South

Ms. Ashurst approved of modern houses with flat roofs being in the City. She said that other measures could be used to insure that a house looked good.

Matt Dains

Mr. Dains explained that he had taught architecture and art history. He noted that the earliest structures had flat roofs. He questioned houses being regulated based on aesthetic morality. He said that it was more important to insure quality.

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

7c. Action – Discuss and Possibly Approve the Proposed Ordinance.

Kraig Powell explained that the ordinance was a legislative decision and the Council had wide discretion when considering it.

Mayor Bonner suggested that a committee be formed to consider compromise regulations. Council Member Christen agreed and said that she was not ready that evening to adopt the ordinance.

Council Member Kohler asked if houses should be reviewed by the Vision Architecture Committee (VAC). Mr. Henke responded that houses with a pitch under 2.5 inches could be reviewed by the VAC.

Council Member Kohler explained that he had been to Switzerland and did not see homes with flat roofs. He also was not comfortable making a decision that evening and wanted more information.

Council Member Probst thought that flat roofed houses had a commercial look and did not fit in the City. He thought that a larger percentage, than those who signed the petition, opposed this type of home. He was not opposed to a committee considering the issue and a compromise being reached.

Council Member Probst asked how the Planning Commission voted. Mr. Henke responded that four out of the five commission members present recommended approving the ordinance.

Mayor Bonner suggested that flat roof houses only be allowed in PUD’s or on large lots.

Mr. Henke noted that many developments could also have CC&R’s that restricted flat roofs.

Mayor Bonner asked Mr. Henke’s opinion. Mr. Henke responded that people moved to Midway with an expectation that the homes would have pitched roofs. He did think that prohibiting flat roofs did restrict residents’ freedoms.

Mr. Drennan indicated that he wanted to build his home soon. He asked that any study by a committee have a time limit. He further indicated that flat roofs were a trend and that any standards needed to be more comprehensive.

Motion: Council Member Van Wagoner moved to table consideration of the ordinance, until the first regular meeting in May, to allow for further study.

Second: Council Member Probst seconded the motion.

Discussion: None

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

Council Member Van Wagoner	Aye
Council Member Dodge	Excused from the Meeting
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Aye

Kraig Powell asked if the Council was willing to have the staff meet with the applicant and then make a recommendation. Council Member Van Wagoner agreed. Mayor Bonner suggested that the committee did not have to be large.

8. Dutch Canyon Subdivision/Preliminary Approval (Paul Berg) – A Request for Preliminary Approval for the Dutch Canyon Subdivision Located at 600 East Saddle Drive (Zoning is RA-1-43). No Recommendation from the Midway City Planning Commission.

8a. Presentation – Receive Presentations on the Request from Staff and the Applicant

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

- Land use summary
- Location of the proposed subdivision
- Proposed plan
- Open space
- Trails
- Amenities
- Access
- Community connectivity
- Safety
- Sensitive lands
- Traffic study
- Dutch Canyon Road improvements
- Roads cross-section
- Standard vs. rural cross-sections
- Recommended water requirements
- Possible findings
- Proposed conditions

Mr. Henke also made the following comments:

- The project had been reviewed for several months by the Planning Commission.
- The accesses were a significant item of discussion.
- Interlaken Drive, which was a private road and used by other subdivisions, was proposed as an access. Burgi Hill Ranches had an agreement to use the road but had to help maintain it.
- There were no sidewalks in Dutch Fields or Burgi Hill Ranches.
- The second access could be through Dutch Fields or on Dutch Canyon Road.
- The project needed two access points.
- The most recent plan accessed Dutch Canyon Road with only pedestrian access to Dutch Fields.
- Two accesses would insure safety in case of a fire and provide for good traffic circulation.
- Traffic calming would be used in the project to slow the speed of vehicles and limit through traffic.
- The amount the developer would pay to improve Dutch Canyon Road needed to be determined. The amount would be roughly proportional to the project's effect on the road.
- Use of the rural cross-section required the approval of both the Planning Commission and the City Council. The Commission did not make a recommendation either way. The project would be considered again by the Commission for final approval.
- A pump would be needed to provide secondary irrigation to the project.
- Tried to balance safety, connectivity, and the desires of residents.
- All property owners within 600 feet of the project had been notified of the public hearing.
- Spoke with a number of property owners and tried to address their concerns.

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

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

- The concept plans had been reviewed several times by the Planning Commission.
- Originally the project connected to Dutch Fields. That had been changed to Dutch Canyon Road because of concerns raised by some of the commission members and residents.
- The road from Burgi Hill Ranches was an emergency access. Again, concerns had been raised with this connection by commission members and residents.
- The Planning Commission had not debated the cross-section.
- Did not want to further debate the connections.
- Brett Walker and Johnny Remund did have a right to use the connection with Dutch Fields. In the future they would not be able to connect to the proposed subdivision with the plan as currently proposed.

8b. Public Hearing – Receive Public Comment on the Request

Mayor Bonner opened the public hearing.

Lynn Russell, 1821 North Dutch Canyon Road

Mr. Russell indicated that he owned the property to the northeast of the proposed project. He said that property owners could develop their land, but he noted that Dutch Canyon Road was in poor condition and the proposal would further impact the road. He also indicated that the intersection of Dutch Canyon Road and River Road needed to be improvement with deceleration lanes. He asked that the existing irrigation ditch remain open.

Chris Corroon, 1670 Dutch Canyon Road

Mr. Corroon pointed out that the planned connection to Dutch Canyon Road would be just opposite his house. Paul Berg responded that the easement for the road was determined before the applicant bought the property. Mr. Corroon said that he would speak with the owner of the property, where the easement was located, to have it changed.

Mr. Corroon indicated that Dutch Canyon Road was a busy street.

Weston Broadbent, 440 East Saddle Drive

Mr. Broadbent made the following comments:

- He represented the lot owners in Burgi Hill Ranches.
- They preferred that the proposed development not connect to their subdivision which did not have any sidewalks. This was a safety issue.
- The road from Burgi Hill Ranches should only be an emergency access and trail.
- There were 185 lots in Interlaken Estates and that traffic would go through his subdivision if the connection was made to the proposed development.

Brad Terry, 480 East Saddle Drive

Mr. Terry made the following comments:

- Supported the original proposal for the development which had only an emergency access to Burgi Hill Ranches.
- If the two developments were connected, then traffic would increase through Burgi Hill Ranches because it would be a way to get to Salt Lake City and Park City.
- The road through Burgi Hill Ranches had a grade over 10% and did not have any street lights or sidewalks. It also became narrow during the winter because of the plowed snow and was used by children.
- No one knew how effective the traffic calming measures would be.
- People did not stop for stop signs.
- The traffic study which had been done addressed only Dutch Canyon Road and not the access through Burgi Hill Ranches.
- One of the planning commissioners lived in Dutch Fields. The commission member state he could not deny the access into that project without denying the access into Burgi Hill Ranches.
- An emergency gate should be installed on the road connecting to Burgi Hill Ranches and the proposed development.
- Safety should override connectivity.
- The reservations with a gate should not override safety.

Lisa Simpkins, Interlaken Town Mayor

Mayor Simpkins made the following comments:

- Interlaken Road was a private street that Interlaken Estates had maintained for years. Interlaken Town did not want more traffic on the road.
- An agreement for the road did not allow Interlaken Town to grant public use.
- There was pending litigation against Burgi Hill Ranches regarding fees owned to Interlaken Town for the maintenance of the road.
- Recommended that the Council think further about the proposed project.
- Interlaken Town was willing to negotiate with Midway City regarding the use of Interlaken Road.

Debbie Harker, 1670 North 450 East

Ms. Harker made the following comments:

- It was unfair to connect the proposed project to Burgi Hill Ranches but not Dutch Fields.
- The road through Burgi Hill Ranches did not have sidewalks and was used by at least 30 children. People from Interlaken would use this road to go to Salt Lake City and Park City.
- The proposed development would drive away Cranes and Deer which used that land.
- The access from Burgi Hill Ranches to the proposed development should only be used for emergencies.

George Martin, 363 East Saddle Drive

Mr. Martin opposed using Saddle Drive as an access to the proposed project because the road was private and maintained by residents of Burgi Hill Ranches.

Jessica Ashurst, 89 West 300 South

Ms. Ashurst recommended that the required open space for developments be raised to 55% to preserve wildlife habitat.

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

Motion: Without objection, Mayor Bonner recessed the meeting at 8:02 p.m. She reconvened the meeting at 8:11 p.m.

8c. Action – Discuss and Possibly Approve the Request

Council Member Christen asked if Saddle Creek Road was always planned as a through street. Mayor Bonner read the council minutes, from the meeting when Burgi Hill Ranches was approved, which indicated that it was always planned as a through street. Wes Johnson added that utilities were in the road and that the plan was that it connect to Dutch Fields.

Council Member Christen asked why just a trail connected to Dutch Fields instead of a road. Mr. Henke responded that the road was not connected to prevent traffic from going through Dutch Fields.

Council Member Christen indicated that the intersection of Dutch Canyon Road and River Road was dangerous.

Council Member Van Wagoner asked if the proposed development would have trails instead of sidewalks. Mr. Henke responded that the applicant requested trails instead of the standard curb,

gutter and sidewalks. He pointed out that the request needed the approval of the Planning Commission and the City Council.

Council Member Van Wagoner asked if an asphalt trail or concrete sidewalk would last longer. Wes Johnson responded that concrete always lasted longer.

Council Member Van Wagoner asked if the trails would be public. Paul Berg responded that the trails along the road would be public and that the other trails in the project would be private.

Mr. Berg said that trails, instead of sidewalks, were appropriate for the planned large lots with significant frontage. He added that the trails could be strengthened to a road standard so they would last longer.

Council Member Christen asked what the trail to Dutch Fields would connect to. Mr. Henke responded that it would only connect to a road.

Russ Watts, applicant, suggested that the trail be made with slag which would last without maintenance for 30 years. Council Member Van Wagoner responded that he used slag on his driveway and it became muddy when wet.

Mr. Watts indicated that Dutch Canyon Road needed to be improved. He said that he would participate in the improvements from the entrance to his project to just past Johnny Remund's property.

Council Member Kohler said that he wanted to insure the safety and welfare of the citizens. He thought that it made sense to connect the proposed development with Burgi Hill Ranches and Dutch Fields especially since both projects were designed for the connection.

Council Member Kohler asked if the road could be gated. Mr. Henke responded that the City did not allow gates on that type of road.

Council Member Kohler asked about the traffic calming devices. Mayor Bonner responded that drivers slowed down when the road narrowed. Mr. Berg agreed but noted that stop signs were not supposed to be used to control traffic.

Mayor Bonner made the following comments:

- Appreciated the concerns with additional traffic.
- Interlaken Estates had been in existence for a long time and had been a good neighbor.
- Safety was important.
- Roads that connected communities were also important.
- The Council needed to consider the long-term goals of the City.
- It would be unfortunate to have unconnected islands of homes.

Kraig Powell made the following comments:

- The applicant was only requesting preliminary approval.

- There were a number of issues that needed to be worked out before final approval was considered including Interlaken Road and Saddle Creek Drive.
- During approval and in the agreements that existed, Saddle Creek Drive was intended to connect to Dutch Fields and Interlaken Road was intended to be a public road in Midway City.
- Had discussed Interlaken Road with the residents of Interlaken Town before the development became a municipality.
- The City could assist with some issues like the location of garbage containers and safety concerns with the road.
- The City was receptive to the road becoming public.
- It was beneficial for Midway City to take responsibility for that area.
- That was the time in the future that everyone had talked about and planned for.

Brett Walker, who owned property next to the proposed development, made the following comments:

- Saddle Creek Drive was supposed to be completed at least to Johnny Remund's property.
- The proposed development should connect to Dutch Fields and Dutch Canyon Road. This would prevent the City from having to take over Interlaken Drive.
- Saddle Creek Drive was not in the City's streets plan.
- Nowhere was it required that the roads in the proposed project connect to Interlaken Drive.

Mayor Bonner indicated that the approval for Burgi Hill Ranches anticipated Saddle Creek Drive connecting to other developments. She said that this was also the understanding of the Council at that time.

Council Member Kohler said if someone did their research they would understand what would happen to the roads and properties in the area. He said the Council would do its best to make the road as safe as possible.

Motion: Council Member Van Wagoner moved to table consideration of the preliminary approval until the next regular council meeting.

Second: Council Member Kohler seconded the motion.

Discussion: None

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

Council Member Van Wagoner	Aye
Council Member Dodge	Excused from the Meeting
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Nay

The Council agreed to consider the issue at a work meeting on 27 April 2016 at 5:30 p.m.

9. Resolution 2016-07/Dutch Hollow Annexation Agreement Amendment (Jeremy Pope) – Discuss and Possibly Approve Resolution 2016-07 Amending the Annexation Agreement for the Dutch Hollow Annexation Located on the West Side of Dutch Canyon Road at Approximately 1600 North.

Michael Henke gave a presentation on the Dutch Hollow Annexation, associated agreement, and made the following comments:

- Jeremy Pope was considering buying the property which was in the Dutch Hollow Annexation.
- The annexation agreement included a number of requirements to develop the property.
- A development on the property was granted final approval but the plat map was never recorded.
- Mr. Pope wanted to reduce the number of lots on the property down to as few as one.

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

Mr. Pope made the following comments:

- He was under contract to purchase the property.
- Had spent a lot of time with the City's staff, Russ Watts, and Paul Berg discussing the property.
- Wanted to have a home and small farm on the property.
- An easement split the property. Might have lots along it as a buffer.
- Did not want to build the PUD with the 16 units that had been approved.
- Developing the property would be a challenge because of the requirements in the annexation agreement.
- If he did not purchase the property, then several developers were waiting to purchase it and build the 16 units.
- Would participate in the off-site improvements based on his development's impact.
- Preventing the high density of 16 units was the best reason to amend the development agreement.
- Dutch Canyon Road was in complete failure.
- It did not make sense for one landowner to bear the burden of improving the entire road.
- Worried that the City would not be able to maintain any additional roads like Interlaken Drive.
- It would be difficult to do the required improvements even with a 16-unit PUD.
- The property was a lot of record and he could apply for a building permit.
- Estimated that it would cost almost \$500,000 to improve the road and install the trail from his property to River Road.

Wes Johnson explained that the City did not plan to fix Dutch Canyon Road because that was someone else's responsibility according to the development agreement. He said residents did not want the City to subsidize development.

Mayor Bonner preferred a development with less density.

Kraig Powell indicated that the easement on the property would access the proposed Dutch Canyon Subdivision. He said that constructing that road needed to be worked out with Mr. Pope and the Dutch Canyon Subdivision developer.

It was noted that some of the obligations of the annexation agreement would go away if other developers had to do that work first. Mr. Pope added that another person could purchase the property, wait for someone else to do the improvements, and then build the 16 units.

Council Member Van Wagoner pointed out that the Dutch Canyon Subdivision could connect to Dutch Fields instead of Canyon View Road. He noted this would avoid Mr. Watts doing any improvements on Canyon View Road. Mr. Henke responded that there was opposition to connecting to Dutch Fields.

Mayor Bonner asked what proportion of the road should be done by Mr. Pope if it was based on his development's impact. Mr. Pope responded that his impact would be 2% to 3% but he was willing to participate up to 10% to 15%. He said putting a couple of homes along the easement, on his property, could help pay for the suggested percentage. He would pay his percentage up front. He would not add additional lots if he did not have to pay for off-site improvements.

Wes Johnson explained that usage could be measured by traffic counters as each project was completed.

Mr. Johnson noted that the City had the advantage because of the annexation agreement.

Mr. Pope indicated that a lot of the traffic on Dutch Canyon Road was going to and from the State Park. He suggested that the City should receive a portion of the Park's revenue to pay for the road's maintenance. John Clarkson said that state park access funds could also be used on the road. Mr. Johnson responded that he had not investigated these options because of the annexation agreement.

Mayor Bonner thought that the biggest issue was to get the different parties together and determine who would pay for which improvements.

Mayor Bonner asked if the Council was willing to work with Mr. Pope if he agreed to not further subdivide the property. Kraig Powell responded that amending a plat map was not an automatic right.

Mr. Pope said that he had until April 28th to finalize the purchase and the seller was not willing to grant another extension.

Mayor Bonner suggested that the various parties meet that Friday and then the Council consider

the issue at its meeting on April 27th.

Motion: Council Member Van Wagoner moved to table consideration of the amendment until the work meeting on April 27th and that the various parities meet that Friday.

Second: Council Member Kohler seconded the motion.

Discussion: None

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

Council Member Van Wagoner	Aye
Council Member Dodge	Excused from the Meeting
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Aye

10. 100 West Redesign (City Engineer) – The Proposed Redesign of 100 West from Main Street to 100 South.

10a. Presentation – Receive a Presentation on the Proposed Redesign.

Wes Johnson gave a presentation on the proposed redesign and made the following comments:

- 100 West, from Main Street to 100 South, was failing and needed to be repaired.
- That section of road was scheduled to be redone that year.
- The laterals but not the main water line needed to be replaced.
- The road was currently 18 feet wide.
- The first option would be a width of 32 feet in the commercial zone then 24 feet in the residential zone. This design could accommodate one or two lanes. A one-way road would better accommodate diagonal and parallel parking in the commercial zone.
- Parking would be on the pavement with 32 feet for the width and on the shoulder with 24 feet of width.
- Another option would be a width of 24 feet along the entire road.
- The existing irrigation ditch would be preserved.
- Entrances and driveways could be striped, with the 32-foot width, to discourage parking in those locations.
- Recommended the option with 32 feet in the commercial zone and 24 feet in the residential zone.

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

Council Member Van Wagoner asked why 24 feet of width was proposed instead of the adopted

standard of 30 feet. Mr. Johnson responded that the roads in the original part of the City were built to a width of 24 feet. He said that could be enlarged to 30 feet.

Mayor Bonner indicated that letters from several residents along the road were included in the supplemental packet.

Mayor Bonner indicated that the City was reviewing traffic and safety as its commercial areas grew. She said that a one-way road was a big change but it could work. She said traffic would go from Main Street to 100 South. Council Member Van Wagoner noted that a one-way street would send traffic through a school crossing.

10b. Public Hearing – Receive Public Comment on the Proposed Redesign.

Mayor Bonner opened the public hearing.

Zelda Isaksen, 70 West 100 South

Ms. Isaksen recommended only parallel parking. She noted that when large trucks parked in the diagonal parking, at Café Galleria, that it was difficult to see when turning down 100 West. She did not object to parking on the shoulder of the road.

Clair Provost, 172 West 100 South

Mr. Provost also noted that a one-way street would direct traffic into a school zone. He also indicated that 100 South already had a lot of traffic and was used by children to go to and from school. He asked that speeding on 100 South be addressed.

Cecil Duval, Café Galleria Owner

Mr. Duval indicated that the two proposed designs for the road would not affect his business either way. He pointed out that delivery trucks to his business would have to go through residential areas and a school zone if the road was one-way.

Mr. Duval said that there was not a parking problem with his business. He recommended that the no U-turn signs be removed, which would prevent people from using driveways to turn around. He noted that a number of residents along 100 West had illegally put up no parking signs in front of their properties.

Mr. Duval had not seen any accidents near his diagonal parking. He said that a fix was not needed because there was not a problem.

Ed Kelly, 151 South 100 West

Mr. Kelly said a one-way road should be considered only if it was a definite advantage and not just for the sake of change. He preferred two lanes. He thought that 100 South was more dangerous than 100 West.

Jolyn Broadhead, 181 West 100 South

Ms. Broadhead made the following comments:

- There was a lot of traffic going to Soldier Hollow.
- A lot of children used 100 South.
- Drivers did not stop for stop signs.
- Liked municipal parking along Main Street.
- The parking should not have been eliminated between the Town Hall and the Community Center.
- Asked if the lot to the north of the post office could be turned into parking.
- There could be diagonal parking on Main Street if the bike lanes were moved to 100 South.
- Some houses only had parking in the front along the road.

Brent Kelley, 155 South 100 West

Mr. Kelley supported 100 West being a two-way street with striping to show where drivers could not park. He agreed that the parking, between the Town Hall and the Community Center, should not have been eliminated.

Darin Heckel, 60 West 100 South

Mr. Heckel indicated that most roads were changed to one way to increase traffic flow. He said that surrounding property values could be effected by the change. He also indicated that some one-way streets had been converted back to two lanes which slowed traffic and was safer for pedestrians.

John Clarkson, 39 West 100 South

The Utah Department of Transportation (UDOT) discouraged diagonal parking because motorists had to back into traffic which increased accidents. He did not like the proposal for a one-way street but could accept going an extra block to the post office.

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

10c. Action – Discuss and Possibly Approve the Proposed Redesign.

Mayor Bonner asked Mr. Duval to put a sign, at the front of the northern most diagonal parking stall, prohibiting large vehicles.

Mayor Bonner liked the proposed striping, to prevent inappropriate parking, and the asphalt ties into driveways.

Motion: Council Member Kohler moved to design 100 West, from Main Street to 100 South, with two-way traffic, the section with 32 feet of width be striped, and asphalt laid to the driveways.

Second: Council Member Probst seconded the motion.

Discussion: Council Member Probst like the road with two lanes.

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

Council Member Van Wagoner	Aye
Council Member Dodge	Excused from the Meeting
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Aye

11. Resolution 2016-08/Notice of Pending Ordinance Change (City Planner) – Discuss and Possible Approve Resolution 2016-08 Noticing a Pending Ordinance Regarding Uses, Setbacks and Other Requirements in the C-2 and C-3 Zones.

Mr. Henke requested suggestions for setbacks in the commercial zones. He said the setbacks between commercial and residential uses had become a significant issue.

Council Member Kohler stressed that the City also needed to address the uses, such as apartments, in the commercial zones. He also recommended that the City evaluate its conditional uses.

Motion: Council Member Van Wagoner moved to approve Resolution 2016-08 with the Planning Commission reviewing uses, setbacks, and other requirements in the commercial zones.

Second: Council Member Kohler seconded the motion.

Discussion: None

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

Council Member Van Wagoner	Aye
----------------------------	-----

Council Member Dodge	Excused from the Meeting
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Aye

12. Alpenhof Well House Project/Award Contract – Discuss and Possibly Award a Contract for the Installation of the Alpenhof Well House and Associated Infrastructure.

Wes Johnson made the following comments:

- The State had approved the project.
- Bids had been opened the previous week.
- Vancon Inc. was the low bidder with T&A Solutions, RCS, I-D Electric Inc., and Delco Western as sole source providers.
- The total cost would be \$389,413.

Motion: Council Member Van Wagoner moved to award, and authorize the Mayor to sign, the contract to Vancon Inc. with T&A Solutions, RCS, I-D Electric Inc., and Delco Western as sole source providers.

Second: Council Member Christen seconded the motion.

Discussion: None

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

Council Member Van Wagoner	Aye
Council Member Dodge	Excused from the Meeting
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Aye

13. Asphalt Spot Repairs/Award Contract – Discuss and Possibly Award a Contract for the Spot Repair of Asphalt in the City’s Streets.

Wes Johnson indicated that Advanced Paving and Construction was the low bidder at \$31,990. He said they were qualified and recommended that they be awarded the contract for the spot repairs.

Motion: Council Member Kohler moved to award the contract for spot repair of asphalt to Advanced Paving and Construction for the amount of \$31,990. He further moved to authorize the Mayor to sign the contract.

Second: Council Member Probst seconded the motion.

Discussion: None

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

Council Member Van Wagoner	Aye
Council Member Dodge	Excused from the Meeting
Council Member Kohler	Aye
Council Member Christen	Aye
Council Member Probst	Aye

14. Department Reports

Bob Probst, Council Member

Town Hall Stage – Council Member Probst reported that the City was soliciting prices to level the stage in the Town Hall.

Cemetery Fence – Council Member Probst reported that the City was working on the fence at the cemetery.

Community Center Bricks – Council Member Probst reported that several bricks on the Community Center needed to be replaced.

Ken Van Wagoner, Council Member

Pressurized Irrigation System – Council Member Van Wagoner reported that there were several significant breaks, in the pressurized irrigation system, which needed to be repaired before it could be turned on.

New Fire Station – Council Member Van Wagoner reported that road base would be hauled to the new fire station the following week. He said that asphalt would be laid with another planned project. He said emergency service vehicles could be moved in the same week.

New Grand Valley Bank Building – Council Member Van Wagoner said that he stepped off the east setback, for the new Grand Valley Bank building, and estimated that it was 15 feet. Michael Henke responded that it was supposed to be at least seven feet.

Lisa Christen, Council Member

Valais Park Baseball Field – Council Member Christen reported that the baseball field at the Valais Park was being evaluated for possible improvements.

Kraig Powell, Attorney

Michie Lane/School District – Mr. Powell reported that it would be difficult to complete a land purchase between Matt Johnson and the Wasatch County School District before the City needed the right-of-way for Michie Lane. He suggested that the City offer to move one of the portable class rooms at the Midway Elementary School in exchange for the right-of-way.

Wes Johnson, Engineer

Ice Rink Resurfacing – Wes Johnson asked if the City was still going to resurface the concrete surface at the ice rink. The Council asked Mr. Johnson to wait on the project.

Surface Treatments – Mr. Johnson reported that the road surface treatments for that year had been let out for bid.

2016 Road and Water Improvements – Mr. Johnson reported on the road and water improvements for that year.

Michael Henke, Planning Director

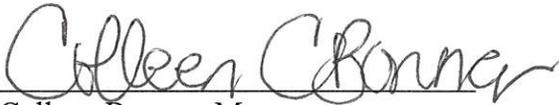
Annual UDOT Meeting – Mr. Henke reported on the annual meeting held by UDOT for Wasatch County.

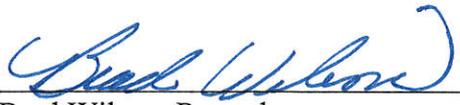
General Plan Update – Mr. Henke reported on the update of the City's general plan.

15. Adjournment

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

The meeting was adjourned at 10:29 p.m.


Colleen Bonner, Mayor


Brad Wilson, Recorder